

**BOROUGH OF MOUNT POCONO
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 5 of 2010

**AN ORDINANCE AMENDING THE CHAPTER 215 - ZONING OF THE CODE OF ORDINANCES OF THE
BOROUGH OF MOUNT POCONO, MONROE COUNTY, PENNSYLVANIA, TO LIMIT OFF-PREMISES SIGNS
TO LOTS WITH NO OTHER PRINCIPAL USE OR STRUCTURE.**

BE IT HEREBY ORDAINED AND ENACTED by the Borough Council of the Borough of Mount Pocono, Monroe County, Pennsylvania, by the authority of and pursuant to the provisions of Act of July 31, 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, as reenacted and amended, known and cited as the *Pennsylvania Municipalities Planning Code*; that the Borough of Mount Pocono's Zoning Ordinance of October 3, 1994, as amended and restated in May 2004, is hereby amended as follows:

ITEM 1 - AMEND § 215-20C(3) TO READ AS FOLLOWS:

(3) Nonresidential uses. In the case of nonresidential uses, there shall be no limit on the number of uses or structures on a single parcel, provided all other standards of this chapter are satisfied. This shall not apply to adult businesses, junkyards, natural resource uses, solid waste facilities, or other uses with a special size requirement listed in this chapter; in which case, the parcel size shall be increased to provide for the minimum land area for each use on the parcel. See §215-20C(7) for off-premises signs.

ITEM 2 - AMEND § 215-20C(4) TO READ AS FOLLOWS:

(4) Residential and nonresidential on the same lot. One residential unit per property shall be permitted in association with a nonresidential use(s) without an increase in the minimum lot size requirement, provided said unit is attached to and is an integral part of the principal nonresidential structure. The residential unit shall be occupied only by the owner or employee of the nonresidential use(s). Any additional residential dwelling units, if provided for in the district by the Schedule of Uses, shall be permitted on the same lot as a nonresidential use only if the lot is of sufficient size to meet the residential unit density required by this chapter in addition to the land area needed to meet the density requirement for the nonresidential use. See §215-20C(7) for off-premises signs.

ITEM 3 - ADD § 215-20C(7) TO READ AS FOLLOWS:

(7) Off-premises signs. No off-premises sign (§215-86) shall be permitted on any lot which is occupied by any other principal use or structure except as may be approved in accord with §215-97D.

ITEM 4 - AMEND § 215-86D (currently marked reserved) TO READ AS FOLLOWS:

D. Principal use limitation. No off-premises sign shall be permitted on any lot which is occupied by any other principal use or structure except as may be approved in accord with §215-97D.

SEVERABILITY

Should any section, subsection, clause, provision or other portion of this Ordinance be declared invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance; the Board of Supervisors having adopted this Ordinance as if such invalid portions had not been included therein.

EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption.

ADOPTION

ORDINANCE ORDAINED AND ENACTED this 4th day of October, 2010, by the Borough Council of the Borough of Mount Pocono, Monroe County, Pennsylvania, to be effective immediately.

BOROUGH OF MOUNT POCONO

By: /S/
John P. Finnerty, Council President

ATTEST: /S/
Lori Yocum, Borough Secretary

APPROVED this 4th day of October, 2010

By: /S/
Dan McDavitt, Mayor