

**POLK TOWNSHIP, MONROE COUNTY, PENNSYLVANIA  
ORDINANCE NO. \_\_\_\_ OF 2019**

**AN ORDINANCE AMENDING PORTIONS OF THE POLK TOWNSHIP  
ZONING ORDINANCE**

WHEREAS, in 2015 the Township of Polk, a Second Class Township situate in Monroe County, Commonwealth of Pennsylvania, adopted a Zoning Ordinance (hereinafter "ZO") which revised existing Ordinances; and,

WHEREAS, said Ordinances were adopted pursuant to the Pennsylvania Municipalities Planning Code which provides for periodic amendment of such Ordinances; and

WHEREAS, the ZO may be amended by the Board of Supervisors in accordance with Section 1215 of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors after review of the 2015 ZO have determined that certain amendments are necessary and appropriate.

NOW, THEREFORE, be it ENACTED and ORDAINED as follows:

Section 1. Amend Section 303 "Definitions" of the ZO by adding the definition of "Retail/Wholesale":

"Establishment with no on site manufacturing engaged in selling merchandise to the general public and may also be engaged in selling merchandise to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies."

Section 2. Section 504.10.C of ZO is amended to delete the second sentence and replace it with the following:

"Other surface systems of equal performance, only for additional spaces above the minimum required, may be approved by the Board of Supervisors provided the applicant details in writing the justification for any relief from the applicable standards."

Section 3. Section 504.10.D of ZO is deleted in its entirety and replaced with the following:

"Low or Seasonal Use – The Board of Supervisors may allow parking areas with low or seasonal use to be maintained in stone or other suitable surfaces. For example, the Board may allow parking spaces to be unpaved, while the major aisles are surfaced with stone or other suitable material. Any request must be in writing and a justification for relief presented."

Section 4. A new Section 504.6.A.4 is added to the ZO as follows:

“When the required number of parking spaces cannot be determined because the Parking Demand Table in the Appendix does not include the proposed use, the following table shall be used. If this following table also does not include the proposed use, the required number of parking spaces shall be determined by the Planning Commission, based on recommendations from the Zoning Officer and the Township Engineer, and on information provided by the Applicant.”

**TABLE OF PARKING STANDARDS FOR SPECIFIC USES**

<b>Minimum Number of Off-Street Parking Spaces Required</b>		
	<b>One (1) Off Street Parking Space Required for Each</b>	<b>Plus One (1) Off Street Parking Space Required for Each</b>
<b>Residential Uses</b>		
Boarding House	1 Room or Occupant	N/A
Home Occupations and Home-Based Businesses	1 nonresident employee working during an 8-hour period	1 space per customer during any one hour period of maximum use
<b>Recreational Uses</b>		
Commercial Swimming Pool	4 persons of total capacity	1 space per employee or worker at maximum number in a shift
Driving Range, Miniature Golf	3 persons of total capacity	Each Employee
Private or Membership Clubs or Lodges	6 members or 6 persons of total capacity	1 space per an employee in a shift with maximum employees
<b>Institutional And Educational Uses</b>		
Auditoriums	3 seats	Two full-time employees
Meeting or Assembly Hall for Fraternal or Civic Organizations	50 Sq. Ft. of Floor Area	Each employee
<b>Retail And Commercial Service Uses</b>		
Automobile or Truck Sales; Furniture or Appliance Store	300 Sq. Ft. of Sales Floor Area	Each employee
Business Services such as Banks and Credit Unions	100 Sq. Ft. of Floor Area Used for Serving Customers	Each employee
Funeral Home	4 Seats for Patron use or 50 Sq. Ft. of Gross Floor Area	Full-time, nonresident employee
Flea Markets (Indoor and Outdoor)	200 Sq. Ft. of Gross Floor Area	Each Vendor
General Retail Stores and Businesses	150 Sq. Ft. of Area Used for Serving Customers	Each employee
Personal Services Business such as Barber Shops, Photo Shops, Appliance Repair	100 Sq. Ft. of Area Used for Serving Customers	Two full-time employees
Professional Offices, such as Consultants, Insurance, Real Estate	200 Sq. Ft. of Gross Floor Area	Each Employee

Self Service Laundromat	Washing or Dry Cleaning Machine	Two full-time Employees
Vehicle Servicing and Repair	1/3 service bay (3 spaces per bay)	Each employee – Full or part time

**Note:** If one of the tables conflicts with the other table, the more restrictive or larger parking standard will apply.”

**Section 5:** Section 911.2 of the ZO is to be amended to add the following notes:

In the event that one or more of such lots are improved with a dwelling the following procedure shall apply:

- (a) If one of such lots is improved with a single dwelling, the lots shall be considered a single lot as is stated in Section 911.2;
- (b) In the event that such lots are improved with two or more dwellings, such lots shall be considered into single ownership proportionally to the number of dwellings located upon them. By way of illustration, if two dwellings are located on two lots in single ownership along with four adjacent lots in the same ownership, two of such vacant lots would be considered in single ownership with each of the lots improved with the dwelling.
- (c) In the event of an odd number of lots or dwellings on such lots, owner may combine such lots as deemed appropriate by owner to be reviewed and approved by the Board of Supervisors.

**Section 6.** The Parking Demand Table in the ZO Appendix 2-5 is amended with the addition of the following notes:

“When the uses are indicated with a “Super” prefix, such as a Superstore, it shall mean a building with a gross floor area of 20,000 square feet, or more.

For Professional Offices and Business Services such as Banks and Credit Unions, this Table shall be used for buildings with a gross floor area of 2,000 square feet, or more. The Table of Parking Standards for Specific Uses shall be used for buildings with a gross floor area of less than 2,000 square feet.”

Section 7. Amend Section 404.3 "Development Standards" of the ZO to delete Table R-3 Village Center District Schedule of Uses and replace it with the following:

<b>R-3 - VILLAGE CENTER DISTRICT -- SCHEDULE OF USES</b>		
<b>INTENT:</b> To provide for a variety of housing types, as well as commercial, service and public and semi-public uses to promote a pleasant and suitable living environment.		
<p><b>PRINCIPAL PERMITTED USES</b> (Zoning Officer)</p> <ul style="list-style-type: none"> <li>- Agricultural products processing only for products raised on the premises</li> <li>- Agritourism</li> <li>- Art studios</li> <li>- Banks</li> <li>- Bed and breakfast inns</li> <li>- Business offices</li> <li>- Business services</li> <li>- Cemeteries</li> <li>- Charging stations</li> </ul>	<ul style="list-style-type: none"> <li>- Clubs and lodges, private</li> <li>- Convenience stores</li> <li>- Crop production</li> <li>- Development sales offices</li> <li>- Forestry</li> <li>- Funeral homes</li> <li>- Group homes</li> <li>- Massage facility, therapeutic</li> <li>- Meeting, assembly or banquet halls</li> <li>- Motels</li> <li>- Nurseries, wholesale</li> <li>- Professional offices</li> </ul>	<ul style="list-style-type: none"> <li>- Public parks and playgrounds</li> <li>- Recreation facility, indoor commercial</li> <li>- Restaurants</li> <li>- Restaurants, take out</li> <li>- Retail businesses</li> <li>- Service establishments</li> <li>- Single-family detached dwellings</li> <li>- Theaters, indoor</li> <li>- Township buildings and uses</li> <li>- Two-family dwellings</li> <li>- Veterinary clinics</li> <li>- Wineries, farm</li> </ul>
<p><b>ACCESSORY USES</b> (Zoning Officer)</p> <ul style="list-style-type: none"> <li>- Accessory uses customary to approved uses</li> <li>- Animal husbandry, home use</li> <li>- Barns, silos, sheds, and similar agricultural buildings</li> <li>- Common facilities</li> <li>- Day care, family home</li> <li>- Decks</li> <li>- Essential services</li> <li>- Farm stands</li> <li>- Garages, private</li> <li>- Gazebos</li> </ul>	<ul style="list-style-type: none"> <li>- Greenhouses, private</li> <li>- Guard houses</li> <li>- Home gardens and home nurseries</li> <li>- No impact home-based businesses</li> <li>- Parking areas accessory to approved uses</li> <li>- Patios</li> <li>- Pets, keeping of</li> <li>- Porches</li> <li>- Private garages, carports, sheds</li> <li>- Retail sales of agricultural/forestry products produced and/or processed on the premises</li> </ul>	<ul style="list-style-type: none"> <li>- Retail sales up to 5,000 sq. ft. of agricultural/forestry related products with an active agriculture/forestry use</li> <li>- Satellite dish antennae or satellite antennas</li> <li>- Signs accessory to approved uses</li> <li>- Solar collectors</li> <li>- Stables, private in association with a single-family detached dwelling</li> <li>- Swimming pools</li> <li>- Wind turbine generators, accessory</li> <li>- Yard, lawn, garage, tag or estate sales</li> </ul>
<p><b>CONDITIONAL USES</b> (Planning Commission/Supervisors)</p> <ul style="list-style-type: none"> <li>- Abused person shelters</li> <li>- Assisted care dwelling unit for relative</li> <li>- Assisted living facilities</li> <li>- Boarding houses</li> <li>- Bus shelters</li> <li>- Clinics</li> <li>- Community centers</li> <li>- Conservation design subdivisions, Options 1, 2 and 3</li> <li>- Cultural centers</li> <li>- Daycare centers</li> <li>- Domestic violence shelters</li> </ul>	<ul style="list-style-type: none"> <li>- Drive-in stands/uses for uses otherwise permitted in R-3 District</li> <li>- Emergency services stations</li> <li>- Farmers markets</li> <li>- Flea markets, indoor</li> <li>- Flea markets, outdoor</li> <li>- Home based businesses</li> <li>- Home occupations (See §503.3 for accessory use home occupations)</li> <li>- Hospitals</li> <li>- Hotels</li> <li>- Manufacturing, light</li> <li>- Micro-breweries</li> </ul>	<ul style="list-style-type: none"> <li>- Multi-family dwellings</li> <li>- Nightclubs</li> <li>- Office buildings</li> <li>- Personal care homes</li> <li>- Places of worship</li> <li>- Public and semi-public buildings and uses</li> <li>- Recreational facilities, public</li> <li>- Religious quarters</li> <li>- Retail, Wholesale</li> <li>- Restaurants, outdoor</li> <li>- Sample homes</li> <li>- Shopping centers or malls</li> <li>- Vehicle or equipment rental, repair or sales operation</li> </ul>
<p><b>SPECIAL EXCEPTIONS</b> (Planning Commission/ZHB)</p> <ul style="list-style-type: none"> <li>- none</li> </ul>	<p><b>NOTE:</b> Uses not specifically listed by this schedule shall not be permitted in the R-3 District except as approved in accord with §404.2.</p>	

**Section 8.** Amend Section 404.3 “Development Standards” of the ZO by deleting the “Part 2” and “Part 4” tables.

**Section 9.** Amend Section 404.3 “Development Standards” of the ZO by relabeling the “Part 3” table as the “Part 2” table, to allow for an orderly sequence on the residential and non-residential lot size tables.

**Section 10.** Amend Section 404.3 “Development Standards” of the ZO by adding the following table labeled “Lot Standards” as the “Part 3” table in Section 404.3:

<b>Part 3</b>	
<b>Lot Standards</b>	
<b>Single-Family Dwelling</b>	
Lot Size*(Sq. Ft.)	Minimum Lot Width
< 22,000	90 Ft
22,000 -29,999	100 Ft
30,000-43,559	120 Ft
43,560-87,119	150 Ft
> 87,120	200 Ft
<b>Two-Family Dwelling</b>	
Lot Size*(Sq. Ft.)	Lot Width**
> 43,560	120 Ft
43,560-65,340	130 Ft
> 65,340	150 Ft
<b>Non-Residential</b>	
Lot Size*(Sq. Ft.)	Lot Width
< 43,560	90 Ft
> 43,560	120 Ft
<b>Notes:</b> *As required by the Schedule of Development Standards in Article IV of the Zoning Ordinance. **Total per two units in one structure.	

**Section 11.** Amend Section 404.3 “Development Standards” of the ZO to include the following tables to be labeled “Part 4” on “Conforming and Nonconforming Lots”:

**PART 4**  
**Conforming Lots**

Maximum lot coverage – percent proposed and existing impervious surfaces

Lot Minimum Setbacks by Zoning District				
Principal Building				
Zoning District	Front	Rear	Side	Maximum Lot Coverage
RR	75'	60'	25'	20%
R-1	60'	60'	20'	25%
R-2	40'	40'	20'	25%
R-3	40'	40'	15'	30%
C	40'	40'	15'	60%
I	40'	40'	15'	60%

Minimum Setbacks by Zoning District				
Accessory Buildings				
Zoning District	Front	Rear	Side	
RR	75'	25'	25'	
R-1	60'	20'	20'	
R-2	40'	20'	20'	
R-3	40'	15'	10'	
C	40'	15'	10'	
I	40'	15'	10'	

Notes:

- 1) Maximum height is 2.5 stories or 35 feet for all buildings in all districts.
- 2) Minimum lot area and setbacks may increase when other provisions require larger setbacks or more restrictive standards as specified in this ordinance.
- 3) Buffer setbacks: refer to Section 704 of this Ordinance.
- 4) Lot Coverage for all non-residential uses in the R Districts is a maximum of 40%.
- 5) Conservation Design Subdivisions - See Section 601.
- 6) Nonconforming lots - See Section 911
- 7) Multi-family dwellings, if permitted - See Section 603
- 8) Mobile Homes Parks - See Polk Twp. SALDO Article VII.

Notes:

- 1) For any new detached accessory building or structure it must be a minimum of 20 feet away from the principal building and any existing or proposed accessory structure.
- 2) Some ordinance provisions require larger setbacks - see Section 503.1.

**Non-Conforming Lots**

Maximum lot coverage – percent proposed and existing impervious surfaces

Minimum Setbacks by Lot Width				
Lots are Less Than an Acre				
Lot Width	Front	Rear	Side	Maximum Building Coverage
45'-59'	30'	20'	15'	25%
60'-79'	35'	25'	15'	25%
80'-99'	40'	30'	15'	25%
100'-150'	40'	40'	15'	25%
Over 150'	40'	40'	15'	25%

Minimum Setbacks				
Accessory Buildings				
Lot Width	Front	Rear	Side	Maximum Lot Coverage
All Lots	40'	15'	15'	40%

Notes:

- 1) For any new detached accessory building or structure it must be a minimum of 20 feet away from the principal building and any existing or proposed accessory structure.
- 2) Some ordinance provisions require larger setbacks – see Section 503.1.
- 3) Sec. 701.1 requires increased setbacks and buffers where a non-residential use adjoins an existing residential dwelling and where a C or I District adjoins any RR, R-1, R-2 or R-3 District.

Section 12. Amend Section 908.4 "Demolition" of ZO to replace with the following:

"If a non-conforming structure is voluntarily demolished, it may be reconstructed within the footprint of the non-conforming structure demolished. Such reconstruction will be subject to Section 910.3. If a non-conforming use is voluntarily demolished to an extent which exceeds fifty (50) percent of the cost to replace the entire structure or use in accord with the most current construction standards, the reconstruction shall comply with current setback, lot coverage, height and other requirements of this Article."

Section 13. Amend Section 911.1.A of the ZO by deleting existing Table entitled "Single Family Dwelling on a Non-Conforming Lot" and include the following sentence at the end of the paragraph:

"Such lots shall comply with the table in Part 4 of Section 404.3"

Section 14. Amend Section 911.5 of the ZO to replace the current sentence with the following:

"Any new or proposed accessory building or structure on a pre-existing nonconforming lot shall refer to Section 404.3 Part 4 table."

This Ordinance shall be effective immediately.

IN WITNESS WHEREOF, the Polk Township Board of Supervisors hereby ADOPTS this

Ordinance this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**POLK TOWNSHIP BOARD OF SUPERVISORS**

By: \_\_\_\_\_  
Brian K. Ahner, Chairman

By: \_\_\_\_\_  
Michael D. Hurley, Vice-Chairman

By: \_\_\_\_\_  
Carl S. Heckman

ATTEST:

\_\_\_\_\_  
Ruthanne K. Toner, Secretary