

ORDINANCE NO. 120

AN ORDINANCE OF POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA, ADDING A SECTION 402.B.3. AND AMENDING SECTION 530G. AND THE USE SCHEDULE OF ORDINANCE NO. 110, KNOWN AS THE "POCONO TOWNSHIP ZONING ORDINANCE", TO ALLOW COMMUNICATION TOWERS IN THE R-1 ZONING DISTRICT AS A SPECIAL EXCEPTION AND ESTABLISHING MINIMUM LOT SIZE REGULATIONS AS TO PROPERTIES ON WHICH THOSE COMMUNICATION TOWERS CAN BE LOCATED.

WHEREAS, it is the desire of the Pocono Township Board of Supervisors to amend the Pocono Township Zoning Ordinance to allow Communication Towers in the R-1 zoning district as a special exception and establish minimum lot size regulations as to properties in the R-1 zoning district on which those Communication Towers can be located.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Pocono Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

**SECTION I:** Section 530 G. of the Pocono Township Zoning Ordinance is hereby amended to provide as follows:

"The minimum lot area requirement for a Communication Tower use in an R-1 Low Density Residential District shall be the greater of five (5.0) acres or the minimum area necessary to comply with the setback requirements of Subsection F. above; provided, however, that other uses may be made of such a lot within an R-1 Low Density Residential District as long as no such other use is located within a distance equal to 100% of the Antenna Height measured from the base of the Communication Tower, and such other use is in compliance with all other Pocono Township ordinances. The minimum lot area requirement for a Communication Tower use in any other zoning district where the same is allowed shall be in accordance with the Minimum Lot Area requirements set forth in this Ordinance for the applicable zoning district where the Communication Tower use is proposed or the minimum area necessary to comply with the setback requirements of Subsection F. above, whichever is greater."

**SECTION II:** A Section 402.B.3. is hereby added to the Pocono Township Zoning Ordinance to provide as follows:

- "3. **Special Exception Uses** - The following uses are permitted subject to the review and approval by the Zoning Hearing Board (See Section 515):
- a. Communication Towers (See Section 530)."

**SECTION III:** The Use Schedule of the Pocono Township Zoning Ordinance is hereby amended to list "SE" in the R-1 column for Communication Towers.

**SECTION IV:** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that such remainder shall be and shall remain in full force and effect.

**SECTION V:** All ordinances or parts of ordinances or resolutions conflicting or inconsistent with any of the provisions of this Ordinance are hereby repealed, but only insofar as same are in direct conflict or directly inconsistent with this Ordinance.

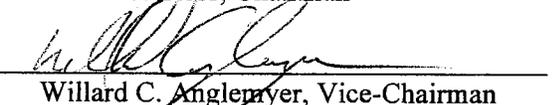
**SECTION VI:** This Ordinance shall take effect five (5) days after enactment.

**ORDAINED AND ENACTED** into an Ordinance this 17<sup>th</sup> day of JANUARY, 2006.

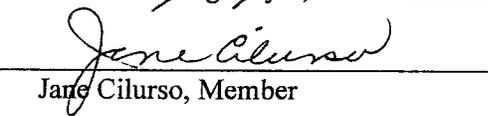
BOARD OF SUPERVISORS POCONO TOWNSHIP

BY: 

L. Patrick Bess, Chairman

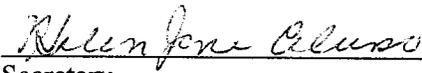
BY: 

Willard C. Anglemeyer, Vice-Chairman

BY: 

Jane Cilurso, Member

ATTEST:

  
Secretary

(TOWNSHIP SEAL)