

## APPENDIX A

# Recommended Zoning Ordinance Revisions

The following are selected examples of recommended Zoning Ordinance revisions needed to implement this Comprehensive Plan. The revisions will also need to include other measures, many of which will require further discussion and review.

**1) Section 103.11 shall be revised to read as follows:**

11. *Implementing the recommendations of the Price Township Comprehensive Plan.*

**2) Section 202 shall be revised to add the following definitions:**

*KENNEL - Any facility where more than six (6) dogs, cats or similar animals over six (6) months of age are kept, boarded, trained or bred, excluding those household pets such as birds and hamsters that are maintained indoors at all times.*

*MIXED RESIDENTIAL/COMMERCIAL USE - An otherwise permitted commercial enterprise with dwellings overhead or on-site for use of owners, caretakers, security personnel or rented as apartments.*

*COMMERCIAL SERVICES - Services enterprises, including but not limited to banks, business and professional offices, car washes, commercial laundries, copying and printing services, dance schools, dry cleaners, funeral homes, group care facilities, medical and dental clinics, photography studios and shoe repair shops and similar enterprises.*

*CONVENIENCE STORE - a store of less than 5,000 square feet in size where food and other retail goods are offered in conjunction with gasoline sales or a car wash as a single operation.*

*RETAIL SHOPS - Specialized single-entity retail enterprises of 10,000 square feet or less in size, including but not limited to, antique stores, appliance stores, arts and crafts shops, auto supply stores, bakeries, book and stationery stores, camera shops, candy stores, clothing stores, department stores, drug stores, florist shops, food markets, furniture stores, gift shops, hardware stores, hobby shops, home and garden stores, ice cream stands, jewelry shops, liquor stores, mailing centers, meat and fish markets, medical equipment, news dealers, pet stores, paint dealers, shoe stores, sporting goods, tailors, tobacco shops, variety stores and similar enterprises.*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

*SHOPPING CENTER - Any commercial structure and group of structures collectively involving more than 10,000 square feet of floor area on a single parcel or group of adjacent parcels developed concurrently including those designed for occupancy by multiple retail tenants as well as large single-occupancy stores offering multiple services (e.g., supermarkets, home centers, retail superstores and warehouse clubs).*

*STABLE - Any facility where equine animals are kept, boarded, trained or bred. A private stable is one where the animals are maintained for the enjoyment of the property owners and guests without remuneration. A commercial stable is one where the animals are maintained for the use of multiple customers or patrons, organized groups or the general public, with or without remuneration.*

**3) Section 308 shall be revised to read as follows:**

*Section 308. Statement of Community Development Objectives. The Goals and Objectives of the Price Township Comprehensive Plan, together with the Statements of District Intent found on the Schedule of District Regulations, shall be considered the community development objectives of this Ordinance.*

**4) Sections 401 through 405 shall be replaced with the following:**

*Section 401. Use Regulations. Use regulations and statements of intent for each District are provided in the Schedule of District Regulations attached hereto. Permits for principal permitted uses and accessory uses shall be issued as a matter of right provided the standards contained in this Ordinance are otherwise met. Conditional uses shall be subject to additional review procedures as specified herein.*

*Section 402. Uses Not Listed. If a proposed use is not specifically listed in any category of uses or within any zoning district on the Schedule of District Regulations, the Board of Supervisors shall render a formal determination as to whether or not the use is permitted in a given district and if the use is permitted, it shall then process the application as a Conditional Use. The Board of Supervisors shall make its determination on the basis of similarities of the use to other specifically listed uses within various districts, taking into consideration the impacts of the use on the community and the neighborhood in which it is proposed. This shall not permit the Board of Supervisors to reclassify uses which are already listed nor shall the Board of Supervisors allow any use which is not listed in a particular district if that use is already permitted in another district.*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

Section 403. Reserved.

Section 404. Reserved.

Section 405. Reserved.

**4) Sections 501 through 502 shall be replaced with the following:**

Section 501. Development Standards. *The area and bulk requirements ("development standards") that apply to each District include minimum lot areas, minimum lot widths and depths, yard requirements, minimum usable open space per dwelling, maximum lot coverage for buildings, maximum height and maximum building stories. These standards vary among Districts and are listed on the Schedule of District Regulations. Specific uses may be subject to additional standards found in the Supplementary Regulations of Article VI or elsewhere in this Ordinance.*

Section 502. Minimum Buildable Lot Area. *Notwithstanding any other requirements of this Zoning Ordinance or any other ordinances or regulations of Price Township, no lot hereafter created and to be served with either on-lot water or subsurface sewage disposal facilities shall contain less than one (1) acre of usable land for buildings, other improvements and the location of an alternate sewer system. Such land shall be free of; a) wetlands, b) wetlands margin area, c) slopes over 25% and d) bedrock or seasonal high water tables within twenty inches of the surface as shall be determined from the Monroe County Soil Survey or a Professional Engineer's study.*

Note: Cross-references to Conservation Subdivision provisions (if enacted) and other Township regulations may also be appropriate here.

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

INSERT SCHEDULE OF DISTRICT REGULATIONS

# Price Township, Monroe County Comprehensive Plan Update 2002

Adopted June 20, 2002

## 5) Revise Section 617 to read as follows:

### Section 617. Landscaping Standards.

1. *So as to provide buffer between adjacent residential and non-residential uses and create a healthy, safe and aesthetically pleasing environment, the Planning Commission or Board of Supervisors, as the case may be, shall require a landscape plan be prepared as part of any Conditional Use application. Such a plan shall also be required whenever any non-residential use is proposed in any district so as to buffer parking areas and buildings from the highway, each other and other uses.*
2. *The landscape plan shall specify locations of all mature shade trees or other species of six (6) inch caliper or greater and indicate existing vegetation to be removed or preserved. It shall demonstrate how building materials, colors, and textures will be blended with the natural and man-made landscape. It shall also include visual depictions of the proposed landscape from the perspective of persons who will view the site from the highway or adjoining properties. Specific locations, varieties, sizes, winter hardiness, and schedules for all proposed plantings shall, too, be provided as part of the plan.*
3. *Landscape plans shall be prepared by a licensed landscape architect or other design professional qualified to perform such services and include consideration of all man-made and natural features, including signs.*
4. *The Planning Commission or the Code Enforcement Officer, as the case may be, in reviewing a landscape plan, may employ the assistance of design professionals and shall also specifically consider the following before approving, approving with modifications or disapproving the use:*
  - A. *The plan should promote attractive development, preserve existing vegetation to the maximum extent possible, enhance the appearance of the property and complement the character of the surrounding area.*
  - B. *The plan should use landscaping to delineate or define vehicular and pedestrian ways and open space.*
  - C. *The plant material selected should be of complementary character to buildings, structures and native plant species and be of sufficient size and quality to accomplish its intended purposes.*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

- D. *The plan should effectively buffer the activity from adjoining land uses as may be necessary and soften the impact of other site development as contrasted with the natural environment.*
  - E. *The plan should be realistic in terms of maintenance and use materials which, as a minimum, are winter hardy to Zone 4.*
5. *Landscaping Standards. All new landscaping required shall meet the following minimum specifications:*
- A. *The minimum branching height for all shade trees shall be eight (8) feet.*
  - B. *Shade trees shall have a minimum caliper of three (3) inches (measured 4 feet above grade) and be at least twelve (12) feet in height when planted.*
  - C. *Evergreen trees shall be a minimum of eight (8) feet in height when planted.*
  - D. *Shrubs shall be a minimum of 24" in height when planted. Hedges shall form a continuous visual screen within two (2) years after planting.*
  - E. *A buffer screen at least twenty-five (25) feet in width along any residential lot line shall be provided. It shall include, at a minimum, one (1) evergreen tree for every fifteen (15) linear feet of property line. The width of this buffer may be reduced along the rear and side lot lines for good cause, but not along the front lot line or to less than fifteen (15) feet. Other yard areas not adjoining residences shall be subject to sub-section F below.*
  - F. *A landscape strip at least twenty-five (25) feet in width, that includes at least one (1) deciduous tree for every thirty (30) linear feet of perimeter lot line shall be required for any non-residential use. Such deciduous trees shall also be accompanied by smaller shrubs and ground cover as may be required to effectively separate and buffer the activity from the highway but still allow for visibility of the use. The width of this buffer may be reduced along the rear and side lot lines for good cause, but not along the front lot line or to less than fifteen (15) feet.*
  - G. *All lot area (except where existing vegetation is preserved) shall be landscaped with grass, ground cover, shrubs, or other appropriate cover. All landscaped areas shall be protected from salt runoff using appropriate edge treatments.*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

- H. *The preservation of mature shade trees shall be required unless there is no alternative but to remove them. These may be used to meet requirements of this section provided the Code Enforcement Officer or Planning Commission, as the case may be, determines the purpose of this section is achieved.*
6. *Where it is determined that a proposed use would not have a significant impact on the natural environment, adjoining landowners or the view from a public highway, these requirements may be appropriately modified.*
7. *A performance guarantee in the amount of one-hundred-twenty-five percent (125%) of the cost of materials and installation may be required to assure that all landscaping survives in a healthy condition one (1) full year. The Code Enforcement Officer or Planning Commission, as the case may be, shall determine the amount of the guarantee. The Code Enforcement Officer shall have the right to enter upon the property to inspect the landscaping and, after notifying the owner of any deficiencies, to require that the guarantee be used to pay for the replacement of any dead, dying, diseased, stunned or infested plant materials.*
8. *All applicable requirements of these landscaping regulations shall be fully met prior to the Code Enforcement Officer granting a Certificate of Occupancy for a new building or use.*
- 6) **Add new Section 620 to read as follows:**

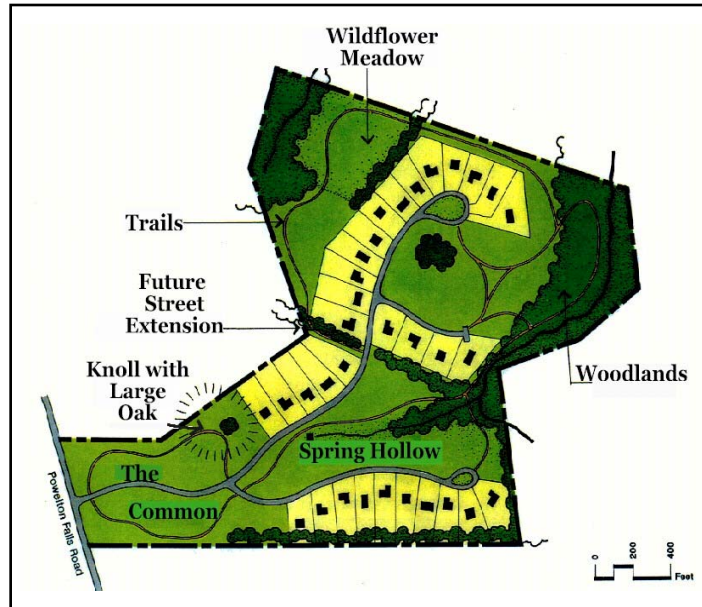
**Note: The following is intended to offer a starting point in preparing Conservation Subdivision regulations. Definitions will need to be added and the details of these provisions refined as part of Plan implementation.**

## **Section 620. Conservation Subdivisions.**

*A conservation subdivision is one where lots or dwelling units are clustered closer together on a tract with the specific objective of creating large usable sections of open space on the remainder of the property and without substantially increasing density for the tract as a whole. Provided below is an illustration, followed by the regulations that shall apply to such development in Price Township:*

# Price Township, Monroe County Comprehensive Plan Update 2002

Adopted June 20, 2002



*Illustration Courtesy of Natural Lands Trust*

- 1. The Township Board of Supervisors shall be authorized, simultaneously with the approval of plans under the Price Township Subdivision Ordinance, to modify applicable provisions of this Zoning Ordinance as provided herein so as to accommodate conservation subdivision projects. Conservation subdivisions offer flexibility in design, facilitate the economical provision of streets and utilities and preserve open space. They shall be allowed anywhere within Price Township and be processed pursuant to subdivision plat approval procedures.*
- 2. The Planning Commission or Township Board of Supervisors may also require or suggest conservation subdivision, as a form of development, in those instances where conventional subdivisions or residential developments would cause significant loss of open space or otherwise result in significant negative environmental impacts. The Map of Potential Conservation Lands from the Price Township Comprehensive Plan may be used as a basis for making such a requirement of a subdivider.*
- 3. Proposed developments shall be processed in the same manner as a major subdivisions and in accordance with the standards below.*
- 4. Conservation subdivisions shall ordinarily include at least five (5) lots and 10 acres of contiguous land but the Board of Supervisors may grant exceptions to protect particularly valuable open spaces. The Planning Commission shall have the authority*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

*to request the submission of an alternative Sketch Plan, for any subdivision of ten (10) lots or more, depicting how the property might be developed using this technique. If this alternative Sketch Plan is determined to provide a superior design in accord with the purposes of this Ordinance, the Board of Supervisors may offer a density bonus in return for use of the conservation subdivision technique. Such bonus shall be determined using the following criteria:*

0% to 25% open space	No density bonus
25% to 30% open space	5.0% density bonus
31% to 35% open space	7.5% density bonus
36% to 40% open space	10.0% density bonus
41% to 45% open space	12.5% density bonus
46% to 50% open space	15.0% density bonus
50% or more open space	25.0% density bonus

5. *The maximum permitted number of dwelling units before density bonuses shall be determined from the sketch plan submitted for a conventional subdivision. Such yield plan shall illustrate all proposed lots, streets, right-of-way and other pertinent features. Although it must be drawn to scale, it need not be based on a field survey. Nevertheless, it must be a realistic layout reflecting a development pattern that could reasonably be expected to be implemented, taking into account the presence of wetlands, floodplains, steep slopes, existing easements or encumbrances, the type of sewage system proposed, and, if unsewered, the suitability of soils for subsurface sewage disposal. The yield plan shall also be based on minimum lot sizes and other development standards for the zoning district involved.*
6. *Only single-family detached and two, three and four family dwellings shall be employed in this concept. All other dwelling types shall be considered multiple dwellings.*
7. *Development standards for streets, lot size, lot width, lot coverage and lot depth may be reduced, provided no dwelling structure (single-family or two-family) is located on less than;*
  - A. *forty-thousand (40,000) square feet of land where both on-site sewer and water facilities are to be provided, or where either on-site water facilities or on-site sewer facilities are to be provided.*
  - B. *ten-thousand (10,000) square feet of land where both central sewer and central water facilities are to be provided.*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

*A mix of lot sizes will be encouraged and up to 20% may consist of lots of (10) ten acres or more that shall be counted as open space for density calculation purposes. Such lots shall not represent more than 50% of the open space, however. Yard requirements may also be reduced, but in no instance to less than twenty (20) feet for the front yard and ten (10) feet for the side and rear yards, except in instances where zero-lot line development is proposed with compensating yards on the opposite side. Notwithstanding these yard requirements, however, all principal structures shall be separated by a distance of at least forty (40) feet. Also, no more than 35% of any given acre shall be covered with impervious surface in the form of access drives, parking areas or structures.*

8. *No individual parcel of common open space shall be less than one (1) acre except as to roadway median strips, traffic islands, walkways, trails, courtyards, play areas, recreation facilities, drainageways leading directly to streams, historic sites or unique natural features requiring common ownership protection. No more than 50% of the permanent open space may consist of wetlands, floodplains, slopes of 25% or more, water bodies and other undevelopable areas unless the same have been incorporated into the open space in such a manner as to make substantial practical use of these areas for trails, other active recreational uses (e.g. ballfields and golf courses) or similar development features, including use for stormwater detention and sewage treatment (see §§ 11). Such determination shall, however, be solely in the discretion of the Township Board of Supervisors. The Township may also require open space linkages with adjoining properties and subdivisions.*

Note: The Township may wish to incorporate more specific open space design standards here.

9. *The open space resulting from conservation subdivision design shall be permanently protected through a conservation easement. The easement shall be titled to a property owner's association (POA), land trust, municipality or other public entity (e.g. the County or School District) and placed under the management of such an organization on an irrecocable basis to insure the perpetual maintenance of the open space, which land may be used for any Township approved open space purpose including farming, active or passive recreational use and similar activities, prior to the sale of any lots or dwelling units within the subdivision. Private, deed-restricted ownership for us in open spaces or agriculture may also be approved at the discretion of the Board of Supervisors.*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

10. *Membership in any POA to which open space is to be dedicated shall be mandatory for each property owner within the subdivision and successive owners with voting of one vote per lot or unit and the subdivider's control, therefore, passing to the individual lot/unit owners on sale of the majority of the lots or units. All restrictions on the ownership, use and maintenance of common open space shall be permanent and the POA shall be responsible for liability insurance, local taxes, and maintenance of all open space, recreational facilities and other commonly held amenities. Each property owner must be required to pay their proportionate share of the POA's cost and the POA must be able to file liens on the lot/unit owner's property if levied assessments are not paid. The POA must also have the ability to adjust the assessment to meet changing needs.*
  
11. *Wells and sewage treatment systems of either an individual or community nature may be located within or extend into open space areas, provided that subsurface sewage disposal methods are employed, all required isolation distances are observed and the ownership and maintenance responsibilities associated therewith are clearly defined in agreements submitted for approval as part of the subdivision application. No application shall be approved that does not provide lot buyers with both the legal authority and the responsibility, individually or collectively, to maintain all sewer and water facilities on a continuing basis.*

# Price Township, Monroe County Comprehensive Plan Update 2002

Adopted June 20, 2002

7) **Revise Part VII to read as follows:**

***PART VII***  
***Parking and Loading Requirements***

**Section 701. Parking and Loading Requirements.**

1. *Off-street parking, loading and unloading facilities shall be provided as necessary in connection with every use. Single-family and two-family residential uses shall be provided with two (2) off-street parking spaces per dwelling unit. The following standards shall apply with respect to all other uses:*

<i>Home-based businesses</i>	<i>1 space per 100 sq. ft. of floor area devoted to use</i>
<i>Hotels/motels</i>	<i>1 space per rental room</i>
<i>Industrial uses</i>	<i>1 space per 400 sq. ft. floor area</i>
<i>Places of public assembly</i>	<i>1 space per 5 seats</i>
<i>Offices</i>	<i>1 space per 300 sq. ft. floor area</i>
<i>Restaurants</i>	<i>1 space per 50 sq. ft. floor area</i>
<i>Auto service stations</i>	<i>4 spaces plus 1 per employee</i>
<i>Banks</i>	<i>1 space per 300 sq. ft. floor area</i>
<i>Convenience retail</i>	<i>1 space per 225 sq. ft. floor area</i>
<i>Hard goods retail</i>	<i>1 space per 350 sq. ft. floor area</i>
<i>Shopping centers</i>	<i>1 space per 225 sq. ft. floor area</i>

2. *Where these standards are inadequate due to unusual uses, site conditions or particular public safety concerns or would provide excessive amounts of parking based on experience or proposing sharing of facilities, they may be modified by the Board of Supervisors during site plan review. The Board shall, in such cases, consider the following factors:*

- A. *Industry studies of parking needs for the type of use proposed or actual case-study comparisons for projects of similar character. The Planning Commission or the Board of Supervisors, as the case may be, may require the developer or applicant to gather and submit such data in support of its proposed parking provisions. The National Parking Association and the Urban Land Institute are examples of such industry sources.*
- B. *The characteristics of the proposed customers, residents, occupants or visitors to a given facility. Housing for the elderly would, for example, require fewer*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

*spaces per dwelling unit than time-shared recreational units, though the number of dwelling units might be the same.*

- C. The expected occupancy rates, traffic levels and numbers of employees in connection with any enterprise and the degree to which these directly relate to parking requirements.*
  - D. Recommendations, if any, from other public agencies or information sources which suggest, based on experience, the appropriate amount of parking in connection with a given use.*
  - E. The likelihood that parking will be shared with adjoining facilities, the impact of daily peak visitation or use periods on demand and the hours of operation as compared to other neighborhood activities.*
- 2. Each parking space shall consist of not less than an average of two hundred seventy (270) square feet of usable area for each motor vehicle, including a designated parking space of no less than nine (9) feet in width and eighteen (18) feet in length plus interior driveways, driveways connecting the garage, or parking space, with a street or alley. Garages, carports, and driveways not in the public right-of-way may be considered parking spaces.*
  - 3. Any lighting used to illuminate off-street parking shall be so arranged as to reflect the light away from adjoining premises and public right-of-ways.*
  - 4. All parking areas which are designed to accommodate twelve (12) or more vehicles shall be landscaped using materials of sufficient growth and height to aesthetically balance the impact of the open paved area and provide effective stormwater control. The following minimum layout standards shall apply but may be modified at the discretion of the Planning Commission or the Township Board of Supervisors to accommodate snowplows and other maintenance:*
    - A. No more than twelve (12) parking spaces shall be allowed in a continuous row uninterrupted by landscaping. Raised planting beds shall be located at intervals of twelve (12) spaces and at the end of each row. Such beds shall be a minimum of five (5) feet in width and each planted with at least one (1) shade tree of 3 inch caliper. The remainder of the bed shall be surfaced with flowers, grass, groundcover, low maintenance shrubs and/or mulches (no crushed stone or chips).*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

- B. *Planting beds meeting the above standards with at least one (1) shade tree of 3 inch caliper for every thirty (30) lineal feet of bed shall also be required along the perimeter of all parking areas and between parking areas and buildings. The area between a parking area and any building shall be a minimum of ten (10) feet in width, however. No less than ten percent (10%) of any parking area over one-thousand (1,000) square feet in size shall be landscaped with vegetation approved by the Township Planning Commission.*
- C. *No parking areas shall be designed such that a vehicle might directly back out onto a public highway or through road within the development. Traffic flows through a parking area shall be minimized and limited to connections from one lot to another and to the public highway or through road.*
- D. *All parking spaces associated with commercial uses shall be located not more than three-hundred (300) feet distant from the nearest entrance to the inside of the structure wherein the enterprise is situated.*
- E. *Parking areas along main streets shall be located in the rear yard of any use, with the principal building situated at or near the front lot line. This is for the purpose of maintaining the continuity of the building line along any highway and avoiding the effective merger of parking areas along a highway into one mass of pavement where entrances and exits become difficult to identify. This principle shall also be applied in areas of the Township, where practical.*
- 5. *Any building erected, converted or enlarged for commercial, office, manufacturing, wholesale, institutional or similar uses shall, in addition to the off-street parking space required above, provide adequate off-street areas for loading and unloading of vehicles. Public rights-of-way shall, under no circumstance, be used for loading or unloading of materials. The minimum size loading space shall be sixty (60) feet in depth and twelve (12) feet in width, with an overhead clearance of fourteen (14) feet.*
- 6. *Access to and from all off-street parking, loading and vehicle service areas along public rights-of-way shall consist of well defined separate or common entrances and exits and shall comply with the following provisions:*
  - A. *Access drives shall not open upon any public right-of-way within (80) feet of the nearest right-of-way line of any intersecting public street or highway or where the sight distance in either direction would be less than two-hundred (200) feet. Access drives onto state highways shall be subject to Pennsylvania Department*

# Price Township, Monroe County Comprehensive Plan Update 2002

Adopted June 20, 2002

of Transportation standards.

- B. *There shall be no more than one entrance and one exit to any business or parking area on any one highway unless safety considerations should demand it. Each entrance and exit shall be clearly defined with curbing, fencing or vegetative screening so as to prevent access to the area from other than the defined entrance and exits and all landscaping shall meet standards contained herein. In no case shall one entrance and exit be located within 80 feet of any other on the same property or adjoining property along the same public right-of-way except in the case of shared drives. Non-conforming lots, however, shall be exempt from this requirement.*
7. *All non-residential parking and loading areas and parallel circulation and service lanes shall be separated from the paving edge of a public thoroughfare or adjoining property lines by a planting strip at least twenty (20) feet in depth.*
8. *The Planning Commission, at its discretion, may require a traffic impact study with any Conditional Use application involving an activity likely to generate more than two-hundred-fifty (250) trip-ends per day based on the following daily rates:*

<i>Residential uses</i>	<i>9.6 trip-ends per dwelling unit</i>
<i>Industrial uses</i>	<i>3.3 trip-ends per employee</i>
<i>Restaurants</i>	<i>7.9 trip-ends per seat</i>
<i>Fast-food restaurant</i>	<i>23.9 trip-ends per seat</i>
<i>Convenience market</i>	<i>605.6 trip-ends per 1,000 sq. ft. gross floor area</i>
<i>Supermarket</i>	<i>177.6 trip-ends per 1,000 sq. ft. gross floor area</i>
<i>Car wash</i>	<i>108.0 trip-ends per car stall</i>
<i>Offices</i>	<i>6.0 trip-end per employee</i>
<i>Other commercial uses</i>	<i>50.0 trip-ends per 1,000 sq. ft. gross floor area</i>
<i>Institutional uses</i>	<i>4.0 trip-ends per employee</i>
<i>Other uses</i>	<i>See "Trip Generation" - Institute of Transportation Engineers</i>

*The study shall examine existing and projected traffic flows before and after development and generally follow the guidelines set forth for such studies by the Institute of Transportation Engineers. Its purpose shall be to ensure that proposed developments do not adversely affect the transportation network and to identify any traffic problems associated with access to the site from the network. It shall identify solutions to potential problems and any improvements needed. The scope of the study shall be approved in advance by the Planning Commission.*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

8) **Revise Section 1004 to read as follows:**

**Section 1004. Multiple Dwelling Standards.**

*Multiple dwelling projects are considered conditional uses in certain Districts in order to provide the opportunity for the development of a variety of housing types in the Township. In addition to the Conditional Use Standards set forth in this Ordinance and the Township Building Code, the following standards shall apply to multiple developments.*

1. *Procedure. Multiple dwelling projects shall be considered major subdivisions and land developments subject to the Township Subdivision and Land Development Ordinance. This "major subdivision" classification shall apply to all subdivision of property in connection with the development, regardless of whether or not the same are connected with building development, and the approvals required shall be requested and acted upon concurrently as one subdivision. Application for preliminary approval of multiple dwelling projects, accordingly, will be made to the Township Planning Commission in the manner provided in the Subdivision and Land Development Ordinance. The developer shall also submit all information required by said Regulations in addition to the following additional information:*
  - A. *An application for multiple dwelling conditional use by a letter or brief from the developer indicating how the development will specifically meet the conditional use standards of this Ordinance.*
  - B. *A proposed plot plan showing all necessary information to include at a minimum, location of all buildings and improvements including roads, parking areas, planting strips, signs, storm drainage facilities, water supply and distribution systems, sewage treatment and collection systems and the specific areas provided as open space pursuant to the requirements of this Ordinance. Building layouts, floor plans and profiles shall also be provided indicating building dimensions, numbers, and sizes of units, common ownership or use areas, lighting and such other information as shall be required to determine compliance with the design standards contained herein and any other building standards which may be applicable in the Township. Setbacks from property lines, improvements, and other buildings shall also be specifically shown.*
  - C. *A schedule or plan, and proposed agreement(s) either with the Township or a property owners, association for the purpose of dedicating, in perpetuity, the*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

*exclusive use and/or ownership of the open space required by this Ordinance to the prospective dwelling owners or occupants. Such agreement may be incorporated in the applicant's proposed covenants and restrictions, but shall in any event, provide to the satisfaction of the Township that maintenance and use of the property, regardless of ownership, be restricted to either (1) activities intended for the sole benefit of the occupants of the particular project proposed or, (2) permanent open space as hereinafter provided.*

*The application package shall be processed on a schedule concurrent with requirements for review and approval of other Preliminary Plans pursuant to the Township Subdivision and Land Development Ordinance including providing the County Planning Commission with a thirty (30) day opportunity to review copies of the entire package. The Township Planning Commission shall report its findings together with a recommendation indicating whether the conditional use criteria contained in Section 509 will be satisfied.*

*The Board of Supervisors shall act on the Preliminary Plan, conditional use, and "Planning Module for Land Development" concurrently, making the Preliminary Plan approval, if one shall be given, subject to approval of the Planning Module by the Pennsylvania Department of Environmental Protection (DEP).*

*No building permit shall be issued to the applicant until all conditions attached to the approval of any Preliminary Plan, including DEP approval of the "Planning Module", shall have been satisfied and nothing herein shall be construed as permitting the issuance of a building permit prior to Preliminary Plan approval. If the Preliminary Plan shall be rejected no conditional use, building or zoning permit shall be granted.*

*Following Preliminary Plan approval, the developer shall provide for the installation of all required or proposed improvements including but not limited to streets, parking areas, storm drainage facilities, recreational facilities and lighting. Building improvements shall also be completed or guaranteed prior to the applicant's request for Final Approval. No Certificate of Use shall, however, be issued until such time as (1) Final Plan approval shall have been granted pursuant to the Subdivision and Land Development Ordinance, and (2) buildings have been completed and inspected by the Zoning Officer and a valid certificate of approval from the Pennsylvania Department of Labor and Industry where required is provided by the applicant.*

*No person shall sell, transfer, lease or agree or enter into an agreement to sell*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

*or lease any land and/or buildings or interests in the individual dwelling units to be created, or erect any building thereon except in accord with the provisions of this Ordinance, and unless and until Final Plan approval and a Certificate of Use shall have been granted and the Plan has been recorded in the Office of the County Recorder of Deeds.*

2. Parcel Size and Density. *All land proposed for a multiple dwelling project shall be contiguous. The total number of dwelling units permitted shall be calculated by taking the total acreage of the development (including all areas to be devoted to open space), deducting the following acreage:*

- A. *Land contained within public rights-of-way*
- B. *Land contained within the rights-of-way of existing or proposed private streets. Where formal rights-of-way are not involved, the width of the street shall be assumed as fifty (50) feet.*
- C. *Land contained within the boundaries of easements previously granted to public utility corporations providing electric or telephone service, and any petroleum products pipeline rights-of-way.*
- D. *The area of waterbodies including lakes, ponds and streams (measured to the normal high water mark on each side); wetlands; quarries; areas with slope of twenty-five (25) percent or greater; and areas used for improvements;*

*and dividing the remainder by fifteen thousand (15,000) square feet per dwelling unit.*

3. Open Space. *All areas of a development not conveyed to individual owners; and not occupied by buildings and required or proposed improvements shall remain as permanent open space or be dedicated to recreation area to be used for the sole benefit and enjoyment of the residents of the particular units being proposed. Such open space shall be part of the same parcel and contiguous and shall be subject to the following regulations:*

- A. *Recreation areas shall be immediately adjacent to the proposed units and freely and safely accessible to all residents of the development and shall not be used to fulfill open space requirements or provide recreational areas for residents of other units.*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

- B. *Land designated as open space shall be maintained as open space and may not be separately sold, used to meet open space or recreation area requirements for other developments, subdivided or developed excepting that a holding zone may be reserved for future development pursuant to density and other zoning requirements as they presently exist, provided such lands are specifically defined and indicated as "reserved for future development" on all plats. Such lands shall not be included in calculating permitted density for the proposed development. These provisions, however, shall not be construed as granting or reserving to the developer any rights or privileges to develop on the basis of a "pre-approved plan" if density or other zoning requirements shall have been modified to preclude such development.*
- C. *Open space areas shall be maintained so that their use and enjoyment are not diminished or destroyed. Such areas may be owned, and maintained by either one or both of the following mechanisms:*
- 1. Dedication to a property owners association which assumes full responsibility for maintenance of the open space.*
  - 2. Deed-restricted private ownership which shall prevent development of the open space, provide for its maintenance and protect the rights of owners or occupants of dwelling units to use and enjoy, in perpetuity, the open space as shall have been dedicated to recreation area for the project.*
- Whichever mechanism(s) may be used, the developer shall provide, to the satisfaction of the Township and prior to the granting of any Final Plan approval, for the perpetual maintenance of the open space and also the use and enjoyment of the recreation area by residents of the units being approved. No lots shall be sold nor shall any building be occupied until and unless such arrangements or agreements have been finalized and recorded.*
- D. *At least fifty (50) percent of the designated recreation area shall be usable for active recreational activities and shall not include swamps, quarries, slopes of twenty-five (25) percent in grade, or acreage used for improvements. Storm drainage facilities are considered improvements.*
- E. *Developments of fifty (50) units or more shall also include parks and playgrounds according to the following formula; one-half acre per fifty (50) units.*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

4. Design Criteria. *The following design criteria shall apply to multiple developments:*
- A. *There shall be no more than ten (10) dwelling units in each multiple dwelling building.*
  - B. *No structure shall be constructed within fifty (50) feet of any access road to or through the development or within ten (10) feet of the edge of any parking area.*
  - C. *Access roads through the development shall comply with the street requirements of the Township Subdivision and Land Development Ordinance for minor roads.*
  - D. *No multiple dwelling development shall be served by more than one access from any public highway, unless topographic or other physical circumstances such as the scope of the development dictate the use of more than one access for safety reasons.*
  - E. *Parking shall be provided in accord with the requirements of Section 408 hereof.*
  - F. *All multiple structures shall be separated by a distance at least equal to the height of the highest adjoining structure; a minimum of forty (40) feet.*
  - G. *All multiple structures, improvements and any effluent disposal areas shall be a minimum of fifty (50) feet from any exterior property lines and any public road right-of-way.*
  - H. *Landscaping shall be provided in accord with the requirements hereof.*
  - I. *Multiple developments shall be subject to the stormwater management requirements of the Township Subdivision and Land Development Ordinance.*
  - J. *Sidewalks shall be provided from all buildings and/or units to their respective parking area and shall be of a design approved by the Township and shall be a minimum of three (3) feet in width improved to a mudfree condition.*
  - K. *Exterior storage areas for trash and rubbish shall be screened from public view on three sides and shall be contained in covered, vermin-proof containers. Interior storage areas for trash and rubbish shall at all times be kept in an orderly and sanitary fashion.*

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

5. Water and Sewage. All multiple developments shall be served with off-site sewage facilities and water supplies (as defined in the Township Subdivision Ordinance). Developers proposing the use of either community sub-surface sewage disposal or treatment involving a stream discharge shall have first investigated and determined that land application of effluent is not feasible. Effluent disposal areas shall be subject to the setback requirements applicable to other multiple buildings and structures. Developments using sub-surface or land application sewage disposal shall identify on the development plan reserve areas suitable for similar sewage disposal to be used in the case of the malfunction of the primary system.
  
6. Non-Residential Use. Non-residential uses shall not be permitted in a multiple development. Such ancillary facilities as laundry areas, service buildings recreational facilities and the like for the use of the residents of the project shall be permitted. Where a developer proposes to construct multiple units on property on which there are existing or proposed non-residential uses (other than ancillary facilities and open space uses) there shall be a minimum setback of the multiple structures from such uses of two-hundred (200) feet and the parcels shall be clearly segregated.
  
7. Conversions of Existing Structures. Conversions of existing structures for two-family or multiple dwelling uses or mixed commercial and residential use, regardless whether or not such conversions involve structural alterations, shall be subject to this Section 506 with the following exceptions:
  - A. The minimum lot area per dwelling unit shall be reduced to 10,000 square feet per bedroom or efficiency apartment, provided no more than four (4) dwelling units are established per acre of land.
  
  - B. The Township Planning Commission shall be authorized, with the subsequent approval of the Board of Supervisors, to waive any procedural standards contained in this Section insofar as their applicability to existing structures or the redevelopment of existing uses and shall instead rely upon the non-conforming use and conditional use standards contained herein.
  
  - C. Non-residential uses may be mixed with residential to the extent other provisions of this Ordinance so permit. Minimum development standards applicable to such activities shall be based on sub-section A above and equivalent dwelling units determined from anticipated sewage flows.

# Price Township, Monroe County Comprehensive Plan Update 2002

---

Adopted June 20, 2002

8. *Common Property Ownership and Maintenance.* In cases where the ownership of common property is involved, evidence of arrangements for the continuous ownership and maintenance of same shall be provided by the developer for approval by the Township. This shall specifically include, but not be limited to, provisions dealing with the ownership and maintenance of open space, improvements and utilities. Said arrangement shall indemnify the Township of any responsibility associated with same; and shall be prepared in accord with the Township Subdivision and Land Development Ordinance. The developer shall also submit evidence of compliance with the PA Condominium Law or an attorney's opinion that said Law does not apply to the subject project.

## APPENDIX B

# Recommended Subdivision and Land Development Ordinance Revisions

The following are selected examples of recommended Subdivision and Land Development Ordinance revisions needed to implement this Comprehensive Plan. The revisions will also need to include other measures, many of which will require further discussion and review.

**1) Add Section 4.102 to read as follows:**

*All subdivisions and land developments shall fully comply with the requirements of Price Township's Zoning and Natural Features Ordinances.*

**2) Section 4.303.a shall be revised to read as follows:**

a. *Notwithstanding any other requirements of this Ordinance or any other ordinances or regulations of Price Township, no lot hereafter created and to be served with either on-lot water or subsurface sewage disposal facilities shall contain less than one (1) acre of usable land for buildings, other improvements and the location of an alternate sewer system. Such land shall be free of; a) wetlands, b) wetlands margin area, c) slopes over 25% and d) bedrock or seasonal high water tables within twenty inches of the surface as shall be determined from the Monroe County Soil Survey or a Professional Engineer's study.*

**3) Section 4.303.b shall be revised to read as follows:**

b. *No new lot shall have a lot depth exceeding four (4) times the lot width.*

**4) Section 4.400 shall be revised to read as follows:**

*All multiple dwelling subdivisions and land developments shall be subject to Section 1004 of the Price township Zoning Ordinance.*

## APPENDIX C

### Other Recommended Ordinance Revisions

The following are selected examples of other recommended ordinance revisions needed to implement this Comprehensive Plan. The revisions will also need to include other measures, many of which will require further discussion and review.

- 1) **Revise the Section 200 definition of "wetlands margin" in the Natural Features Conservation Ordinance to read as follows:**

*WETLANDS MARGIN - The transitional area extending from the outer limit of the wetland, which, for purposes of this Ordinance, shall extend to one-hundred (100) feet from the wetland boundary or to the limit of the hydric soils, whichever is greater.*

- 2) **Delete Section 301.A.3 of the Natural Features Conservation Ordinance.**
- 3) **Add Section 303 to the Natural Features Conservation Ordinance to read as follows:**

*Section 303. Minimum Buildable Lot Area.*

*Notwithstanding any other requirements of this Ordinance or any other ordinances or regulations of Price Township, no lot hereafter created and to be served with either on-lot water or subsurface sewage disposal facilities shall contain less than one (1) acre of usable land for buildings, other improvements and the location of an alternate sewer system. Such land shall be free of; a) wetlands, b) wetlands margin area, c) slopes over 25% and d) bedrock or seasonal high water tables within twenty inches of the surface as shall be determined from the Monroe County Soil Survey or a Professional Engineer's study.*