

**TOWNSHIP OF SMITHFIELD
MONROE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. _____
(Duly Adopted _____)**

**AN ORDINANCE OF THE TOWNSHIP OF SMITHFIELD, MONROE COUNTY,
PENNSYLVANIA, AMENDING THE TOWNSHIP CODE OF ORDINANCES,
CHAPTER 27 ENTITLED “SMITHFIELD TOWNSHIP ZONING ORDINANCE”
BY REZONING A 4.2 ACRE VACANT PARCEL OF LAND FROM THE R-1
(LOW DENSITY) RESIDENTIAL DISTRICT TO THE M-1 (INDUSTRIAL)
ZONING DISTRICT**

WHEREAS, Smithfield Township (the “Township”) is a political subdivision of the County of Monroe, Commonwealth of Pennsylvania and is a Second Class Township with offices located at 1155 Red Fox Road, East Stroudsburg, Pennsylvania 18301; and

WHEREAS, the Township Code of Ordinance contains a chapter on zoning which contains the Township Zoning Ordinance as Chapter 27 of the Township Code of Ordinances; and,

WHEREAS, the Zoning Ordinance also lists various zoning district designated as *inter alia* R-1 (Low Density) Residential and M-1 (Industrial); and,

WHEREAS, an application has been made by a property owner-the Pocono-Stroudsburg Airport, Inc.-to rezone a 4.2 acre vacant parcel of land located in the R-1 Zoning District to the M-1 Zoning District along with changing the accompanying Zoning Map; and,

WHEREAS, the parcel adjoins existing parcels already situate in the M-1 Zoning District and is located on Airport Road (across from the former Pocono-Stroudsburg Airport) and is owned by the Pocono-Stroudsburg Airport, Inc. with Tax Parcel ID No. 16.7.1.4 and PIN # 16-7312-00-58-4566; and,

WHEREAS, adjoins the existing M-1 Zoning District and is in close proximity to the ED (Economic Development) Zoning District; and,

WHEREAS, this zoning request is a legislative change request; and,

WHEREAS, Township is of the opinion that the instant ordinance promotes the public health, safety and general welfare of the Township residents and the Township as a whole; and, this zoning amendment is consistent with the Township’s general powers under the Second Class Township Code, Sections 66506 (General Powers) and 66516 (Land Use Regulations); and,

WHEREAS, pursuant to Section 609 of the Pennsylvania Municipalities Planning Code, 53 P.S. §10609, the Township is authorized and empowered to enact amendments to the Smithfield Township Zoning Ordinance after public hearing thereon pursuant to public notice; and

WHEREAS and pursuant to the Pennsylvania Municipalities Planning Code, both the Township Planning Commission and the Monroe County Planning Commission have reviewed the proposed amendment; and,

WHEREAS, the Smithfield Township Board of Supervisors has conducted a public hearing pursuant to public notice concerning the following amendment to the Smithfield Township Zoning Ordinance; and

WHEREAS, after holding a public hearing, the Smithfield Township Board of Supervisors desires to ordain and enact the amendment to the Smithfield Township Zoning Ordinance as set forth hereinafter;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Smithfield Township Board of Supervisors as follows:

SECTION 1: The above recitals are herein incorporated by reference as fully as though the same were herein reiterated at length and appeared at large hereto.

SECTION 2: Smithfield Township Zoning Ordinance and the accompanying Zoning Map are amended whereby a 4.2 acre vacant parcel of land located on Airport Road (across from the former Pocono-Stroudsburg Airport) that is owned by the Pocono-Stroudsburg Airport, Inc. with Tax Parcel ID No. 16.7.1.4 and PIN # 16-7312-00-58-4566 is rezoned from the R-1 (Low Density Residential) Zoning District to the M-1 (Industrial) Zoning district.

SECTION 3. A copy of a Map depicting the parcel to be rezoned is attached hereto and marked Exhibit "A" and is hereby made a part hereof.

SECTION 4: All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 5: The provisions of this Ordinance shall be severable and if any provision thereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been enacted had such unconstitutional, illegal or invalid provision(s) not been included herein.

SECTION 6: The Township Board of Supervisors and/or its servants, agents, officers, officials, boards, committees, employees or representatives shall

not, under any circumstances, be liable or responsible for damages (whether property, injury or death) caused to or suffered by any person or entity by reason of the provisions of this ordinance or resolution by reason of the conduct of any activity in compliance (or non-compliance) with the terms, conditions and provisions hereof. Moreover, compliance with this ordinance or resolution shall not constitute a representation, guarantee or consent of any kind by the Township (and/or any of its servants, agents, officers, officials, boards, committees, employees or representatives) of the practicality, safety or fitness of any particular purpose of any kind regarding the type, quantity or quality of any use in the M-1 (Industrial) Zoning District.

SECTION 7: This Ordinance shall become effective five (5) days after enactment.

ENACTED this ____ day of _____, 2024, by the Board of Supervisors of the Township of Smithfield, Monroe County, Pennsylvania.

**SMITHFIELD TOWNSHIP
BOARD OF SUPERVISORS**

Jacob A. Pride, Chair

Robert Lovenheim, Vice Chair

Michael Albert, Supervisor

Attest: _____
Lois J. Turr
Administrative Secretary