SMITHFIELD TOWNSHIP
MONROE COUNTY,
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 272

AN ORDINANCE OF SMITHFIELD TOWNSHIP, COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR A VOLUNTARY INCENTIVE PROGRAM FOR MEETING DESIGN STANDARDS IN THE ECONOMIC DEVELOPMENT ZONE.

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 wishes to amend Chapter 27 of the Township Code of Ordinances to encourage flexible, high-quality design in the ED Economic Development District; and,

WHEREAS, pursuant to Section 609 of the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247 as reenacted and amended, 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, pursuant to the Pennsylvania Municipalities Planning Code, both the Township Planning Commission and the Monroe County Planning Commission have reviewed the proposed amendments; and,

WHEREAS, the Smithfield Township Board of Supervisors has conducted a public hearing pursuant to public notice concerning the following amendments 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 amendments to the Smithfield Township Zoning Ordinance as set forth hereinafter.

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

SECTION 1. Smithfield Township Zoning Ordinance, Chapter 27 of the Township Code of Ordinances, Part 3 is amended to add §27-311 – ED Enhanced Design Incentives as follows:

1. Purpose. This Section establishes a voluntary enhanced design option that allows limited dimensional incentives for an otherwise authorized development in the ED Economic Development District in exchange for compliance with the design standards of this Section.

2. Applicability and Relationship to Other Approvals.
    a. The tract shall be in the ED Economic Development District, and the proposed use shall not be a Development Option, except that a High Density Residential Development authorized under §27-310 may use this Section as provided in Subsection 2.c.
    b. Except for the qualification of a High Density Residential Development under Subsection 2.c, an incentive under this Section shall not be combined with an incentive or bonus under another Development Option to obtain a dimensional allowance greater than the greatest allowance independently authorized by either provision. Nothing in this subsection limits relief otherwise required or authorized by law.
    c. A High Density Residential Development that complies with the applicable submission, review, continued compliance, and design requirements of this Section may qualify for the bonus standards under §27-310(4)(b), as provided in §27-310(4)(b)(i)(2). The dimensional standards applicable to the development shall be governed by §27-310(4)(b)(ii). The incentives in Subsection 4 of this Section shall not be separately or cumulatively applied to the High Density Residential Development.
    d. Nothing in this Section requires a traditional, historic, rustic, pitched roof or other named architectural style. Contemporary, modern, industrial, sustainable and emerging architectural systems are permitted when the standards of this Section are satisfied.

3. Submission and Review.
    a. An application under this Section shall be submitted concurrently with the first subdivision or land development plan for the proposed development. If the proposed development does not require subdivision or land development approval, the application shall be submitted with the zoning permit application.
    b. The application shall identify each incentive or HDRD bonus sought and shall demonstrate compliance with this Section and all submission requirements applicable to the underlying development.
    c. The applicant shall submit conceptual architectural color renderings and building elevations, otherwise required by Chapters 22 and 27, for the purpose of demonstrating compliance with requirements of Section 27-311.6. The applicant shall not be required to submit more than one design scenario or a separate set depicting the development without the requested incentive.
    d. The application shall be reviewed concurrently with the subdivision or land development plan or, if no such plan is required, with the zoning permit application. Except as expressly provided in Subsection 4.c, approval under this Section does not replace or modify any conditional use, special exception, variance, or other approval otherwise required for the underlying development.
    e. An applicant may submit a written alternative design that does not meet one or more design standards in Subsection 6. The request shall identify the standard involved, describe the proposed alternative, and demonstrate that the alternative meets or exceeds the purpose of this Section and provides an equivalent or superior design result. The Board of Supervisors may approve, approve with

conditions, or deny the request using a submission and decision process consistent with a modification or waiver request under Chapter 22. An approved alternative design shall constitute compliance with the design standard for which the alternative was approved. Approval of alternative compliance does not authorize a use or dimensional incentive not otherwise permitted by this Chapter.

f. Following review and approval of the conceptual architectural renderings and color building elevations, these documents will be used as a basis of design for the preparation of architectural construction documents. It is understood that construction documents may vary from the conceptual architectural renderings and color building elevations, as long as they demonstrate full compliance with Section 27-311.6. Upon issuance of a building permit, the architectural construction documents shall supersede the approved architectural renderings and color building elevations.

4. Incentives. A development complying with this Section may choose one or more of the following:
    a. Building Height. A maximum building height of 60 feet, as measured under this Chapter.
    b. Impervious Surface. A maximum impervious surface coverage of 80%, inclusive of building coverage, in place of the otherwise applicable ED maximum.
    c. Nonconforming Building Redevelopment.
        i. Notwithstanding §27-604, §27-609, or any other provision of this Chapter to the contrary, redevelopment of a lot containing a lawful nonconforming principal building may include the demolition and replacement of that building with a new principal building that retains, but does not increase, an existing nonconformity as to a required building setback, without obtaining a special exception or variance solely for the retained dimensional nonconformity. The replacement building shall not extend closer to any lot line than the existing building or increase the length of the building located within the required setback. The replacement building may extend beyond the existing building footprint where such extension complies with all applicable building setbacks.
        ii. The demolition and replacement shall be shown as part of a single approved land development plan. This incentive shall not authorize the continuation of a nonconforming use or eliminate any requirement to obtain special-exception approval for a use designated as a special-exception use under this Chapter.

5. Relationship to Other Standards. Except as expressly modified by this Section, the development shall comply with all applicable use, bulk, setback, building coverage, parking, landscaping, access management and other requirements of this Chapter and Chapter 22. Where an incentive under this Section provides relief from §27-511, Subsection 21, this Section shall control without requiring separate discretionary approval or additional dimensional requirements to obtain the same relief. For High Density Residential Development, the coverage standards and related building coverage relief shall be governed by §27-310(4)(a)(3) or §27-310(4)(b)(ii)(3), as applicable.

6. Design Standards.
    a. Coordinated Design. Buildings, exterior fixtures, and site furnishings within the development shall use a coordinated family of design features, materials, and colors. Coordination shall extend, as applicable, to building façades, rooflines, canopies, exterior lighting, benches, bicycle racks, waste and recycling enclosures, fencing, retaining walls, pedestrian or recreational amenities, and similar visible site elements. Any land, recreation facility, open space, or amenity provided pursuant to Chapter 22 shall be integrated into the coordinated building and site design. Coordination does not require identical designs or materials but shall provide a visually unified development. Nothing in this subsection shall require land dedication, a recreation facility, or an on-site amenity beyond what is otherwise required under Chapter 22.
    b. Façade design, materials, and color. For purposes of this subsection, a publicly visible façade is a façade visible from a public street, publicly accessible area, or adjoining property. The term façade shall have the meaning provided in this Chapter. Publicly accessible areas include privately owned parking areas, walkways, and common outdoor areas serving customers, residents, or visitors.
        i. At least 25% of each publicly visible façade, excluding windows and doors, shall consist of one or more of the following: natural or cast stone, brick, textured architectural masonry, architectural precast concrete, fiber cement siding or panels, exterior architectural wood, architectural metal panels, or stucco.
        ii. Publicly visible façades shall use durable, finished exterior materials. Unfinished concrete block, unfinished poured concrete, exposed fastener corrugated metal siding, and mirrored glass shall not be dominant publicly visible materials. Vinyl siding is permitted when incorporated into a coordinated façade design.
        iii. A publicly visible building wall longer than 50 feet shall incorporate a change in wall plane, material, color, texture, roofline, opening pattern, canopy, column, pilaster, or other architectural feature sufficient to avoid a continuous blank or monotonous appearance. The maximum permitted width of an uninterrupted wall plane shall be 25 feet.
        iv. A publicly visible façade of a building exceeding 40 feet in height shall include a change in wall plane, material, color, texture, opening pattern, canopy, column, pilaster, or other architectural feature that visually distinguishes lower and upper portions, regardless of wall length. The maximum permitted height of an uninterrupted wall plane shall be 20 feet. Faux windows with recesses, frames, trim, or other dimensional detailing may be used on upper stories.
        v. Each principal building shall provide a main entrance feature, as defined in this Chapter, at its primary pedestrian entrance.
        vi. Fluorescent or neon color shall not cover more than 10% of a publicly visible façade, excluding lawful signs and required safety markings.
    c. Continued Compliance. All building materials and architectural features shall be installed in conformance with the approved architectural construction documents approved for building permit. All site furnishings, and amenities used to

demonstrate compliance with this Section shall be installed in accordance with the approved plan and thereafter maintained. A replacement or material alteration shall provide an equivalent or superior design result or shall be approved as an alternative design under Subsection 3.e.

SECTION 2. Amendment to High Density Residential Development Option.

1. §27-310(4)(a)(3) of the Smithfield Township Zoning Ordinance is amended to read as follows:

Maximum impervious surface coverage shall not exceed 65%, inclusive of building coverage. Where an incentive under this Section provides relief from §27-511, Subsection 21, this Section shall control without requiring separate discretionary approval or additional dimensional requirements to obtain the same relief. For High Density Residential Development, the coverage standards and related building coverage relief shall be governed by §27-310(4)(a)(3) or §27-310(4)(b)(ii)(3), as applicable.

2. §27-310(4)(b) of the Smithfield Township Zoning Ordinance, entitled "Bonus Design Standards," is amended to read as follows:

b. Bonus Design Standards.

i. Eligibility**.** A High Density Residential Development may exceed the base standards of this Section and use the bonus standards in Subsection 4.b.ii if the development satisfies either of the following:

1. Mixed Use Incentive.
    a. The overall project includes at least one nonresidential use. Each nonresidential use proposed as part of the project shall be a Principal Permitted Use within the underlying district; and
    b. The nonresidential use or uses comprise at least 5% of the gross floor area of the overall project. The percentage shall be calculated by dividing the gross floor area devoted to nonresidential uses by the total gross floor area of all uses within the development. The nonresidential use or uses need not be located in the same building as the residential use and may be located in a separate principal building.

2. Enhanced Design Incentive. The development complies with all applicable submission, review, continued compliance, and design requirements of §27-311, ED Enhanced Design Incentives.

ii. Bonus standards. A High Density Residential Development qualifying under either Subsection 4.b.i.1 or 4.b.i.2 shall be subject to the following standards in place of the corresponding base standards:

1. The development shall have a minimum density of not less than 12 dwelling units per acre and shall not exceed a density of 25 dwelling units per acre.
2. Maximum building height shall be 60 feet.
    a. Building height shall exclude decorative peaked roofs and mechanical areas not occupied by persons.
3. Maximum impervious surface coverage shall not exceed 80%, inclusive of building coverage. Where an incentive under this Section provides relief from §27-511, Subsection 21, this Section shall control without requiring separate discretionary approval or additional dimensional requirements to obtain the same relief. For High Density Residential Development, the coverage standards and related building coverage relief shall be governed by §27-310(4)(a)(3) or §27-310(4)(b)(ii)(3), as applicable.

iii. Election and Limitation.

1. An applicant may qualify for the bonus standards through either the Mixed Use Incentive or the Enhanced Design Incentive and shall not be required to satisfy both options.
2. Compliance with both eligibility options shall not authorize any incentive or dimensional allowance beyond the bonus standards established by this subsection.

SECTION 3. Severability. In the event any provision, section, sentence, clause, or part of this Ordinance shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

SECTION 4. Repealer. All other ordinances or parts of ordinances inconsistent herewith shall be and the same expressly are repealed.

SECTION 5. Effective Date. This Ordinance shall become effective upon adoption.

ADOPTED this 10th day of November, 2026 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:_____
Julia Heilakka
Township Secretary