

ROSS TOWNSHIP MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2026-3

AN ORDINANCE OF THE TOWNSHIP OF ROSS, MONROE COUNTY, PENNSYLVANIA, AMENDING THE ROSS TOWNSHIP ZONING ORDINANCE, AS AMENDED, WITH RESPECT TO LIMITING THE NUMBER OF PRINCIPAL USES AND PRINCIPAL BUILDINGS PER LOT IN RESIDENTIAL ZONING DISTRICTS.

WHEREAS, Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10601, et seq., authorizes Ross Township to enact, amend, and repeal Zoning Ordinances within the Township; and

WHEREAS, the Board of Supervisors deems it to be in the best interest and general welfare of the residents of the Township to update and amend provisions of the Ross Township Zoning Ordinance to impose a limit of one (1) principal use and one (1) principal building in residential zoning districts to maintain the residential character of the Township; and

WHEREAS, the Board of Supervisors of the Township desires to add provisions to the Zoning Ordinance to impose a limit of one (1) principal use and one (1) principal building in residential zoning districts to maintain the residential character of the Township.

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

PART 1 GENERAL PROVISIONS

Section 101. Short Title. This Ordinance will be known as the Ross Township Zoning Ordinance Amendment Regarding Limitation of Uses in Residential Zoning Districts.

Section 102. Legal Authority. The Pennsylvania Second Class Township Code authorizes a board of supervisors to make and adopt ordinances necessary for the proper management, care, and control of the Township and to maintain the health and welfare of the Township and its citizens. See 53 P.S. § 66506 ("General Powers"). The Pennsylvania Municipalities Planning Code authorizes a board of supervisors to plan for the development of the Township through zoning, subdivision, and land development regulations, and also to enact of amendments to zoning ordinances pursuant to certain procedural formalities. See 53 P.S. § 66516 ("Land Use Regulations") and 53 P.S. § 10609 ("Enactment of Zoning Ordinance Amendments").

Section 103. Legislative Intent and Purpose. Based on the above-referenced legal authority, the Board desires to amend the Ross Township Zoning Ordinance, as previously

amended, by adding a limitation on the number of uses and buildings permitted in residential districts to Article 8, General Regulations.

The Board finds that the regulations promulgated by this Ordinance are necessary to achieve the following purposes:

A. To protect and provide for the public health, safety, and general welfare of the citizens of Ross Township; and

B. To ensure the adequate and safe development and use of property located in Ross Township.

Section 104. Legal Conflicts.

A. All prior Township ordinances and resolutions, and parts thereof, that are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed and superseded by the terms of this Ordinance only insofar as they conflict with the provisions of this Ordinance and not in their entirety.

B. If any term, provision, covenant or restriction contained in this Ordinance is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, provisions, covenants and restrictions contained in this Ordinance shall remain in full force and effect and shall in no way be affected, impaired or invalidated. The Township intends that this Ordinance would have been enacted had each invalid provision not been included.

PART 2 DEFINITIONS

Section 201. General Interpretation. For the purpose of this Ordinance, the present tense shall include the future tense; the singular shall include the plural; words used in the masculine gender shall include the feminine and the neuter; the word "shall" is always mandatory; the word "may" is always permissive.

PART 3 AMENDMENTS

Section 301. Deletion of Article 8, Section 801.B. Number of Principal Uses and Principal Buildings per Lot. The following text of Article 8, Section 801.B, paragraphs 1 through 5, is deleted in their entirety.

~~**B. Number of Principal Uses and Principal Buildings per Lot.**~~

~~**1. Development Standards.** Two (2) or more principal buildings or uses located on a parcel in single ownership shall conform to all the requirements of this Ordinance which would normally apply to each building or use if each were on a separate district lot, including but not limited to setbacks, parking, lot coverage, and sewage disposal requirements.~~

~~2. Residential Density. For the purposes of density of residential structures, lot size shall be increased to maintain the density required by this Ordinance. For example, the parcel size required for three (3) single family dwellings on one parcel would be determined by multiplying the minimum lot size for one (1) dwelling by a factor of three (3).~~

~~3. Nonresidential Uses. In the case of nonresidential uses, there shall be no limit on the number of uses or structures on a single parcel provided all other standards of this Ordinance are satisfied. This shall not apply to adult businesses, junkyards, natural resource uses, solid waste facilities, or other uses with a special size requirement listed in this Ordinance, in which case the parcel size shall be increased to provide for the minimum land area for each use on the parcel.~~

~~4. Residential and Nonresidential on the Same Lot.~~

~~a. CR, SC and RR Districts. Residential dwellings provided for in the District by the Schedule of Uses shall be permitted on the same lot as a permitted nonresidential use provided the lot is of sufficient size to meet the residential unit density required by this Ordinance in addition to the land area needed to meet the density requirement for the non-residential use.~~

~~b. VC and GC Districts. One residential unit per property shall be permitted in association with a nonresidential use(s) without an increase in the minimum lot size requirement provided said unit is attached to and is an integral part of the principal nonresidential structure. The residential unit shall be occupied only by the owner or employee of the nonresidential use(s). Any additional residential dwelling units, if provided for in the District by the Schedule of Uses, shall be permitted on the same lot as a nonresidential use only if the lot is of sufficient size to meet the residential unit density required by this Zoning Ordinance in addition to the land area needed to meet the density requirement for the non-residential use.~~

~~5. Structure Separation. Principal structures located on the same lot shall be separated by a distance at least equal to the height of the highest adjoining structure, but in no case less than twenty (20) feet or as required by any applicable building code.~~

Section 302. Amendment of Article 8, Section 801.B. Number of Principal Uses and Principal Buildings per Lot. Article 8, Section 801.B, is amended to add the following text:

1. Number of Principal Uses and Principal Buildings in Commercial Zoning Districts. A lot in a commercial district (currently including only the Village Commercial/Residential (VC) District and General Commercial (GC) District) may include more than one permitted principal use per lot and/or more than one permitted principal building per lot, provided that all of the requirements are met for each use and each building. If differing dimensional requirements apply for different uses on the lot, then the most restrictive requirement shall apply.

a. For example, if Use One requires a one acre lot area and Use Two on the same lot requires a two acre lot area, then the lot shall have a minimum lot area of two acres.

- b. The applicant shall submit a site plan that demonstrates that each structure would meet the requirements of this Ordinance.
- c. The uses and buildings shall be in common ownership. However, a condominium form of ownership of individual buildings, with a legally binding property-owners association, may be established if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Township Solicitor, that there will be appropriate legal mechanisms in place.

2. Number of Principal Uses and Principal Buildings in Residential Zoning Districts. A lot within a residential district (including but not limited to the Conservation Residential (CR) District, Special Conservation (SC) District, Rural Residential (RR) District, Low Density Residential (R1) District, and Medium Density (R2) Residential District) shall not include more than one principal use and shall not include more than one principal building, unless specifically permitted by this Ordinance.

(a) A mobile home park, condominium residential development or apartment development may include more than one principal building per lot, provided all other requirements of this chapter are met. A condominium form of ownership of individual dwelling units, with a legally binding homeowners' association, may be established if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Township Solicitor, that there will be appropriate legal mechanisms in place and compliance with applicable state law.

3. **Structure Separation.** Principal structures located on the same lot shall be separated by a distance at least equal to the height of the highest adjoining structure, but in no case less than twenty (20) feet or as required by any applicable building code.

PART 4 EFFECTIVE DATE

Section 401. Effective Date. This Ordinance will be effective immediately after its enactment, and it will remain in force until modified, amended, or rescinded by Ross Township, Monroe County, Pennsylvania.

ENACTED and ADOPTED by the Board of Supervisors of Ross Township, Monroe County, Pennsylvania, this 5 day of October, 2026.

ATTEST:


Secretary MARIA Ahner
(TOWNSHIP SEAL)

BOARD OF SUPERVISORS OF
ROSS TOWNSHIP

