

## ARTICLE I

### INTRODUCTORY PROVISIONS

#### Section 100. SHORT TITLE

This Ordinance shall be known, and may be cited as, "The East Pikeland Township Zoning Ordinance of 2002".

#### Section 101. PURPOSE

This Ordinance has as its purpose:

1. To promote, protect and facilitate the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, the provision of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewer-age, schools, public grounds and other public improvements; as well as,
2. To prevent the overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flooding, panic or other dangers.

#### Section 102. INTERPRETATION

In interpreting the language of this Ordinance to determine the extent of the restriction upon the use of the property, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted by the governing body, in favor of the property owner and against any implied extension of the restriction. Where the provisions of this Ordinance impose time limitations on actions by the Township, its Board of Supervisors, its Planning Commission, the Township Engineer or any other agencies, which time limitations are not required by the Pennsylvania Municipalities Planning Code or other applicable statute, or which are shorter than required by the Pennsylvania Municipalities Planning Code or other applicable statute, the time limitations set forth in this Ordinance shall be deemed advisory and not mandatory, and any longer time periods provided by the Pennsylvania Municipalities Code or other applicable statute shall prevail.

#### Section 103. SCOPE

From and after the effective date of this Ordinance, the use of all land, every building or portion of a building erected, altered in respect to height or area, added to, or relocated, and every use hereinafter established within any building or property or use accessory thereto in East Pikeland Township shall be in conformity with the provisions of this Ordinance. Any building, structure or use of a building or land existing at the effective date of this Ordinance which is not in conformity herewith may be continued, extended or changed only in accordance with the regulations herein contained relating to non-conforming buildings and uses.

Section 104. CONFLICT

1. It is not intended by this Ordinance to repeal, abrogate, annul or interfere with any existing Ordinance or enactment, or with any rule, regulation or permit adopted or issued thereunder, except insofar as the same may be inconsistent or in conflict with any of the provisions of this Ordinance.
2. In the case where any general provision of this Ordinance governing a given use conflicts with a more specific provision of this Ordinance, the more-restrictive provision shall apply.
3. Provisions of the Township's Subdivision and Land Development Ordinance providing for the varying of design standards shall not be considered in conflict with the provisions of this Ordinance, which shall take precedence.

Section 105. VALIDITY

If any section, paragraph, subsection, clause, or provision of this Ordinance should be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or of any other part thereof. The provisions of this Ordinance are hereby declared to be severable.

Section 106. REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

Section 107. STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES

The objectives of zoning, as embodied in this Ordinance, are derived from and conform to the comprehensive planning process and activities of East Pikeland Township and its policies for resource protection, land use, growth management, housing, circulation, and the provision of community facilities and services. The particular objectives for community development which East Pikeland Township seeks to achieve through this Ordinance are those contained in the East Pikeland Comprehensive Plan of 2001, consistent with the requirements for such as prescribed in Section 606 of the Pennsylvania Municipalities Planning Code (MPC), Act 247 as amended. Those particular objectives, as articulated among the overall set of "Community Goals and Objectives" within the Comprehensive Plan, are as follows:

1. To preserve, protect and manage the Township's natural resources including streams and other water bodies, wetlands, woodlands, and wildlife habitats, preclude development in floodplains and on steep slopes and poor soils.
2. To protect the Township's valuable cultural and historic resources from degradation or destruction and promote the adaptive reuse of older buildings and structures, and enhance residents' experience of the Township's environmental resources through the protection of scenic landscapes and roads.

3. To conserve the Township's agricultural lands and encourage the long term viability of agricultural operations and the supporting agricultural industry.
4. To provide for development in an orderly manner that preserves the rural character of the Township by guiding higher density residential, commercial and industrial development to areas with accommodating zoning, compatible and supportive land uses, available infrastructure, and other urban facilities and services.
5. To provide for a variety of housing types and densities to meet current and future residents needs.
6. To promote the use of flexible and creative planning, open space management, land stewardship, and engineering practices to facilitate protection and enhancement of the natural, cultural, agricultural, scenic, historic and recreational resources of the Township.
7. To promote innovative development designs that: 1) enhance their surroundings by means of building scale and orientation, 2) incorporate surrounding historic and cultural features, 3) provide proper traffic circulation, on-site parking and site access, 4) incorporate high quality architecture and site landscaping, 5) retain scenic views and 6) establish adequate buffers to separate incompatible land uses.
8. To promote a safe, efficient transportation system and to provide adequate and efficient community facilities and services within the Township.

Section 108. OTHER APPLICABLE REGULATIONS

Specific references herein to other applicable regulations (e.g., Pennsylvania Department of Environmental Protection) are advisory and do not waive applicability of any other regulations not specifically referenced. Any applicable regulation more stringent than those herein shall apply. Preemption of any regulation herein by regulation of other authority shall not be presumed. Applicability of this Ordinance shall be determined by the Zoning Officer.