

# *Article 1: General Provisions*

## **Section 101: Preamble**

An ordinance establishing regulations, specifications and restrictions for: the uses of land, watercourses and other bodies of water; the size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures; the areas and dimensions of land and bodies of water to be occupied by uses and structures including areas, courts, yards and other open spaces and distances to be left unoccupied by uses and structures; and the density of population and intensity of land uses, within West Nantmeal Township, Chester County, Pennsylvania, and for said purposes dividing West Nantmeal Township into districts and prescribing certain uniform regulations for each such districts and providing for the administrative enforcement and amendment provisions in accordance with the Pennsylvania Municipalities Planning Code.

## **Section 102: Short Title**

This ordinance shall be known as, and may be cited as the "West Nantmeal Township Zoning Ordinance of 2010" or as the "West Nantmeal Township Zoning Ordinance".

## **Section 103: Purpose**

(A) The West Nantmeal Township Zoning Ordinance has been adopted in accordance with: the requirements of the Pennsylvania Municipalities Planning Code; the goals, objectives and policies established within the West Nantmeal Township Comprehensive Plan; and consideration for the overall character of West Nantmeal Township regarding issues relative to growth, development, preservation and redevelopment. In addition, the West Nantmeal Township Zoning Ordinance is designed to accomplish the following:

- (1) To promote, protect and facilitate one or more of the following: the public health, safety, general welfare, coordinated and practical community development, proper density of population, civil defense, emergency management, airports and national defense facilities, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewage, schools, public grounds and other public requirements.
- (2) To prevent the overcrowding of land, blight, danger and congestion in travel and transportation as well as the loss of health, life or property from fire, flood, panic or other dangers.
- (3) To identify, protect and preserve important natural features and resources, with specific emphasis upon farmland, floodplains, stream valleys, wetlands, steep slopes, woodlands and water supply.
- (4) To have planned aesthetic, innovative and orderly residential growth and development by considering environmentally sensitive land areas, agricultural uses, existing land uses, sewage disposal facilities, water supply facilities, utilities, infrastructure, groundwater recharge areas, and rural characteristics.
- (5) To sustain and improve the quality of life within the community.
- (6) To conserve, protect and sustain natural features, resources and ecological habitats.
- (7) To preserve, protect and enhance historical, cultural and scenic resources.
- (8) To protect the property rights of residents and landowners.
- (9) To maintain and continue agriculture as a viable resource within West Nantmeal Township.
- (10) To provide planned residential growth and development considering environmentally sensitive land areas, agricultural uses, infrastructure and the rural character of West Nantmeal Township.
- (11) To provide for non-residential development by considering environmental limitations, existing land uses, infrastructure, and the rural characteristics of West Nantmeal Township.

- (12) To have a diversified supply of housing that meets the existing and projected demands.
  - (13) To promote employment and economic development opportunities to ensure a continuation of sound economic growth.
  - (14) To provide community facilities and services, which meet the needs of the community while staying within fiscal budget limitations.
  - (15) To provide parks, recreation facilities and open space areas, which meet the needs of the residents.
  - (16) *To plan for* sewage disposal facilities, water supply facilities and other public utilities in an effort to meet the needs of the community, protect the environment and compliment land use plans.
  - (17) To provide and maintain a safe, efficient and diversified transportations system, which optimizes mobility, improves accessibility and protects the environment.
  - (18) To achieve a high level of intergovernmental planning by coordinating efforts with local and regional groups within the public and private sectors.
  - (19) To implement the policies of the Chester County Vision Partnership Program.
  - (20) To implement Landscapes, the Chester County Comprehensive Policy Plan.
  - (21) To implement the recommendations contained within the West Nantmeal Township Comprehensive Plan.
- (B) The purpose statements contained in this Zoning Ordinance are intended to provide overall guidance and direction, as well as to establish the foundation for community growth, development, preservation and redevelopment efforts in West Nantmeal Township. Should one or more purpose statements become unfeasible or cannot be implemented for any reason, the validity of this West Nantmeal Township Zoning Ordinance shall not be invalid or unconstitutional.

**Section 104: Community Development Objectives**

The West Nantmeal Township Zoning Ordinance attempts to emulate through its regulations the goals, objectives and policies of the West Nantmeal Township Comprehensive Plan. These regulations have been established with considerations of physical characteristics, population trends, housing characteristics, existing land use, community facilities and services and existing transportation characteristics.

**Section 105: Application and Interpretation**

- (A) Except as hereinafter provided, no building, structure, land, watercourse, or parts thereof within West Nantmeal Township shall be used or occupied, erected, constructed, assembled, moved, removed, demolished, eliminated, enlarged, reconstructed or structurally altered unless in conformity with the provisions of this Zoning Ordinance.
- (B) The provisions contained within this Zoning Ordinance shall be held to be the minimum requirements adopted for the promotion of the public health and safety and the general welfare of the residents and occupants of West Nantmeal Township. Where the provisions of this Zoning Ordinance impose greater restrictions than those of any other municipal statute, ordinance or regulation, the provisions of this Zoning Ordinance shall be complied with. Where the provisions of any other municipal statute, ordinance or regulation impose greater restrictions than this Zoning Ordinance, the provisions of such other municipal statute, ordinance or regulation shall be complied with.
- (C) This Zoning Ordinance contains various supplemental matrix charts that are intended to specify certain zoning requirements or summarize certain zoning requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within the supplemental matrix charts, the provisions contained within the text shall prevail.
- (D) The state and federal requirements for code enforcement, construction, emergency management and property maintenance, as adopted by West Nantmeal Township, shall supersede the provisions of this Zoning Ordinance.