

Honey Brook Township Zoning Ordinance of 2003

Ordinance 104-2003

Effective March 18, 2003

Honey Brook Township Zoning Ordinance of 2003
Honey Brook, Chester County, Pennsylvania

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ARTICLE I TITLE, PURPOSE, AND INTERPRETATION

SECTION 100. TITLE

This Ordinance shall be known, and so cited, as "The Honey Brook Township Zoning Ordinance of 2003." It shall be referred to herein as "the Ordinance."

SECTION 101. PURPOSE

The Ordinance is prepared in accordance with the Community Goals and Objectives as set forth in the *Honey Brook Joint Comprehensive Plan*, the land use policies of the *Chester County Landscapes Policy Plan*, and with consideration for the character of Honey Brook Township, its various parts, and the suitability of the various parts for particular uses and structures, and with the view to conserving the value thereof and encouraging the most appropriate use of land throughout the Township. The Ordinance is enacted under and pursuant to the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

The purpose of the Ordinance is to provide zoning regulations:

A. To promote, protect, and facilitate:

1. public health, safety, morals, and general welfare;
2. coordinated and practical community development;
3. proper density of population;
4. provisions of adequate light and air;
5. vehicle parking and loading space;
6. safe and efficient travel by vehicles, bicycles, and pedestrians;
7. water, sewerage, schools, public grounds, and other public requirements.

B. To preserve:

1. prime agricultural land, considering topography, soil type and classification, historic use, traditional character, and present use;
2. environmentally sensitive lands and historic resources.

C. To prevent:

1. overcrowding of land, blight;
2. congestion in travel and transportation;
3. loss of health, life or property from fire, flood, panic, or other dangers.

SECTION 102. STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES

In implementing the purposes stated in Section 101 of the Ordinance, the Board of Supervisors hereby states the policy goals of the Township as listed in the following community development

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objectives:

- A. Promote and protect the prime agricultural lands, farming activities, and rural landscape qualities that characterize Honey Brook Township.
- B. Provide necessary protection for environmentally sensitive areas, including steep slopes, woodlands, flood plains, wetlands, groundwater, surface water, aquifer recharge, and those areas inappropriate or not designated for other types of development.
- C. Insure that the varied land uses are logically located in their relationship to one another.
- D. Provide opportunities for a broad choice of housing types to meet the needs of current and future residents, including individuals, farm families, newly-formed households, growing families, and senior citizens.
- E. Assure a high level of quality in the design and establishment of residential and recreational areas, including ample open space, consistent with the existing character of land use and neighborhoods.
- F. Provide for commercial and mixed-use areas to meet the needs of the residents and to assure safe and convenient access, attractive and healthful environments, and locations compatible with surrounding land uses and public and community facilities.
- G. Provide for appropriate industrial activity at locations served by suitable transportation facilities and adequate utilities, having a location and arrangement such that external effects will not adversely influence adjacent uses and areas, and providing a physical environment appropriate for the operation of each use.
- H. Insure the safe, efficient, and convenient movement of people and goods.
- I. Attain maximum protection of identified historic resources.
- J. Utilize flexible and innovative land use regulatory and incentive techniques where they can help achieve the purposes of the Comprehensive Plan and the Ordinance.
- K. Maximize cooperation and coordination with Honey Brook Borough in land use policy and regulation, particularly in relation to the shared municipal boundary, and achieve compatibility in zoning designations with adjacent townships.

SECTION 103. APPLICATION

The provisions, regulations, limitations, and restrictions of the Ordinance shall apply to all land uses, structures, buildings, and signs in the Township.

SECTION 104. INTERPRETATION

In interpreting and applying the Ordinance, its provisions shall be held to be minimum requirements for the promotion of health, safety, morals, and general welfare of the Township and the purposes of the Ordinance. Any use permitted subject to the regulations prescribed by the provisions of the Ordinance shall conform with all regulations for the zoning district in which it is located and with all other pertinent regulations of the Ordinance. The Ordinance is not intended to interfere with, abrogate, annul, supersede, or cancel any easements, covenants, restrictions, or reservations contained in deeds or other agreements, but if the Ordinance imposes more stringent restrictions upon the use of buildings, structures, and land than are contained in such deeds or agreements, the provisions of the Ordinance shall control.

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SECTION 105. CONFLICT

Where the Ordinance imposes greater restrictions on the use of buildings or land, or upon height and bulk of buildings, or prescribes larger open spaces than are required by the provisions of another ordinance, enactment, rule, regulation, or permit, the provisions of the Ordinance shall control. Where the provisions of any statute, other ordinance, or regulation impose greater restrictions than the Ordinance, the provisions of such statute, ordinance, or regulation shall control.

SECTION 106. VALIDITY

Should any section or provision of the Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any other part thereof.

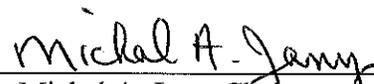
SECTION 107. REPEALER

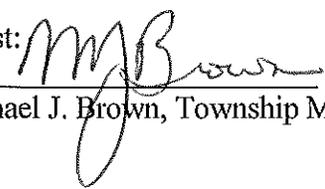
The Honey Brook Township Zoning Ordinance of 1979, as amended, is hereby repealed.

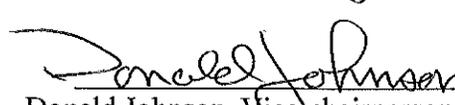
SECTION 108. EFFECTIVE DATE

The effective date of the Ordinance is March 18, 2003 except that with respect to the subject matter of any amendment as it may affect or create legal nonconforming conditions, the effective date of the Ordinance shall mean the date upon which the particular amendment became or becomes effective.

ENACTED AND ORDAINED this 12th day of March, 2003, at a meeting of the Board of Supervisors on Honey Brook Township, Chester County, Pennsylvania.


Michal A. Jany, Chairperson

Attest: 
Michael J. Brown, Township Manager


Donald Johnson, Vice-chairperson

D. Weston Darby, Jr., Member