

ARTICLE 1 - PREAMBLE

SECTION 100 SHORT TITLE

This Ordinance shall be known as and may be cited as "The Edgmont Township Zoning Ordinance of 1997, As Amended."

SECTION 101 APPLICABILITY

No building, sign or other structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, enlarged or structurally altered unless in conformity with the regulations of this Ordinance. However, this Ordinance shall not require any change to any building, structure or use legally existing at the effective date of the provisions of this Ordinance, or any amendment thereto; or to any building, structure or use duly approved and/or under construction in compliance with existing laws prior to the effective date of the provisions of this Ordinance, or any amendment thereto, and completed within a one (1) year period after the effective date of the provisions of this Ordinance, or any amendment thereto.

SECTION 102 PURPOSE

The provisions of this Zoning Ordinance are intended to:

- A.** Promote, protect and facilitate individually and collectively any or all of the following: the public health, safety, morals, and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations; national defense facilities, the provisions of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial,

agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.

- B. Prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.
- C. Preserve prime agriculture and farmland considering topography, soil type and classification, and present use.
- D. Provide for the use of land within the Township for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings, and a reasonable range of multifamily dwellings in various arrangements, mobile homes and mobile home parks.
- E. Accommodate reasonable overall community growth, including population and employment growth, and provide opportunities for development of a variety of residential dwelling types and nonresidential uses.

SECTION 103 INTERPRETATION

In interpreting and applying the provisions of this Article, they shall be held to be the minimum requirements for the promotion of the health, safety, morals, and the general welfare of the Township. The provisions of any statute, other articles of this ordinance, law, rule, or regulation which impose greater restrictions than this Ordinance shall be controlling. Conversely, the provisions of this Ordinance shall be controlling when such provisions impose greater restrictions than those of any other statute, other article of this ordinance, law, rule, or regulation.

To implement the purposes set forth in Section 102, the Edgmont Township Comprehensive Plan and Comprehensive

Recreation, Park & Open Space Plan has been formulated. In accordance with the Goals, Objectives and Strategies of the Comprehensive Plan and Comprehensive Recreation, Park & Open Space Plan, the interpretation of Ordinance provisions should be made with a view toward the following:

- A.** Encouraging the maintenance of existing resources and facilities within the Township through the protection, preservation, conservation and/or rehabilitation of existing land and water resources, structures and facilities.
- B.** Instilling order in the growth and development of the Township by regulating the intensity and location of development in accordance with environmental and land use compatibility and the availability of existing and planned utilities, and community facilities and services.
- C.** Preserving environmental resources through the sensitive use and treatment of land, water, air, flora and fauna.
- D.** Protecting physical and biological resources associated with flood plains and flood hazard areas, areas of steep and very steep slope, woodland and other related resources.
- E.** Encouraging the maintenance and preservation of prime agricultural land and farmland, historic resources, and the amenities of light and air, recreation and visual enjoyment.
- F.** Promoting energy conservation and the effective utilization of renewable energy sources.
- G.** Creating the setting for a diversity of housing types and intensities, and promoting creative versus conventional development by arranging residential areas in close harmony with natural resources and open space features.
- H.** Encouraging the maintenance, enhancement and/or rehabilitation of existing neighborhoods and dwellings.

- I. Encouraging commercial uses which serve neighborhood and community needs, and professional and other office uses.
- J. Encouraging the maintenance and enhancement of existing industrial land uses.
- K. Maintaining existing institutional uses for various educational, cultural, community service and recreational pursuits; and to provide educational opportunities within the Township close to existing residential areas to address elementary school educational needs.
- L. Maintaining a safe and efficient municipal road system and encouraging the improvement of state roads and highways, and existing mass transportation facilities.
- M. Promoting the maintenance, development and/or restoration of a network of interconnected circulation systems and open spaces for walking, hiking, bicycling and horseback riding, especially those linked to Ridley Creek State Park.
- N. Encouraging the maintenance of existing community facilities and services to address education, safety, health and leisure needs; and, promoting the provision of services to meet recreational, fire protection, police protection, and other safety and emergency protection needs.
- O. Encouraging the maintenance and conservation of existing utility systems to service present users, and the development of additional supplies and/or capacities to serve future users.
- P. Encouraging the use of domestic waste disposal in accordance with the Pennsylvania Act 537 Official Sewage Facilities Plan, and the protection of groundwater resources.
- Q. Encouraging the use of public water systems when available, as determined by the Board of Supervisors.

- R. Promoting a reasonable balance between land development and the conservation of agricultural lands and natural resources, in order to maintain a high quality of life in Edgmont Township.
- S. Protecting open space through the conservation of Primary Conservation Areas and Secondary Conservation Areas.
- T. Promoting a lower intensity of development in the western portion of the Township, in light of the higher intensity development based on available infrastructure east of Ridley Creek State Park.
- U. Providing for recreational and open space opportunities for all residents and property owners.
- V. Supporting creative land development in lieu of conventional subdivisions, so that open spaces, natural features, agricultural areas, and cultural resources are protected and preserved.
- W. Promoting a compact pattern for development in the Village of Gradyville with a focus on the continuation of mixed residential and neighborhood commercial uses.
- X. Recognizing the value of historic sites, buildings and landscapes as shown on the Edgmont Township "Historic Resources" map, so that the heritage of Edgmont is continued into the 21st century.
- Y. Conforming to the other Objectives of the Comprehensive Plan pertaining to "Growth Management", "Environmental Resources", "Historical Resources", "Recreation & Open Space", "Community Facilities and Services", "Utilities", "Circulation/Transportation", "Residential Development", "Institutional/Civic Land Use", "Commercial Development", "Industrial Development", "Public Participation & Education", and "Economic Resources".

Insofar as such goals, objectives, and strategies are consistent with the purpose set forth in Section 102 and with the aforesaid minimum requirements therefor, the provisions of this Article shall be interpreted, administered and applied in such manner as will facilitate attainment of the said objectives.

SECTION 104 REPEALER

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

SECTION 105 SEVERABILITY

If a court of competent jurisdiction declares any provision of this Ordinance unconstitutional or invalid, that decision shall only affect the provision declared to be unconstitutional or invalid. The decision shall not affect the validity of the entire Ordinance.