

**ORDINANCE NO.**

**AN ORDINANCE**

Permitting, prohibiting, regulating, restricting and determining the use of land, watercourses, size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures; areas and dimensions of land to be occupied by uses and structures, as well as areas, courts, yards, and other open spaces and distances to be left unoccupied by uses and structures; the density of population and intensity of use; providing for repeal, variances, special exceptions, conditional uses, for the administration and enforcement of the ordinance; and such other provisions as may be necessary to implement the purposes of this Ordinance.

**ARTICLE 1**

**TITLE, AUTHORITY, PURPOSE, COMMUNITY DEVELOPMENT OBJECTIVES**

**Section 101. SHORT TITLE**

This Ordinance shall be known as and may be cited as the "LYKENS TOWNSHIP ZONING ORDINANCE."

**Section 102. AUTHORITY**

This Ordinance is enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania, Act 247, "The Pennsylvania Municipalities Planning Code", July 31, 1968, as reenacted and amended by Act 170, December 21, 1988 and Act 165, December 18, 1996.

**Section 103. PURPOSE**

This Ordinance is enacted for the following purposes:

1. To promote, protect, and facilitate 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, disaster evacuation, the provisions of adequate light and air, 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 flood plains.

2. To 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.
3. To preserve prime agriculture and farmland considering topography, soil type and classification, and present use.
4. To provide for the use of land within the municipality 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 multi-family dwellings in various arrangements.
5. To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

#### **Section 104. COMMUNITY DEVELOPMENT OBJECTIVES**

This Ordinance is to render a legal basis and administrative framework to the community development goals and objectives and future land use plan established in the Lykens Township Comprehensive Plan (herein referred to as "Comprehensive Plan") as prepared by the Planning Commission and adopted by the Board of Supervisors. The goals of the Township promote the provision of adequate public services; a healthy environment; a variety of sound and affordable housing; energy conservation considerations; recreation opportunities; a pattern of compatible land uses; a safe and efficient transportation system; and, a healthy economic base. This ordinance is in accordance with the goals and objectives of the Comprehensive Plan.

#### **Section 105. INTERPRETATION**

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

#### **Section 106. APPLICATION**

The provisions, regulations, limitations and restrictions of this Ordinance shall apply to all structures, buildings, uses, signs and land and their accessory structures, buildings, uses and signs.