

WEST PIKELAND TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2011-02

AN ORDINANCE OF WEST PIKELAND TOWNSHIP, AMENDING SECTIONS 1612.D & 1203.E & F OF THE WEST PIKELAND TOWNSHIP ZONING ORDINANCE, BY RENDERING CERTAIN SUBSECTIONS INAPPLICABLE TO THE REVIEW OF CONDITIONAL USE APPLICATION FOR PLACES OF WORSHIP AND REVISING PARKING REQUIREMENTS FOR INSTITUTIONAL AND RECREATIONAL USES

PURSUANT TO THE AUTHORITY CONFERRED BY THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, AS AMENDED, 53 P.S. § 10101, ET SEQ., THE BOARD OF SUPERVISORS OF WEST PIKELAND TOWNSHIP DOES HEREBY ENACT AND ORDAIN AS FOLLOWS:

Section I. Section 1612.D of the West Pikeland Township Zoning Ordinance (“the Ordinance”) is hereby amended as follows:

A. The introductory clause of Section 1612.D.1 is amended to state, in full, as follows:

“1. In reviewing an application for conditional use, except as provided in Subsection 2, below, the Board of Supervisors shall evaluate the degree of compliance with the following conditions:...”

B. Section 1612. D.1.(i) and (j) are amended to correct the letter headings thereof to reflect the consolidated text thereof as Section 1612.D.1(i), and the following existing subsections (k) through (p) are re-lettered as (j) through (o).

C. Section 1612.D of the Ordinance is hereby further amended to add the following new Subsection 2 thereof, as follows:

1612.D.2 In reviewing an application for a conditional use for a church or similar place of worship, including rectory or parish house or any other accessory or related building or structure, the Applicant will not be required to demonstrate compliance with, or introduce evidence in support of the application pertaining to the following (re-lettered) provisions of Section 1612.D: a, c, e, f, g, h, i, j, l, m, n, or o. However, in addition to establishing compliance with all other provisions of the Zoning Ordinance, the applicant must demonstrate:

- (a) that the proposed land use and related buildings and structures are authorized by the conditional uses provisions of the Zoning Ordinance applicable to the zoning district in which the land is located;
- (b) compliance with the natural resource protection standards of Article VIII;
- (c) that any improvements to existing roads on or adjacent to the land for which the application is submitted will be constructed or installed by the applicant, in order to prevent any degradation in the level of service of roads, streets and intersections within a traffic study area as determined by the Township Engineer, exercising reasonable judgment pertaining to the proper determination of the traffic study area;
- (d) that the interior vehicular and pedestrian circulation for the proposed use shall provide safe and convenient circulation, including such means of emergency access and egress as are determined to be necessary in the reasonable judgment of the Township Engineer;
- (e) the feasibility of providing safe and adequate sanitary sewage treatment capable of attaining all required permits or approvals to be thereafter issued by governmental agencies exercising proper jurisdiction, and the provision of water service for the anticipated use of the subject property;
- (f) compliance with all applicable Commonwealth and Township laws and regulations pertaining to stormwater management and erosion and sediment control, provided that the issuance of any letter of adequacy, National Pollutant Discharge Elimination System ("NPDES") permit, or any other form of governmental agency approval as may be required in order to authorize construction, grading or any other form of land disturbance may be imposed as a condition of approval of the conditional use application;
- (g) compliance with any applicable regulation relating to the preservation of historic structures or places.

Section II. Section 1612.C on page XVI-13 of the originally adopted Ordinance is amended to correct and sequentially re-letter its heading to be Section 1612.E.

Section III. Section 1203 of the West Pikeland Township Zoning Ordinance is hereby amended so as to revise Section 1203.E, Place of Worship and Section 1203.F, Theater/auditorium/assembly hall:

(a) Institutional and Public Uses

Place of worship	<p>The greater of either:</p> <ul style="list-style-type: none"> • 1.0 space per 2.5 seats in any worship, assembly, auditorium, or meeting space; or • 1.0 space for every 50 square feet of floor area in the worship, assembly, auditorium, or meeting space.
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(b) Recreational Uses

Theater/auditorium/assembly hall	<p>The greater of either:</p> <ul style="list-style-type: none"> • 1.0 space per 3 seats; or • 1.0 space for every 50 square feet of floor area in the, auditorium, assembly, or meeting space plus 1.0 space for every 200 square feet of other floor area.
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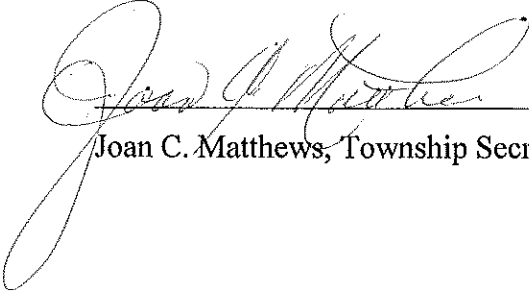
Section IV Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section V. Repealer. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

Section VI. Effective Date. This Ordinance shall take effect five (5) days after its adoption.

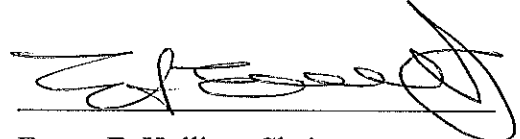
DULY ADOPTED and ENACTED this 16th day of May 2011.

ATTEST:

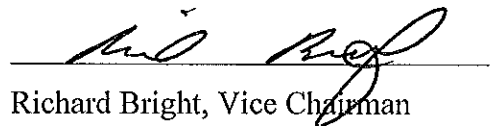


Joan C. Matthews, Township Secretary


BOARD OF SUPERVISORS:



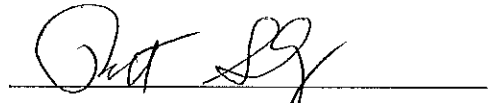
Ernest E. Holling, Chairman




Richard Bright, Vice Chairman



Harold M. Hallman, III, Supervisor



Robert Shemonsky, Supervisor



Thomas P. Tucker, Jr., Supervisor