



WEST PIKELAND TOWNSHIP

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www.westpikeland.com

NOTICE: The Board of Supervisors of West Pikeland Township will consider the following Ordinance for adoption on Monday, May 16, 2011 during their public meeting scheduled to begin at 7:30 P.M. at the Township Building, 1645 Art School RD, Chester Springs, PA

ORDINANCE 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

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| SECTION I | Adds Section 1612.D.1 rendering certain subsections inapplicable to the conditional use review for places of worship |
| SECTION II | Amends Section 1203.E & F providing for parking standards |
| SECTION III | Severability Clause |
| SECTION IV | Repealer |
| SECTION V | Effective Date |

Complete copies of this Ordinance are available at the Township Building, the Daily Local News, and at www.westpikeland.com.

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.1 of the West Pikeland Township Zoning Ordinance is hereby amended so as to add the following provision, as section 1612.D.1.1:

1612.D.1.1 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 provisions of Section 1612.D: a, c, e, f, g, h, i, j, k, m, n, o, or p. 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 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	The greater of either: <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	The greater of either: <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 III. 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 IV. 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 V. Effective Date. This Ordinance shall take effect five (5) days after its adoption.

DULY ADOPTED and ENACTED this ____ day of _____, 2011.

ATTEST:

BOARD OF SUPERVISORS:

Joan C. Matthews, Township Secretary

Ernest E. Holling, Chairman

Richard Bright, Vice Chairman

Harold M. Hallman, III, Supervisor

Robert Shemonsky, Supervisor

Thomas P. Tucker, Jr., Supervisor



WEST PIKELAND TOWNSHIP
1645 ART SCHOOL ROAD
CHESTER SPRINGS, PA. 19425

Phone: (610)827-7660 Fax: (610)827-9141 Email: office@westpikeland.com
Web site: www.westpikeland.com

Letter of Transmittal

Date: February 23, 2011

To:
West Pikeland Township
Planning Commission

From:

Vincent M. Visoskas, Twp. Mgr.
West Pikeland Township
1645 Art School Road
Chester Springs, Pa. 19425

RE: Zoning Ordinance Amendment for Review

Copies	Date	Description
1	2/23/2011	Draft ZO Amendment, ver 2.

The Board of Supervisors is forwarding the attached Zoning Ordinance revision for your formal review pursuant to the Municipalities Planning Code.

Section I basically removes any subjective qualifications on religious land uses during Conditional Use Hearings.

Section II alters the existing parking standards in the Zoning Ordinance to better deal with assembly uses that do not use a traditional "seat" standard.

The Board of Supervisors will consider the following Ordinance for adoption on Monday, May 16, 2011 during their public meeting scheduled to begin at 7:30 P.M. We would appreciate your comments no later than your April 11th meeting.