

Article I: Preamble

SECTION 240-100. SHORT TITLE

This Chapter shall be known and may be cited as the "Kennett Township Zoning Ordinance of 2023, as amended."

SECTION 240-101. AUTHORITY AND PURPOSE

This Chapter is enacted under and pursuant to the PA Municipalities Planning Code, Act 247 of 1968, as amended, to maintain and enhance the character of the Township and the suitability of its various parts for particular uses, buildings, and structures, in order to:

- A. Promote, protect, and facilitate : General public health, safety, and welfare; Coordinated and practical community development and proper density of population; Emergency management preparedness and operations; Airports and national defense facilities; 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; Provision of a safe, reliable, and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; Preservation of natural, scenic, historic features, forests, wetlands, aquifers, and floodplains.
- B. Prevent: 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.
- E. Respect carrying capacity of land and site constraints and accommodate reasonable overall community growth and opportunities for development of a variety of residential and nonresidential uses.

SECTION 240-102. COMMUNITY DEVELOPMENT OBJECTIVES

This Chapter is enacted to implement the purposes of § 240-101, Kennett Township Comprehensive Plan policies, and other applicable codes, Chapters, plans, or studies of the Township.

- A. Planning Vision: Retain and enhance the traditional rural community identity and quality of life. Maintain a balance between the accommodation of change and development with the ability of the land to sustain new uses and the conservation of resources in order to preserve the rural character and protect the health, safety, and welfare of current and future residents.

- B. Land Use: Direct future growth to the most appropriate areas of the Township and establish a balance between land uses, the transportation network, and the ability of natural systems to support development.
- C. Housing: Plan for the present and future housing needs of residents while protecting the Township’s traditional rural, historic, natural, and scenic qualities.
- D. Natural Resources: Conserve the natural resources, wildlife habitat, agricultural land, and open spaces that are integral components of the Township’s character. Protect surface water and groundwater resources susceptible to degradation by polluting wastes and sediments and encourage the recharge of groundwater resources to ensure an adequate supply of water.
- E. Historic and Scenic Resources: Maintain and protect historic and scenic resources and landscapes to preserve the rural context of the Township’s heritage and character.
- F. Community Facilities and Services: Provide for appropriate and adequate community services and facilities within the practical fiscal limits of the Township and the natural constraints of the land.
- G. Open Space, Trails, Parks, and Recreation: Continue to maintain, enhance, and expand rural, natural, historical, and cultural open space areas, trails, and parks and recreation opportunities for Township residents.
- H. Transportation and Circulation: Plan for a safe, efficient, and diversified circulation system that addresses both current and future transportation needs of the Township while protecting community-defining characteristics.
- I. Regional Planning: Continue cooperative planning with surrounding municipalities and regional planning groups to achieve mutually beneficial goals for the Township and Region.
- J. Energy Conservation and Sustainability: Encourage energy conservation and the effective utilization of renewable energy resources to reduce energy costs and environmental impacts.

SECTION 240-103. ESTABLISHMENT AND SCOPE OF CONTROLS

Act 247 grants local municipalities the power to enact, amend, and repeal zoning chapters. Kennett Township has enacted this Chapter in accordance with the provisions of Act 247, establishing the following controls:

- A. Land shall be developed, used, or occupied, and structures shall be constructed, altered, used, occupied, or demolished in accordance with provisions of this Chapter.
- B. Uniform regulations. The provisions established by this Chapter within each zoning district shall apply uniformly to each class or type of structure or land.

- C. New uses and structures. Following the effective date of this chapter, any new building or other structure or any tract of land shall be developed, constructed, occupied, and used in accordance with the provisions of this Chapter and other Chapters, as applicable.
- D. Existing uses, structures, lots, or signs. Following the effective date of this Chapter, any existing use, structure, lot, or sign that is not in conformity with provisions of this Chapter shall be deemed nonconforming and subject to Article XXIV.

SECTION 240-104. INTERPRETATION AND EFFECTIVE DATE

- A. Chapter provisions shall be interpreted, applied, and administered in such a manner as to facilitate attainment of the purpose of this Chapter in § 240-101 and objectives of this Chapter in § 240-102.
- B. This Chapter shall become effective the day after its adoption.

SECTION 240-105. CONFLICT

It is not intended by this Chapter to repeal, abrogate, annul, or interfere with any existing ordinance, or any statute, rule, regulation, or permit adopted or issued thereunder, provided the same is not inconsistent or in conflict with any of the provisions of this Chapter. Where this Chapter imposes greater restrictions on the use of structures or land, height or bulk of structures, prescribes larger open spaces or parklands, or other applicable provisions, the provisions of this Chapter shall control.

SECTION 240-106. VALIDITY AND SEVERABILITY

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

SECTION 240-107. REPEALER

The Kennett Township Ordinance of 2006 and its amendments are hereby repealed and replaced by the provisions of the Kennett Township Zoning Ordinance of 2023, as amended.