**CHAPTER 27**

**ZONING**

**Part 1**

**Title, Authority, and Purpose**

**§101. Short Title.** This Chapter shall be known and be cited as the “White Deer Township Zoning Ordinance of 1999” and is intended to serve as a comprehensive amendment of the White Deer Township Zoning Ordinance enacted and ordained by the Township Board of Supervisors in June 1989.

**§102. Authority.** The PA Municipalities Planning Code (P.L. 1329, Act 170, as reenacted December 21, 1988, and as subsequently amended) provides that the Supervisors of White Deer Township may implement comprehensive plans or accomplish any of the purposes of the Planning Code by enacting a zoning ordinance.

The Supervisors of White Deer Township, Union County, PA, under the authority cited above, do hereby ordain that this Zoning Ordinance was enacted in order to promote and protect the health, safety, morals, and general welfare of the residents of the Township.

**§103. General Purposes.** The zoning regulations and districts herein set forth were developed in accordance with an overall program for the Township, with consideration being given to the character of the area, the municipality’s various parts, and the suitability of the various parts for particular uses and structures. As such, the regulations were designed to:

(1) Promote, protect and facilitate the public health, safety, morals, and the general welfare; coordinated and practical community development; and proper density of population; emergency management preparedness and operations, airports and national defense facilities; the provision 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;

(2) Prevent the 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) Preserve prime agriculture and farmland considering topography, soil type and classification, and present use;

(4) Provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing;

(5) Accommodate reasonable overall community growth and provide opportunities for development of a variety of residential dwelling types and nonresidential uses; and

(6) Facilitate appropriate development of the Township, protect the tax base, and encourage economy in public expenditures.

**§104. Community Development Objectives.** This Chapter provides a legal basis and framework for future development in White Deer Township. Its provisions were guided by the policy recommendations set forth in the *Comprehensive Plan for White Deer Township*, adopted by the Township Board of Supervisors on January 26, 1989. The following list of goals represent the Township’s legislative findings with respect to land use; density of population; the need for housing, commerce and industry; the location and function of streets and other community facilities and utilities; the need for preserving agricultural land and protecting natural resources, and other factors which the Board believes relevant in guiding the future development of the municipality.

(1) General.

(a) To promote orderly growth and development of White Deer Township.

 (b) To simplify the zoning program in order to create greater understanding and acceptance by the general public.

(c) To improve the flexibility and enforcement of the Township’s land use regulations.

 (2) Environment.

(a) To preserve, as far as possible, the rural character of White Deer Township by concentrating commercial, industrial, and residential development in the eastern section of the Township. Agriculture and forest uses shall be encouraged in central and western sections.

(b) To provide for compatible uses in floodplain areas (e.g. agriculture, open space, etc.)

(c) To continue to provide adequate water and sewer facilities to serve the more intensely developed areas of the Township.

(d) To insure that new development is not a detriment to the environment.

 (e) To improve stormwater management planning and control.

 (3) Housing.

(a) To provide for a variety of housing choices in terms of types of housing.

(b) To provide areas for higher density development where utilities can be utilized or extended to service the development.

(c) To provide low density rural housing opportunities that minimize the impact of strip development upon highways.

 (4) Agriculture.

(a) To preserve those areas most uniquely suited for agriculture and minimize the intrusion of non-compatible development.

(b) To minimize the intrusion of agriculture into development areas.

 (5) Industrial/Commercial.

(a) To encourage the development of major industrial areas along the easterly end of the Township where a) topography is especially suitable, and b) adequate transportation facilities and utilities are readily available.

(b) To encourage commercial development of the 1-80/U.S. route 15 Interchange areas, especially west of the U.S. Route 15/New Columbia Exit.

(c) To provide for neighborhood commercial uses in residential areas.

 (6) Highways.

 (a) To protect highways from development encroachment.

(b) To insure the future of U.S. Route 15 as a limited access highway.

**§105. Disclaimer of Municipal Liability.** This Chapter is not intended to create nor assume liability on the part of White Deer Township of any officer or employee thereof for any fire, flood, or other damage that may result from reliance on this Chapter or from any administrative decisions lawfully made thereunder. These regulations shall not guarantee a specific level of protection for any construction. The applicant shall in all cases rely on accepted engineering methods or building practices when designing or constructing structures approved pursuant to these regulations.

**§106. Effective Date.** For purposes of this Chapter, July 25, 1999 shall be the effective date of the Chapter when the effective date is referred to herein. This Chapter is prepared and adopted in accordance with the provisions of the Pennsylvania Municipalities Planning Code (Code) and it is the intent that all provisions hereof be in accordance with the Code. Should there be a conflict or difference between the provisions of this Chapter, as amended from time to time, and the provisions of the Code, as amended from time to time, the provisions of the Code shall prevail.

(Ordinance No. 99-1, adopted July 20, 1999)