

## **INTRODUCTION AND USER GUIDE**

This Introduction and User Guide is intended to provide a general orientation to the format and organization of the Zoning Ordinance to make the document easier to understand and use. Like every municipal zoning ordinance, this Zoning Ordinance regulates the development and use of land by dividing the Township into “zoning districts”, sometimes commonly referred to as “zones”. This Zoning Ordinance establishes 12 such zoning districts as noted in Section 3.1, and as shown on the Zoning Map.

This Zoning Ordinance is based on what is sometimes called a “permissive” zoning concept; that is, land in each zoning district can be used only for the land uses and activities that are specifically designated in the Zoning Ordinance as permissible in that district. The permissible land uses within each zoning district are further divided into either “permitted uses” or “special land uses”. A use listed as a “permitted use” in a zoning district is recognized as being harmonious with other such uses within the same district, and therefore generally requires no prior land use approval. A “special land use” is recognized as requiring prior land use approval, pursuant to a public hearing and approval standards specified in the Zoning Ordinance, to make sure the particular location proposed for the land use will not adversely impact other property, or the general health, safety and welfare of the community. Articles 6-17 of this Zoning Ordinance indicate the permitted uses and special land uses for each of the zoning districts.

Article 20 specifies other requirements applicable in each zoning district, such as the minimum “lot” requirements for buildable property, and “setback” and other location requirements for buildings and other structures in each zoning district.

Some provisions of the Zoning Ordinance are intended to generally apply throughout the Township, such as the “General Provisions” in Article 4. Other articles of this Ordinance regulate specific matters that may also apply in one or more zoning districts, or throughout the Township, as indicated to be applicable. Such provisions of the Zoning Ordinance include the following articles and subject matters:

- Article 22---Accessory Buildings/Structures and Accessory Uses
- Article 25---Signs and Outdoor Advertising Structures
- Article 26---Parking and Loading Spaces

So, to determine whether property can be used for a particular land use or activity, and what regulations may apply to that property/land use, a person using this Zoning Ordinance will generally go through the following steps:

- ❖ Step 1: find the property on the official Zoning Map and determine the “zoning district” in which the property is located.

- ❖ Step 2: make sure the property meets the minimum “lot” requirements for that zoning district, and is therefore “buildable” pursuant to the Schedule in Article 20; or is otherwise a legal buildable “nonconforming lot” pursuant to Section 27.8 (Article 27 also includes special provisions pertaining to “nonconforming” uses and building/structures lawfully established before the enactment of this Ordinance in 1992).
- ❖ Step 3: refer to the proper article covering that zoning district from Articles 6-17; and determine whether the intended land use is listed in that article as either a “permitted use” or a “special land use”.
- ❖ Step 4a: if the intended land use is listed as a “permitted use” in the zoning district in which the property is located, check Section 24.2 to see whether that use is subject to a “site plan review” requirement. If so, other provisions of Article 24 will apply.
- ❖ Step 4b: if the intended land use is listed as a “special land use” in the zoning district in which the property is located, review Article 23 for information about applying for special land use approval and the “standards” that must be shown to be complied with before the Planning Commission can grant such approval, after a public hearing. Section 23.3 specifies what are sometimes called the general standards that apply to all special land uses; but Section 23.7 includes additional specific standards that are required of certain special land uses. Note: the “site plan review” requirements of Section 24.4 apply to all special land uses.
- ❖ Step 5: for every permitted use or special land use check whether additional regulations are applicable from either Article 4 “General Provisions” or other articles dealing with specific subjects, such as the articles listed above in the bullet points.

User hint: many words and terms used in this Zoning Ordinance are given a specific definition in Section 2.2. It is therefore important to refer to Section 2.2 to determine whether a particular word or term has a specific definition for purposes of this Ordinance. Any word or term not specifically defined in this Ordinance is defined in accordance with its most applicable customary or common meaning (see Section 2.1).

Finally, other parts of this Zoning Ordinance address what may be called “administrative” matters, including the following articles/sections on the indicated subjects:

- Article 28---Zoning Board of Appeals
- Article 29---Administration and Enforcement of Zoning Ordinance
- Section 29.4---Violations and Sanctions
- Article 30---Text Amendments/Rezoning Procedures

These articles are not generally relevant to determining how a particular land use is regulated by the Zoning Ordinance, but may apply in certain circumstances. For example, a potential applicant for a “variance” should review Article 28 addressing the limited authority of the Zoning Board of Appeals to grant variance relief, and otherwise covering the authority and functions of that board.

Disclaimer: this Introduction and User Guide is intended to provide a general orientation to the format and organization of the Zoning Ordinance. Many zoning questions can be answered upon simple reference to the appropriate parts of this Zoning Ordinance; but some questions will require knowledgeable assistance from someone such as the Zoning Administrator, and sometimes from legal counsel with special expertise in zoning matters. In short, although this Introduction and User Guide is not intended to substitute for knowledgeable assistance to address a particular zoning question or issue where required, it will hopefully make this Zoning Ordinance easier to understand and use.