

ARTICLE II **INTRODUCTION**

§ 345-2. Introduction

- A. This chapter is a legal document, which places restrictions on the use and development of land for the purpose of achieving an orderly land use pattern. More specifically, this chapter divides the Borough into districts having different regulations relating to the control of height, area, use of buildings and land, and density of population. All such regulations relate to the public health, safety, morals and general welfare and have been established in accordance with a comprehensive plan.
- B. This chapter is a replacement of the Macungie Borough Zoning Ordinance of 1992 in its entirety. It has been developed by the Macungie Borough Planning Commission with the assistance of Urban Research and Development Corporation. The preparation of this Zoning Ordinance was financed, in part, by a grant from the Commonwealth of Pennsylvania, Department of Community and Economic Development. This chapter is divided into ten (10) sections as described below:
- (1) Article III, Title and Purpose. Self-explanatory, officially states the title and explains the purpose of the chapter.
 - (2) Article IV, Application of Regulations. States the conditions under which the chapter must be applied.
 - (3) Article V, Zoning District Regulations. This is part of the chapter which specifies the detailed regulations to be applied to each district.
 - (4) Article VI, Supplementary Regulations. Summarizes additional regulations applied to all districts as well as special regulations for parking and truck loading and signs.
 - (5) Article VII, Special Exception Uses. Provides standards and criteria that must be met before a special exception use will be permitted by the Zoning Hearing.
 - (6) Article VIII, Administration and Enforcement. This article describes the powers and duties of the zoning officer, building permit procedures, and regulations governing nonconforming uses and buildings. The article also deals with fees, violations and penalties.
 - (7) Article IX, Zoning Hearing Board. This article deals with the powers and authorities of the Zoning Hearing Board (formerly the Board of Adjustment) in granting special exceptions and in hearing hardship cases. The Zoning Hearing Board is created to hear and decide on cases where the literal application of this chapter under circumstances unique to an individual property would create undue hardships. The Article also covers appeals on interpretation of this chapter or map

and challenges to the validity of this chapter or map.

- (8) Article X, Procedure For Amendment. This article explains how this chapter can be amended and the procedures for holding a public hearing.
 - (9) Article XI, Definitions. This article explains terms used in the chapter.
 - (10) Article XII, Floodplain Management Regulations. This article details construction regulations within the floodplain.
- C. The regulations in this chapter are not retroactive. They apply only to new development or changes proposed for old development. Existing businesses and industry can continue to operate and ownership can be transferred regardless of the zoning district in which it is located. In addition, in most instances owners of lots, which are smaller than the minimum requirements specified in the chapter can build on them as specifically provided for in this chapter. Lots created after the adoption of the chapter, however, must be in conformity with the requirements hereof.
- D. It is recognized that this chapter cannot satisfy the needs and individual interests of every citizen in the Borough. This is not its intent. This chapter is designed for the public welfare based upon a set of facts, observations and analyses described in the Macungie Comprehensive Plan, dated April 1966. As the Borough grows and as circumstances change, certain of these facts and analyses may require reconsideration. This chapter can be amended in the future to reflect such changes.