

ARTICLE XVI

AMENDMENTS

Section 1600 Amendments

A. This Ordinance or any part thereof, may be amended, supplemented or repealed, from time to time, by the Township Supervisors on their own motion or upon recommendation by the Planning Commission. Before voting on the enactment of an amendment, the Township Supervisors shall hold a public hearing thereon, pursuant to public notice. In addition, if the proposed amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one (1) week prior to the date of the hearing. At least thirty (30) days prior to public hearing, every such proposed amendment shall be referred by the Township Supervisors to the Planning Commission for a report. The Township Supervisors shall not take action on any such amendment without such report from the Planning Commission unless the Planning Commission fails for any reason to render such report within thirty (30) days after its next regularly scheduled meeting following the date of such referral.

1. Report of the Planning Commission

In making such report on a proposed amendment, the Planning Commission shall make inquiry and determination concerning the items specified below:

a. Concerning a proposed amendment to, or change in text of, This Ordinance:

- 1) Whether such change is consistent with the aims and principles embodied in this Ordinance as to the particular Districts concerned.
- 2) Which areas, land uses, buildings, and establishments in the Township will be directly affected by such change and in what way they will be affected.
- 3) The indirect implications of such change in its effect on other regulations.
- 4) Whether such proposed amendment is consistent with the aims of the Comprehensive Plan of the Township.

b. Concerning a proposed amendment involving a change in the Zoning Map:

- 1) Whether the uses permitted by the proposed change would be appropriate in the area concerned.

- 2) Whether adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences likely to be constructed as a result of such change.
- 3) Whether the proposed change is in accord with any existing or proposed plans in the vicinity.
- 4) The effect of the proposed amendment upon the growth of the Township as envisioned by the Comprehensive Plan.
- 5) Whether the proposed amendment is likely to result in an increase or decrease in the total zoned residential capacity of the Township and the probable effect thereof.

B. Referral to County Planning Commission

Any proposed amendment shall, at least thirty (30) days prior to the public hearing, refer the proposed amendment to the County Planning Agency for recommendations.

C. Referral to Other Agencies

Should any proposed amendment consist of or include either of the two following conditions, the Supervisors shall transmit to the designated office or official, a copy of the official notice of the public hearing not later than twenty (20) days prior to the date of the hearing.

The designated official for Boroughs, Cities, Townships, or Counties shall be the clerk of the municipality. In the case of State or Federal lands, the designated office shall be the appropriate State or Federal agency.

1. Any change, in the boundaries of any district, in which the change would occur within a distance of five hundred (500') feet of the boundary of any Borough, City, Township, or County; or any boundary of a State or Federal lands other than highways.
2. Any change in the regulations prescribed for any district, any portion of which is located within five hundred (500') feet of the boundaries listed in Section 1400-C.1.

D. Supervisors Public Hearing

By resolution adopted at a meeting of the Township Supervisors, the Township Supervisors shall fix the time and place of a public hearing on the proposed amendment and cause notice thereof to be published once each week for two successive weeks in a newspaper of general circulation in the Township. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days prior to said hearing.

All notices of public hearing shall specify the nature of any proposed amendment; the land or District affected; and the date when, and the place where, the public hearing will be held.

E. Supervisors Action

The Township Supervisors shall act to approve or disapprove said amendment within forty-five (45) days after the date of said public hearing.

F. Within thirty (30) days after the enactment, a copy of the amendment to This Zoning Ordinance shall be forwarded to the County Planning Agency.

Section 1601 Landowner Curative Amendments

- A. A landowner who desires to challenge on substantive ground the validity of This Ordinance and Map or any provisions thereof, which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to the Supervisors with a written request that his challenge and proposed amendment be heard and decided. The Supervisors shall commence a hearing thereon within sixty (60) days of the request. The curative amendment shall be referred to the Planning Commission and notice of the hearing thereon shall be given. The hearing and all other procedural matters, shall be conducted by the Supervisors, as is outlined in the Municipalities Planning Code, Section 609.1.

Section 1602 Municipal Curative Amendments

- A. In the event the Township determines that This Zoning Ordinance, or any portion thereof, is substantially invalid, the Supervisors may proceed with a Municipal Curative Amendment pursuant to Section 609.2 of the Municipalities Planning Code.

Section 1603 Publication, Advertisement and Availability of Amendments

- A. Proposed amendments to This Ordinance shall not be enacted unless the required notices as set forth in Section 610 of the Municipalities Planning Code have been given.