

CLINTON COUNTY ZONING ORDINANCE

CLINTON COUNTY, PENNSYLVANIA

Colebrook Township
East Keating Township
Gallagher Township
Grugan Township
Logan Township
Noyes Township
West Keating Township

ADOPTED BY THE CLINTON COUNTY
COMMISSIONERS

November 23, 1994

Prepared By:

Clinton County Planning Commission
151 Susquehanna Avenue
Lock Haven, PA 17745

CLINTON COUNTY ZONING ORDINANCE

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ARTICLE I

GENERAL PROVISIONS

1.00 SHORT TITLE

This Ordinance shall be known and may be cited as the "Clinton County Zoning Ordinance". The accompanying map is hereby declared to be part of this Ordinance and shall be known and may be cited as the "Clinton County Zoning Map" hereinafter referred to as the "Zoning Map".

1.01 ORDAINING CLAUSE

This Ordinance shall become effective immediately upon enactment. Enactment by the Commissioners of the County of Clinton is by the authority of and pursuant to the provisions of Articles VI through X-A of Act No. 247 of 1968, as amended by Act 170 of 1988, as further amended by Act 209 of 1990 and Act 131 of 1992 of the Pennsylvania General Assembly, know and cited as the Pennsylvania Municipalities Planning Code.

1.02 PURPOSE

This Ordinance is designed, adopted and enacted:

- (1) To promote, protect and facilitate any or all of the following: 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 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, 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) To prevent one or more of the following: 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) To preserve prime agriculture and farmland considering topography, soil type and classification, and present use.
- (4) To provide for the use of land within the County for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings, and a reasonable range of multi-family dwellings in various arrangements, mobile homes and mobile home parks, provided, however, that no zoning ordinance shall be deemed invalid for the failure to provide for any other specific dwelling type.
- (5) To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

1.03 INTERPRETATION

For the purpose of the interpretation and application of this Ordinance, the provisions contained herein shall be held to be the minimum requirements for the promotion of public health, safety, comfort, convenience, and general welfare.

- (1) Whenever any regulations made under authority of this Ordinance require a greater width or size of yards, courts or other open spaces, or require a lower height of buildings or smaller number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in or under any other statute, the provisions of the regulations made under authority of this Ordinance shall govern.
- (2) Whenever the provisions of any other statute require a greater width or size of yards, courts or other open spaces, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by any regulations made under authority of this Ordinance, the provisions of such statute shall govern.
- (3) Whenever any regulations pertaining to a specific use or activity under authority of this Ordinance require a greater width or size of yards, courts or other open spaces, or require a lower height of

buildings or smaller number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required for the zoning district or generally required under this Ordinance, the greater or higher standards shall govern.

1.04 SEVERABILITY

The provisions of this Ordinance shall be severable, and if any of these provisions shall be held or declared illegal, invalid, or unconstitutional by any court of competent jurisdiction, the validity of the remaining provision of this Ordinance shall not be affected. It is hereby declared as the legislative intention that this Ordinance would have been adopted had such unconstitutional provisions not been included herein.

1.06 REPEALER

All ordinances or parts of ordinances inconsistent herewith are hereby repealed, including the Clinton County Zoning Ordinance, enacted in May, 1989. Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights accrued or liability incurred or any cause or causes of action occurred or existing under any ordinance repealed by this Ordinance. Nor shall any right or remedy of any character be lost, impaired or affected by this Ordinance.

ARTICLE II

COMMUNITY DEVELOPMENT OBJECTIVES

2.00 COMMUNITY DEVELOPMENT OBJECTIVES

The Clinton County Board of Commissioners states the following legislative finding with respect to land use, density of population, location and function of roads, and other community facilities and utilities, and other factors which the Board believes relevant in establishing community development objectives for the future development of the County. It is the purpose of the Ordinance to reflect the objectives of the County, to establish such other objectives as may be deemed necessary, and to provide the means and regulations whereby these objectives may be attained. In developing the following objectives reference was made to the Clinton County Comprehensive Plan adopted December 12, 1992, and the Clinton County Natural Heritage Inventory adopted February 9, 1994.

- (1) Maintain the agricultural productivity of prime soils and assure the continuance of farming as an important commercial operation and life style.
- (2) Minimize the impact of residential development on agriculture and ensure that normal farm practices will not be affected by such development.
- (3) Develop zoning and subdivision approaches that recognize the natural and ecological importance of wooded and open space areas and encourage the preservation of open space for both public and private use.
- (4) Give special protection to natural heritage sites that have qualified for inclusion in the Clinton County's Natural Heritage Inventory.
- (5) Give special protection to wilderness streams which are classified by the Pennsylvania Fish Commission as Exceptional Value and/or Scenic River.
- (6) Promote conservation measures and regulations along all streams and waterways in the County as a means of protecting water quality and insuring a healthy aquatic environment for fish and plant life.
- (7) Preserve and protect public drinking water watersheds within the County by mitigating adversities created by human encroachment.
- (8) Encourage and facilitate modest levels of population growth that will help the County sustain a strong tax base, maintain and improve County roads, and increase the services available to County residents.
- (9) Extend sewer and water services whenever practicable to existing population centers that are experiencing water or septic problems and to areas where growth is both anticipated and recommended based on the most appropriate land use.