

feet from any side lot line.

3. Rear Yards: Minimum of twenty (20) feet in depth.

All accessory buildings shall be a minimum of eight (8) feet from any side lot line.

F. Height

The maximum building height for all buildings shall be three stories or thirty-five (35) feet, whichever is less.

4.02 ZONING MAP

The boundaries of the Zoning Districts shall be shown on the map attached to and made a part of this Ordinance which shall be designated the "Official Zoning Map". The same map and all the notations, references, and other data shown thereon are hereby incorporated by reference into this Ordinance as if all were fully described within the text of this Ordinance.

4.03 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

Where uncertainty exists as to boundaries of any District as shown on said map, the following rules shall apply.

- (1) District boundary lines are intended to follow or be parallel to the center line of streets, streams and railroads, and lot or property lines as they exist on a recorded deed or plan or record in the Clinton County Recorder of Deed's office at the time of the adoption of this Ordinance, unless such District boundary lines are fixed by dimensions as shown on the Zoning Map.
- (2) Where a District boundary is not fixed by dimensions and where it approximately follows lot lines and where it does not scale more than ten (10) feet there from, such lot lines shall be construed to be such boundaries unless specifically shown otherwise.
- (3) In unsubdivided land or where a District boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale appearing on the maps.
- (4) In cases of uncertainty as to the true location of a District boundary line in a particular instance, the Zoning Officer shall request the Zoning Hearing Board to render its determination provided, however, that no boundary shall be changed by the Zoning Hearing Board.

ARTICLE V

DISTRICT REGULATIONS

5.00 APPLICATION OF DISTRICT REGULATIONS

The regulations set forth in this Article for each District shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

- (1) No building, structure, or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the District in which it is located.
- (2) No building or other structure shall hereafter be erected or altered:
 - A. To exceed height or bulk requirements.
 - B. To occupy a greater percentage of lot area.
 - C. To accommodate or house a greater number of families, except as permitted in a residential conversion.
 - D. To have narrower or smaller rear yards, front yards, side yards, or other open space than herein required, or in any other manner be contrary to this Ordinance.

5.01 USE REGULATIONS AND DIMENSIONAL REQUIREMENTS

The specific use regulations and dimensional requirements pertaining to each District are contained in Article IV of this Ordinance.

ARTICLE VI

SPECIAL REGULATIONS

6.00 INTENT

This Article lists specific controls over general aspects of land utilization which are not included elsewhere in this Ordinance. The Clinton County Zoning Officer has the right and authority to perform or have performed by an independent party and relevant investigation or study to assure public safety, health and welfare and require the cost to be borne by the applicant. The following regulations shall apply to all Zoning Districts and uses as applicable.

6.01 PUBLIC UTILITY CORPORATION EXEMPTION

The provisions of this Zoning Ordinance shall not apply to any existing or proposed building or extension thereof used by any public utility corporation, if upon petition of the corporation, the Public Utility Commission shall, after a public hearing, decide that the present or proposed location or use of the building in question is reasonably necessary for the convenience or welfare of the public.

6.02 ENVIRONMENTAL PERFORMANCE STANDARDS

The Clinton County Planning Commission may require safeguards to assure compliance with the certain environmental standards. When required, the applicant shall demonstrate that adequate provisions will be made to reduce and minimize any objectionable elements related to this Section.

Upon request of the County, the owner shall furnish or obtain proof at his own expense that he is in compliance with the following environmental standards:

- (1) Air Management
 - A. The burning of tires, plastic, or any toxic substance is not permitted.
 - B. No gasses, vapors or fumes shall be emitted which are harmful to persons, property, animals, or vegetation.
 - C. No radioactive vapors or gasses shall be emitted.
 - D. No objectionable odors other than agricultural in origin, shall be detectable beyond the property boundaries.

(2) Solid Waste Management

No storage of waste materials on a lot shall be permitted in excess of thirty (30) days. All waste materials awaiting transport shall be kept in enclosed containers and be screened from view.

(3) Noise and Vibration

- A. The noise limit at lot lines shall be sixty-five (65) decibels.
- B. No physical vibration shall be perceptible without use of an instrument at the lot boundaries.

(4) Lighting and Heat

- A. All lighting shall be shielded and not cause a glare beyond the lot boundary.
- B. Any operation producing heat shall prevent any effect from the heat beyond the property lines.

(5) Electromagnetic

All electromagnetic radiation shall comply with the regulations of the Federal Communication Commission (FCC).

(6) Ground Water Supplies

No use shall endanger ground water levels and quality nor adversely affect ground water supplies of nearby properties.

6.03 STREAM CORRIDORS AND SINKHOLES

Land uses, including agricultural land uses, which occur adjacent to streams and/or sinkholes shall require an undisturbed buffer or filter strip along the stream or sinkhole. The requirement for a buffer applies to all streams and watercourses which are defined as a channel or conveyance of surface water having a defined bed and banks, whether artificial or natural, with intermittent or perennial flow.

- (1) The purpose of the buffer is to intercept sediment and pollutants from project runoff occurring overland before they reach the stream, and/or sinkhole, thereby protecting local water resources and the environment.
- (2) The buffer width shall be a minimum of fifty (50) feet measured from the stream bank or sinkhole to the area of the proposed soil disturbance. This buffer width shall apply to each side of the watercourse where soil disturbance is proposed. If the watercourse marks the project boundary, the buffer requirement shall apply to only one side of the stream.
- (3) Where the subdivision and land development has a slope in excess of eight (8) percent, the following buffer widths shall apply to each applicable side of the watercourse:

<u>% Slope</u>	<u>Buffer Width</u>
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0-8%		50'
8-15%	65'	
15-25%	80'	
25% +		100'

- (4) For calculation of slope, the site may not be averaged over its gross acreage. Only the area within one hundred (100) feet of the watercourse shall be considered for the purpose of slope calculation.
- (5) If the land on each side of the stream bank has different slope characteristics, a different buffer width would be required on each side of the stream.
- (6) The buffer shall consist of existing or new vegetation or a combination thereof, as in the following order or preference:
 - A. Existing hedgerow, woodlot, brush and/or uncultivated fields which are naturally occurring along the stream.
 - B. A combination of existing vegetation (such as above) and newly-established vegetation.
 - C. A newly established area of trees, bushes and grasses, where no vegetation existed prior to development.
- (7) Streams classified as Exceptional Value or Scenic River by the Pennsylvania Department of Environmental Resources (DER) shall have a two hundred (200) foot buffer regardless of slope.
- (8) Stream encroachment work or any development within fifty (50) feet of a stream bank would require a permit from DER and the US Army Corps of Engineers. The applicant shall provide written determination from the applicable regulatory body or a copy of the required permit prior to Final Subdivision and Land Development Plan approval.

6.04 BUILDING HEIGHT EXCEPTIONS

Height regulations shall not apply to agricultural structures, silos, water towers, church spires, belfries, antennas, chimneys, architectural ornament, or appurtenances placed above the roof level not intended for human occupancy.

6.05 BUILDING SETBACK EXCEPTIONS

The required building setback for a proposed building may be decreased to the average setback of existing buildings within one hundred (100) feet on each side of the proposed building. Setback reduction may occur when adjacent buildings have less than the front yard requirement for the applicable District, but in no case shall the reduction encroach upon the street right-of-way. The granting of a variance shall be the authority of the Zoning Hearing Board.

6.06 REQUIRED YARD EXCEPTIONS

No structure or part of a structure shall be erected within or shall project into any required yard setback except:

- (1) Overhanging eaves, gutters, cornices or solar energy collector not exceeding two (2) feet in width.
- (2) Arbors, trellises, garden sheds, flagpoles, unroofed steps, unroofed terraces, awnings, movable canopies, walls, fences and other similar uninhabitable structures shall be permitted, provided they are not more than eight (8) feet in height.
- (3) Unenclosed fire escapes which extend no more than six (6) feet into any required yard area.

6.07 OBSTRUCTIONS

- (1) On a corner lot, no structure shall be erected or enlarged, and no vegetation shall be planted or maintained which may cause visual obstruction to motorists on any public road.
- (2) Clear sight triangles shall be provided at all street intersections. Within such triangles, no object shall be permitted which obscures vision above the height of thirty (30) inches and below ten (10) feet, measured from the centerline grade of intersecting streets. Such triangles shall be established from a distance of fifty (50) feet from the point of intersection of the center lines of local and collector streets. Triangles shall be established from a distance of one hundred-fifty (150) feet for all intersections with arterial streets.

6.08 FLOOD PLAIN MANAGEMENT

Flood plain management is the responsibility of the individual municipality. Each municipality subject to this Ordinance has in place and administers a flood plain management ordinance. Therefore, in addition to the requirements established by this Ordinance, any activity in a designated flood prone area will be subject to the appropriate municipal ordinance.

6.09 OUTDOOR STORAGE OF MATERIALS AND EQUIPMENT

- (1) Commercial Equipment Storage & Parking

Commercial equipment including, but not limited to, trucks of two-ton capacity or more, construction equipment and machinery, and other commercial or industrial materials, equipment and supplies shall not be parked overnight or stored in any residential district.

- (2) Recreational Vehicle Storage

Recreational vehicles, as defined by this Ordinance, may be parked and stored within a district in any carport or enclosed building or may be parked outdoors provided the vehicle is at least three (3) feet from any lot line. No such equipment shall be used for living, sleeping or housekeeping purposes.

(3) On-Lot Storage of Vehicles

No vehicle without current license and inspection, trailer, boat or similar vehicle shall be parked or stored outside in any district unless within an enclosed building or carport. No such equipment shall be used for living, sleeping or housekeeping purposes.

6.10 TRAVEL TRAILER OCCUPANCY AND STORAGE REQUIREMENTS

Travel trailers equipped with holding tank facilities and that are not connected to a permitted sewage treatment system (public sewer, in-ground holding tank, absorption bed system) shall not remain on a lot that does not contain a residential structure for more than thirty (30) consecutive days.

Travel trailers not equipped with holding tank facilities and that are not connected to a permitted sewage treatment system (public sewer, in-ground holding tank, absorption bed system) shall not remain on a lot that does not contain a residential structure for more than ten (10) consecutive days.

6.11 EROSION AND SEDIMENTATION CONTROL AND STORM WATER MANAGEMENT PLAN REQUIREMENTS

Given the Community Development Objectives as outlined in Article II of this Ordinance, and the large number of biological diversity areas and streams with Exceptional Value and Scenic River designations in Clinton County, the County Zoning Officer may require an applicant for a zoning permit to submit an Erosion & Sedimentation Control plan.

- (1) Storm water management controls are intended to reduce the impact of storms, enhance groundwater recharge, prevent erosion, sedimentation and flooding and maintain natural drainage ways. The specific intent of these controls is that storm water runoff from any site during and after site disturbance be no greater than that which existed prior to development.
- (2) The Erosion and Sedimentation Control Plan shall be designed to adequately control, collect and dispose of storm water drainage from the site including, if necessary, storm sewers, culverts, ditches, swales, retention ponds or and other related storm water control facilities.
- (3) Storm frequencies for 2, 5, 10, 25, 50 & 100 year events shall be evaluated and no greater runoff rate shall be permitted after development than what existed prior to development.
- (4) The minimum storage capacity shall be that volume required by routing

the after-development 25 year, 24 hour frequency storm released at a rate not to exceed the before-development 10 year, 24 hour discharge.

- (5) Information and references regarding the design of ponds or retention basins shall be determined by using the "Standards for Water Management Basin", Centre & Clinton County Erosion and Sedimentation Control Handbook, 1974 edition, and "Standard Specifications for Ponds", US Department of Agriculture Service Manual, May, 1977, Code 376, or another method approved by the Municipal and/or County Engineer.

An Erosion and Sedimentation Control plan consists of two parts: (a) a narrative describing the project and giving the purpose and the engineering assumptions and calculations for control measures and facilities; and (b) a map or maps describing the topography of the area and showing proposed alterations to the area and the erosion and sedimentation control measures and facilities.

- (1) The narrative must include the following:
 - A. General description of the project.
 - B. General description of storm water handling.
 - C. General description of accelerated erosion control.
 - D. General description of sedimentation control.
 - E. Date project is to begin and expected date final stabilization will be completed.
 - F. Training and experience of person preparing the plan.
- (2) A map of the project area must show the following topographic features:
 - A. The location of the project relative to highways, municipalities or other identifiable landmarks.
 - B. Contours at an interval that will adequately describe the topography.
 - C. Boundary lines of the project area.
 - D. Acreage of the project.
 - E. Streams, lakes, ponds or other bodies of water within the project area and/or in the vicinity of the project.
 - F. Types, depth, slope and aerial extent of soils must be shown. Type may be specified as in a soil survey.
 - G. Other physical features including scale of map and north arrow.
- (3) The proposed alterations to the area must be shown on an additional map.
 - A. Changes to land surfaces and vegetative cover.
 - B. Areas of cut and fills.
 - C. Structures, roads, paved areas, buildings.
 - D. Storm water control facilities.
 - E. Contours of finished area at an interval that will adequately described the final topography.
- (4) The amount of stormwater runoff from the project area and the upstream water shed area must be described in narrative form. Methods of

calculation, factors considered and provisions for safe storm water handling and disposal must be included.

- (5) Temporary control measures and facilities for use during earthmoving activities must be shown on a map and described in a narrative. Types, locations, and dimensions of control measures and facilities must be included along with design considerations and calculations. A schedule of staging, installation and operations of the measures and facilities must be outlined in the narrative.
- (6) Permanent control measures and facilities for site restoration and long term protection must be shown on a map and described in a narrative.
- (7) A maintenance program for the control facilities must be described in a narrative. The methods, frequency and ultimate disposal site for solid waste material must be considered. The facilities must be maintained for their designated operations to insure adequate performance.

In general, all of the above requirements are to be shown on an Erosion and Sedimentation Control plan unless the activity is for minor earthmoving or on a small land area. In any case, sufficient detail must be shown to clearly indicate the plan's effectiveness.

Submission of an Erosion and Sedimentation Control plan to the County Zoning Officer does not alleviate the applicant's responsibility to obtain all other applicable federal, state and local permits.

6.12 SITE PLANNING REQUIREMENTS IN THE NATURE CONSERVATION (NC) ZONING DISTRICT

This Section is applicable to all subdivision and land development activity in the Nature Conservation (NC) Zoning District involving forty-nine (49) acres or less. If such activity involves fifty (50) acres or more, the provisions of Article XI, Planned Residential and Seasonal Developments, shall apply.

- (1) All applications for a zoning permit in the Nature Conservation (NC) District shall include a site plan, copy of proposed deed restrictions in the form of covenants and a model deed which references the covenants. Both the approved site plan and covenants shall be recorded by the applicant at the Clinton County Recorder's Office before issuance of a zoning permit.
- (2) The site plan shall locate and identify:
 - A. Existing and proposed man-made features, including the following: buildings, accessory structures, parking areas, roads normally passable by motor vehicles, sewage disposal facilities, water supply sources, and utilities.
 - B. Natural features including the following:
 1. Wetlands, as shown on the National Wetlands Inventory

map of the project area or identified by field assessment;

2. Exceptional Value and Scenic River designated streams as classified by the Pennsylvania Fish Commission;
 3. Biological diversity areas as recorded in the Clinton County Natural Heritage Inventory;
 4. Lakes and ponds and watercourses;
 5. Areas of slope in excess of twenty-five (25) percent of greater;
 6. Soils characterized as unsuitable for building sites or susceptible to septic tank infiltration as classified in Interpretation of Engineering Properties of Soils found in the Clinton County Soil Survey.
- (3) No construction or other activity such as logging shall be carried out within one hundred (100) feet of the features identified above. In the case of wetlands, biological diversity areas and exceptional value and scenic river designated streams there shall be no activity within two hundred (200) feet of the stream. In all cases, proposed land development shall be located so that there is the least impact on these features as possible. Applicable State and Federal permits shall be obtained by the applicant before a zoning permit is issued.
- (4) Restrictions and Covenants shall address the following:
- A. Any required permits and their conditions;
 - B. Statement regarding the protection of the natural features listed above and that the owner/applicant shall not disturb the natural environment within a one hundred (100) foot setback of such features;
 - C. Statement that the owner/applicant will be responsible for the private maintenance of driveways, access roads, sewage disposal facilities, water supply, storm drainage facilities and utilities.
 - D. Statement that the lot owners shall be responsible for any greater level of service or maintenance than currently exists on the public roads which for purposes of this Ordinance shall only include snow/ice removal, clearing of fallen trees and power lines, stabilization of a mud condition, and repair of drainage washouts.
 - E. Statement that the lot owners recognize the risks involved in developing in a remote area and that the County, the Commonwealth of Pennsylvania, and emergency organizations such as fire, medical, and police services shall not be liable to provide the same level of services that would otherwise be