

**LOGANTON BOROUGH ZONING ORDINANCE
CLINTON COUNTY, PENNSYLVANIA**

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**ADOPTED BY THE LOGANTON BOROUGH COUNCIL
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LOGANTON BOROUGH 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 "Loganton Borough Zoning Ordinance".

1.01 AUTHORITY

This Ordinance is enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania, "The Pennsylvania Municipalities Planning Code", Act of 1988, December 21, P.L. 1329, as amended (53 P.S. 10101 et seq.).

1.02 PURPOSE

This Ordinance is enacted for the purposes for which zoning ordinances may be enacted pursuant to Section 604 of the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. 10604.

1.03 COMMUNITY DEVELOPMENT OBJECTIVES.

The Community Development Objectives include, but are not limited to, the following:
Additional community development objectives can be found in the district descriptions.

1. To provide for the preservation, protection, management and enhancement of Loganton Borough's natural resources and environmental qualities fore present and future generations.
2. To encourage industrial development in proper and suitable locations so that land uses will complement one another and minimize dangers to environmental quality and community existence.
3. To provide sufficient recreational opportunities for residents to meet the needs of increasing leisure time and insure proper handling of existing and future programs and facilities.
4. To provide, in an economical and aesthetically beneficial manner, the various facilities and services necessary to meet the existing and future needs of the community in a way that is compatible with the natural and man-made environment.
5. To protect existing agricultural land and insure proper management of such lands, and to insure the maintenance of a rural atmosphere.
6. To upgrade commercial services and establishments in the Commercial District enabling a more suitable condition for resident participation and encouragement of new development.
7. To achieve the best use of land within the Borough, insuring that varying land uses will complement one another and thus improve the economic base and provide for increased aesthetic and cultural values.
8. To eliminate traffic congestion and improve access to commercial and industrial locations and provide safer conditions for both pedestrian and vehicle operations.
9. To encourage and promote the provisions of a wide-range and variety of decent, safe, and sanitary housing to meet the needs of all Borough residents.

1.04 ESTABLISHMENT OF CONTROLS

In their interpretation and application, the regulations set by this Ordinance within each district shall be held to be the minimum requirements adopted for the promotion of the purposes of this Ordinance and shall apply with uniformity to each class of use or structure.

1. Types of Control. The following regulations shall apply in the respective districts: use regulations, including primary and accessory uses; lot requirements, including size, width, and coverage; setback requirements for front, side, and rear yards; maximum height requirements; and, supplemental regulations.
2. New Lots, Uses, and Structures. In all districts, after the effective date of this Ordinance any new lot, use, or structure shall be constructed, developed, and used only in accordance with regulations specified for each district.
3. Existing Lots, Uses, and Structures. In all districts, after the effective date of this Ordinance, any existing lot, use, or structure which is not in conformity with the regulations for the district in which it is located shall be deemed to be conforming, and subject to the regulations set forth herein.
4. Relationship With Other Restrictions. The provisions of this Ordinance are not intended to interfere with, abrogate, or annul other rules, regulations, ordinances or private agreements, provided that where this Ordinance imposes a greater restriction than that imposed by such other rules, easements, covenants, restrictions, agreements, regulations, or ordinances, the provisions of this Ordinance shall control.
5. Exemptions. This Ordinance shall not apply to any lot, use, or structure which is owned or leased by the municipality, or which is exempted from zoning regulations by the Pennsylvania Municipalities Code or other laws of the Commonwealth of Pennsylvania.

1.05 SEVERABILITY

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not effect the validity of the Ordinance as a whole, nor the validity of any other section or provision of the Ordinance than the one so declared.

**ARTICLE II
DISTRICT REGULATIONS**

2.00 ESTABLISHMENT OF DISTRICTS

For the purposes of this Ordinance, the municipality is hereby divided into the following districts.

District	Map Symbol
1. Rural District (Art.III) Conservation/Agricultural (Forest)	CA
2. Residential District (Art. IV) Single Family Residential	R-1
Two Family Residential	R-2
Multi-Family Residential	R-3
Village Residential	V
3. Commercial District (Art V) General Commercial	C-1
4. Light Industrial District (Art. VI) Industrial District	LI

2.01 ANNEXED TERRITORY

All territory which may hereafter be annexed by the municipality shall be zoned and classified simultaneously with the perfection of the annexation

2.02 OFFICIAL ZONING MAP

The boundaries of the districts in which this municipality is divided shall be shown upon a map entitled the "Official Zoning Map". The said Map and all notations, references, and other data shown thereon is hereby incorporated by reference into this Ordinance as if it were fully described herein.

1. Adoption of the Official Zoning Map. The Official Zoning map shall be identified by the signatures of the chairman or president of the Borough Council, attested by the municipal secretary, under the following words: "This is to certify that this is the Official Zoning Map of the Borough of Loganton, Clinton County, Pennsylvania", together with the date of enactment of the Ordinance. The Map shall be kept on file with the municipal Zoning

Officer, and shall be the final authority as to the current zoning status of land and water area in the municipality.

2. Changes in the Official Zoning Map. If, in accordance with the provisions of the Pennsylvania Municipalities Code, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered promptly on said Map. All changes shall be certified by initialing of the chairman or president of the Borough Council, together with a brief description of the changes and the date of enactment of such changes, under the word "Revised". No amendment to this Ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been shown on said Map.
3. Replacement of the Official Zoning Map. In the event that the Official Zoning Map becomes damaged, lost, or difficult to interpret because of the nature or number of changes, the Borough Council may, by ordinance, adopt a new Official Zoning Map which shall supersede the previous Map. The new Official Zoning Map shall be identified by the signatures of the chairman or president of the Borough Council, attested by the municipal secretary, under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted _____ as part of Ordinance No. _____, known as the Zoning Ordinance of Loganton Borough", together with the date of adoption of the ordinance. Unless the previous Zoning map has been lost or totally destroyed, the previous Official Zoning Map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.
4. District Boundary Lines. The district boundary lines shall be shown on the Official Zoning Map. Where uncertainty exists as to the boundaries of districts, the following rules shall apply:
 - A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
 - B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
 - C. Boundaries indicated as approximately following municipal limits shall be construed as following such municipal limits;
 - D. Boundaries indicated as approximately following the edges or banks of streams or other bodies of water shall be construed as following such edges or banks and, in the

event the stream or body of water moves, the boundary shall move with the edge or bank of same.

- E. Boundaries indicated as approximately following the center lines of streams or other bodies of water shall be construed to follow such center lines and, in the event the stream or other body of water moves, the boundary shall move with the center line of such;
- F. Boundaries indicated as parallel to or extensions of features indicated in subsection (A) through (E) above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the Map to carry out the spirit and intention of the zoning boundary designation;
- G. Where physical features existing on the ground are alleged to be at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections (A) through (G) above, it shall be the function of the Zoning Officer to make a determination;
- H. Where one or more district boundary lines divides a lot held in single ownership, the regulations of one of the districts on either side of any such boundary line may be chosen by the owner to apply to the portion of such lot in the district on the other side of such line for a distance of not more than fifty (50) feet beyond the district boundary lines provided lot, area and setback requirements are met for said portions.

2.03 USE REGULATIONS

The use of land structures shall be limited to only the primary and accessory uses permitted in each zoning district, unless specifically permitted, exempted, or otherwise modified by this or other sections of this Ordinance. In addition to the regulations stipulated for each use elsewhere in this Ordinance, the following use regulations shall apply:

1. Primary Uses. In the Conservation/Agricultural and Residential Districts, no more than one primary use shall be permitted on any single lot of record. In all other zoning districts, there may be more than one primary use, but each additional primary use must conform to the lot, yard setback, maximum height and all other regulations contained herein.
2. Accessory Uses. All accessory structures, except where otherwise permitted by this Ordinance, shall comply with the lot, yard setback, and maximum height requirements for the primary use to which it is necessary. Accessory uses and structures may include, but are not limited to, the following:

- A. All single family detached dwellings may include one (1) one-bedroom apartment, provided that: 1) such is part of the dwelling; 2) that the total floor area of the apartment does not exceed five hundred (500) square feet; 3) that one additional off-street parking space is provided; 4) and that no more than two (2) persons occupy the apartment.
- B. All commercial buildings permitted in the C-1 district may include one dwelling unit.
- C. Industrial uses may include a retail factory outlet for the sale of those products produced on the premises, provided that the floor area of such outlet does not exceed twenty-five (25%) percent of the total floor area of the primary structure, or, if there is more than one use in the primary structure, twenty-five (25%) percent of the particular use. Wholesale distribution use may include retail sales to the general public as an accessory use only if the total accessory uses do not exceed twenty-five (25%) percent of the total floor area of the use. Any such retail outlet must comply with the parking requirements.
- D. Outdoor pools, including swimming pools, hot tubs, water gardens and spas, are permitted as accessory structures in any district, provided that outdoor pools capable of containing water eighteen (18) inches or more in depth shall meet the following requirements:
 - 1. No outdoor pools may be located in any front or side yard setback area, but may be located in the rear yard setback area provided that no part of the pool, excluding paved areas, accessory structures and fencing, shall be located within (20) feet of rear property line, nor from the side lot line of a distance equivalent to the side yard setback for an accessory structure within the applicable district.
 - 2. All outdoor swimming pools below ground level shall be completely surrounded by a permanently anchored fence or wall not less than four (4) feet in height, which shall be so constructed as not to have openings, holes, or gaps larger than four (4) inches in either height or width. Should the wall of the pool be above ground, the required fence or wall may be securely affixed to the top of the pool wall so that the total height of the wall of the pool and the fence or wall shall be not less than four (4) feet.

3. All gates or doors opening through such required fence or wall shall be equipped with a self-closing and self-latching device capable of being locked for keeping the gate or door securely closed at all times when not in use.
 4. Lights used to illuminate any swimming pool shall be so arranged and shaded so as to: 1) reflect light away from adjoining premises; and 2) not become a nuisance or annoyance to adjacent property owners.
- E. Small accessory buildings of not more than one hundred forty-four (144) square feet in ground floor area and not more than ten (10) feet in height are permitted in the side and rear yard setback areas provided they are not placed closer than five (5) feet from any lot line. Two (2) abutting property owners may erect a common accessory structure across or abutting upon a common lot line in the rear yard setback area, provided that such property owners supply the Zoning Officer with a copy of a written agreement for the erection and use of the structure, which agreement has been approved by the municipal solicitor as to form and content, and which is suitable to be recorded in the Office of the Recorder of Deeds.

2.04 LOT REQUIREMENTS

The lot requirements for any use or structure shall not include any part of a lot that is required by any other use or structure to comply with the requirements of this Ordinance.

1. Minimum Lot Size and Width. All lots created after the date of enactment of this Ordinance shall be no less than the minimum lot size and width requirements stipulated for each use in the district regulations, except for uses otherwise regulated under the Cluster Option for Rural Districts in Section 3 below.
2. Maximum Lot Coverage. The total ground floor area of all primary and accessory buildings shall not exceed the percent of coverage of the lot specified for the use in the district regulations.
3. Cluster Option for Rural Districts. The following cluster option is available for residential development of land in the Rural Districts for the purposes of preserving large tracts of farm and forest land and other open spaces for future generations.
 - A. Provisions. All land included in any Rural District may be developed for single family detached dwellings with lot and yard setback requirements for each lot reduced to those applicable to single family detached dwellings with off-site sewer

service in the Single Family Residential District, provided that the overall density of the tract does not exceed what would otherwise have been possible under the district regulations applicable to single family detached dwellings on the Rural District in which the tract is located, and provided that:

1. Off-site public sewer is available to all dwelling units;
2. The total size of the tract shall be at least twenty-five (25) acres;
3. No more than thirty-five (35) percent of the total tract be developed for single family detached dwelling lots, including streets and accessory uses;
4. The remaining portion of the tract, which shall be at least sixty-five (65) percent of the tract, shall be used for only one or more of the following uses:
 - a) The tilling of the land, the raising of crops, fruits, and vegetables, and the raising and keeping of livestock and poultry and fish;
 - b) Horticultural uses related to the raising, propagating, and selling of trees, shrubs, flowers, and other plant materials;
 - c) Usual farm structures, including barns and greenhouses;
 - d) Commercial establishments for the processing, storage, and sale of farm products produced and raised on the premises;
 - e) The conservation of open space, water, soil, forests, and wildlife resources;
 - f) Park and recreational uses for use by the general public/or the home owners of the developed portion of the tract;
 - g) All such uses shall meet the lot, yard setback, and height requirements specified for such use in the Agricultural District;
5. The undeveloped portion of the tract shall be a single lot.

B. Procedure for Approval. All land to be subdivided under the zoning provisions of this subsection shall follow the procedures for the subdivision of land contained in the applicable Subdivision Regulations, with the following additional requirements:

1. That the portion of the tract to remain undeveloped shall be bordered and labeled "Open Space" on the preliminary and final plans, and such lands shall include the following statement: "All lands labeled 'Open Space' on this plan shall be used only as permitted in Article II, Section 4 of the Zoning Ordinance."

2. That at the time an application is made for preliminary plan approval, the applicant shall supply a written agreement to the Zoning Officer, in a manner and form approved by the municipal solicitor and acceptable for recording by the Recorder of Deeds, Clinton County, Pennsylvania, stipulating the means by which said open space shall be preserved for the uses permitted by this subsection. Such means shall be either of the following:
 - a) Dedication of the open space to the municipality;
 - b) Establishment of a corporate ownership of the open space by the home owners of the developed portion of the tract, incorporating into the deeds of the home owners an interest in such open space, indicating the uses, as permitted above, to be made of such open space;
 - c) Disposition of such open space to a private or non-profit corporation chartered under the laws of Pennsylvania to administer and maintain the facilities subject to an acceptable deed restriction limiting eventual disposition of said open space for one or more of the uses permitted above.
 - d) Retention of land by the owner at the time of cluster development with covenants that the open space portion of the land be limited to the uses allowed in Section 2.04(3)(A)(4) or its successor, in perpetuity.
 3. Such means may include an arrangement, upon the agreement of all parties to the arrangement, whereby the present landowner and his heirs and assigns may continue to use the land labeled "Open Space" after subdivision has been accomplished for any and all of the uses permitted in Section 2.04(3)(A)(4) above. Such arrangement shall specify the responsibilities of all parties to the agreement for the payment of taxes, provision of liability insurance, and care and maintenance of the open space.
- C. Any of the alternatives specified in Sections 2.04(2) and 2.04 (3) which are proposed by the landowner are subject to review and approval by the Zoning Officer, Municipal Solicitor, and the Borough Council as to their acceptability and workability in the particular case.

- D. Nothing in this subsection shall be construed to mean denial of the right of the landowner to otherwise develop in accordance with the regulations applicable to the appropriate Rural District, nor shall it exempt any development from complying with other applicable requirements of this Ordinance.

2.05 YARD REQUIREMENTS

No structure shall be placed in the front, side, or rear yard setback area specified for each use in the district regulations of this Ordinance, except where specifically permitted below or in other sections of this Ordinance.

1. Where two or more primary structures for non-residential use are proposed to be placed upon a lot in single ownership, the front, side, and rear yard setback areas are required only at lot lines abutting other property
2. Where two or more detached or semi-detached dwelling units are proposed to be built upon a lot in single ownership, the front, side, and rear yard setback areas are required as though each structure were on an individual lot.
3. Where a side lot line runs coterminous with a party wall of a semi-detached and an attached dwelling, the side yard setback for such lot line does not apply to the structure.
4. Where two or more attached dwelling units are proposed to be placed upon a lot in single ownership, or upon two or more abutting lots under single ownership, the front, side, and rear yard setback areas stipulated in the district regulations are required only from the lot lines abutting the property of another. Within the lot, however, the minimum horizontal distance between facing walls of any two buildings shall be at least forty (40') feet.
5. Where a lot abuts upon a street (including private streets) with a right-of-way of less than fifty (50') feet in width, the front yard setback shall be measured from a line parallel to, and twenty-five (25') feet from, the center line of the street cartway.
6. Fences and hedges are permitted in any yard setback area unless otherwise restricted or prohibited by other provisions of this Ordinance. Fences or free-standing walls higher than five (5') feet must comply with all applicable setback requirements.
7. Balconies, bay window, chimneys and flues, columns, cornices and eaves, fire escapes, gutters and downspouts, sills, and unenclosed porches may project into the specified yard setback area of a lot, but not more than three (3') feet, except in the Village District where they may not extend into the side yard setback.
8. On corner lots, nothing, including structure, fences, walls and vegetation, shall be erected, placed, planted or allowed to grow in such a manner as to impede vision between a height of

two and one-half (2 ½') and ten (10') feet above the centerline grades of the intersecting streets and within an area bounded by the street right-of-way lines of such corner lots and a line joining points on these street right-of-way lines twenty-five (25') feet from their intersection.

9. On a corner lot the owner shall choose what will be the front yard, and shall be governed by all yard setback requirements of this Ordinance.
10. Buffer Yards. Where a Commercial or Light Industrial District adjoins a Residential District, a buffer yard of not less than twenty-five (25') feet shall, at the time of development, be provided on such commercial or industrial land, except where the district boundary is coterminous with a public street. The buffer yard shall be parallel to, and adjacent with, the district boundary, and shall be completely covered with a vegetative ground cover. In addition, sight obscuring evergreen planting shall be placed the full length of the boundary in accordance with the following requirements:
 - A. All planting shall be at least three (3') feet in height when planted and shall reach a height of at least six (6') feet at maturity;
 - B. All plantings and vegetative ground cover shall be maintained. Any plant material which does not live shall be replaced within one year;
 - C. Buffer yards shall not be used for parking, loading, storage, or structures. All except side buffer yards of interior lots may be crossed by access driveways and utility easements, provided such are not more than twenty-five (25') feet in width at the point of intersection.

2.06 MAXIMUM HEIGHT REQUIREMENTS

No structure shall exceed the height limitations specified for the use in Article III through Article VI, except as allowed below.

1. Exceptions. The maximum height requirements shall not apply to the following: barns and silos, belfries, bulkheads, chimneys, church spires, domes, monuments, observation towers, ventilators, water tanks and windmills, provided they are erected only to such height as is necessary to accomplish the purpose they are to serve, and provided they are not intended for human occupancy as dwellings.
2. Computations. The height of a structure shall be computed as the vertical distance measured from the mean level of the ground surrounding the structure to its highest point.

**ARTICLE III
RURAL DISTRICTS**

3.00 CONSERVATION/AGRICULTURAL DISTRICT

1. Intent: In areas where major physiographic problems exist, accessibility is difficult, unique natural beauty exists, or prime cropland exists. Conservation/Agricultural Districts are established to conserve the existing character of such areas by providing for low-intensity agricultural or recreational uses, thus guiding substantive land development into more appropriate zoning districts, and specifically, to promote the following:
 - A. to retain agricultural activities as an integral part of the community;
 - B. to protect prime cropland from its conversion to uses incompatible with agriculture;
and
 - C. to encourage the preservation of woodlands in rural areas;
 - D. to protect and retain natural resources;
 - E. to prevent accelerated erosion, sedimentation and increased flooding;
 - F. to protect and regenerate watersheds;
 - G. to protect wildlife and habitat;
 - H. to provide for aesthetic enjoyment, open space and recreational uses;
 - I. to retain the pastoral nature of the district;
 - J. to limit development to those uses compatible with the rural environment;
 - K. to limit the costly extension across farmland of public utilities;
 - L. to preserve the quality of the soil for crop and pasture use;
 - M. to buffer housing from farm activities.
2. District Regulations. Only the uses listed on the table shall be permitted in the Conservation/Agricultural District. All uses must conform to the lot, yard setback and maximum height regulations stipulated herein, as well as other appropriate requirements of this Ordinance.

Loganton Borough (CA) Criteria and Standards for the Conservation / Agricultural District

Permitted Uses	The following requirements shall be met for each primary use:		Yard Setback Requirements The following lot requirements shall be met:			Maximum Height (feet)
	Minimum Size	Minimum Width (feet)	Maximum Coverage	Front Yard (feet)	Side Yard (feet)	
Land and structures may be used for only the following:						
Primary Uses						
(1) The tilling of the land, the raising of crops, fruits and vegetables and the raising and keeping of livestock and poultry.	10 acres	300	10% (buildings)	50	100	75
(2) Horticultural uses related to the raising, propagating, and selling of trees, shrubs, flowers and other plant materials produced and raised on the premises.						35
(3) Forestry uses related to the harvesting of lumber products; lumber mills.						
(4) Usual Farm Structures, including barns and greenhouses.						
(5) Commercial establishments for the processing, storage and sale of farm products produced and raised on the premises.						
(6) Single Family detached dwellings.						
(7) Public or private conservation areas for the conservation of open space, water, soil, and wildlife resources.	1 acre	150 at the building setback line, 50 at the street line	30%		50	
(8) Public park and recreational areas.						
(9) Churches and other places of worship, parish houses, convents and schools.						
(10) State game and forest lands and correctional institutions.	10 acres					
(11) Semi-public or private park and recreational areas, including game and wildlife hunting and gun clubs, camps and camping grounds, horse riding stables and academies and winter sports areas.						
(12) Seasonal cottages; hunting and fishing cabins.						
Accessory Uses						
(13) Home occupations						
(14) Uses and structures which are accessory to primary use.						
(15) Essential services						

See primary use above to which it is accessory.

**ARTICLE IV
RESIDENTIAL DISTRICTS**

4.00 SINGLE FAMILY RESIDENTIAL DISTRICT

1. Intent: It is the intent of the Single Family Residential District to promote the following:
 - A. to provide for low density housing in appropriate locations, and to permit limited public and quasi-public uses appropriate for residential neighborhoods;
 - B. to protect residential areas from changes and intrusions which may cause deterioration of property values;
 - C. to meet minimum standards of health and safety by protecting against hazards and nuisances;
 - D. to provide for adequate daylight, ventilation, quiet, privacy, and recreational opportunity; and,
 - E. to prevent congestion and the overcrowding of land caused by excessive densities.
2. District Regulations: Only the uses listed below shall be permitted in the Single Family Residential District. All uses must conform to the lot, yard setback and maximum regulations stipulated herein, as well as other appropriate requirements of this Ordinance.

4.01 TWO FAMILY RESIDENTIAL DISTRICT

1. Intent: In addition to the intent of the Single Family Residential District, it is the intent of the Two Family Residential District to promote the following:
 - A. to provide a buffer between low density residential neighborhoods and more intense land uses;
 - B. to promote diversity of housing types and character.
2. District Regulations: Only the uses listed below shall be permitted in the Two Family Residential District. All uses must conform to the lot, yard setback and maximum height regulations stipulated herein, as well as other appropriate requirements of this Ordinance.

4.02 MULTI-FAMILY RESIDENTIAL DISTRICT

1. Intent: It is the intent of the Multi-Family Residential District to promote the following:
 - A. to provide for medium density housing in appropriate locations, and to permit limited uses appropriate to residential neighborhoods;

- B. to protect residential areas from changes and intrusions which may cause deterioration;
 - C. to meet minimum standards of health and safety by protecting against hazards and nuisances;
 - D. to provide the adequate daylight, ventilation, quiet, privacy, and recreational opportunity;
 - E. to prevent congestion and the overcrowding of land caused by excessive densities;
 - F. to promote diversity of housing types and character.
2. District Regulations: Only the uses listed in the table shall be permitted in the Multi-Family Residential District. All uses must conform to the lot, yard setback and maximum height regulations stipulated herein, as well as other appropriate requirements of this Ordinance.

4.03 VILLAGE DISTRICT

1. Intent: In addition to the intent of the Single Family Residential District, it is the intent of the Village District to promote the following:
- A. to perpetuate the distinctive character and identity of the village environment; and
 - B. to permit a harmonious mixture of housing, retail and service establishments and community facilities in the village center.
2. District Regulations: Only the uses listed in the table shall be permitted in the Village District. All uses must conform to the lot, yard setback and maximum height regulations requirements of this Ordinance.

Loganton Borough (R-1) Residential District

Criteria and Standards for the Single-Family Residential District

Permitted Uses	The following requirements shall be met for each primary use:		Yard Setback Requirements The following lot requirements shall be met:			Maximum Height (feet)	
	Minimum Size	Minimum Width (feet)	Maximum Coverage	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)
Land and structures may be used for only the following:							
Primary Uses							
(1) Single-family detached dwellings, with off-site sewer services.	20,000 sq. ft.	60 at the building setback line; 50 at the street line	30%	20 on local and collector streets; 50 on arterial streets	10	30	35
(2) Single-family detached dwellings, with on-site sewer services.	1 acre						
(3) Single-family semi-detached dwellings, with off-site sewer services.							
(4) Single-family semi-detached dwellings, with on-site sewer services.	1 acre	150 at the building setback line; 50 at the street line.		50	50	75	
(5) Child day-care centers.							
(6) Churches and other places of worship, parish houses and convents.							
(7) Public and private nursery, kindergarten, elementary and secondary schools.							
(8) Public park and recreational areas.	10 acres	300 feet	10%				100
(9) Farm Uses.							
Accessory Uses							
(10) Home occupations							
(11) Uses and structures which are accessory to primary use.							
(12) Essential services							

See primary use above to which it is accessory.

**LOGANBOROUGH BOROUGH (11-2)
Multi-Family Residential District**

Permitted Uses	Lot Requirements The following requirements shall be met for each primary use:			Yard Setback Requirements The following lot requirements shall be met:			Maximum Height (feet)
	Minimum Size	Minimum Width (feet)	Maximum Coverage	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	
Land and Structures may be used for only the following:	20,000 sq. ft.	60 at the building setback line; 50 at the street line	30%	On local and collector streets. 20 for single dwellings, 30 for two family dwellings and multi-family dwellings, 50 for all dwellings on arterial streets.	15	30	35
	20,000 sq. ft.	90 at the building setback line; 50 at the street line			20	40	
(1) Single-family detached dwellings.	12,000 sq. ft. per building	90 at the building setback line; 50 at the street line	30%	On local and collector streets. 20 for single dwellings, 30 for two family dwellings and multi-family dwellings, 50 for all dwellings on arterial streets.	15	40	35
(2) Two-family detached dwellings.	5,000 sq. ft. per dwelling unit	150 at the building line; 50 at the street line			20	50	
(3) Multi family detached dwellings	12,000 sq. ft. per building	300 feet	10%	50	50	100	35
(4) Single-family attached dwellings.	12,000 sq. ft. per building	150 at the building setback line; 50 at the street line	30%	50	75	75	
(5) Two-family semi-detached dwellings.	12,000 sq. ft. per building	150 at the building setback line; 50 at the street line	30%	On local and collector streets. 20 for single dwellings, 30 for two family dwellings and multi-family dwellings, 50 for all dwellings on arterial streets.	15	40	35
(6) Two-family attached dwellings.	5,000 sq. ft. per dwelling unit	90 at the building setback line; 50 at the street line			20	50	
(7) Multi-family semi-detached dwellings.	12,000 sq. ft. per building	150 at the building setback line; 50 at the street line	30%	On local and collector streets. 20 for single dwellings, 30 for two family dwellings and multi-family dwellings, 50 for all dwellings on arterial streets.	15	40	35
(8) Multi-family attached dwellings.	12,000 sq. ft. per dwelling unit	90 at the building setback line; 50 at the street line			20	50	
(9) Public park and recreational areas.	10 Acres	300 feet	10%	50	50	100	35
(10) Farm Uses.	25,000 sq. ft.	150 at the building setback line; 50 at the street line	30%	50	75	75	
(11) Child daycare centers.	1 acre	150 at the building setback line; 50 at the street line.	30%	On local and collector streets. 20 for single dwellings, 30 for two family dwellings and multi-family dwellings, 50 for all dwellings on arterial streets.	15	40	35
(12) Churches and other places of worship, parish houses and convents.		90 at the building setback line; 50 at the street line			20	50	
(13) Public and private nursery, kindergarten, elementary and secondary schools.		150 at the building setback line; 50 at the street line.	30%	On local and collector streets. 20 for single dwellings, 30 for two family dwellings and multi-family dwellings, 50 for all dwellings on arterial streets.	15	40	35
(14) Nursing homes and other convalescent homes.		90 at the building setback line; 50 at the street line			20	50	
(15) Group homes.		300 feet	10%	50	50	100	35
(16) Mobile Home Parks		150 at the building setback line; 50 at the street line.	30%	50	75	75	
(17) Personal care boarding homes for adults.	12,000 sq. ft. per dwelling unit	100 at the building setback line; 50 at the street line	30%	30 on local and collector streets; 50 on arterial streets	20	50	35
(18) Home occupations							
(19) Uses and structures which are accessory to primary use.							35
(20) Essential services.							

See Section 7.09

See primary use above to which it is accessory

Loganton Borough (V) Criteria and Standards for the Village District

Permitted Uses	The following requirements shall be met for each primary use:		Yard Setback Requirements The following lot requirements shall be met:			Maximum Height (feet)
	Minimum Size	Minimum Width (feet)	Maximum Coverage	Front Yard (feet)	Side Yard (feet)	
Land and structures may be used for only the following:						
Primary Uses						
(1) All permitted uses of the Single-Family Residential District, except farm uses. Mobile homes only with permanent foundations.						
(2) Two-family detached dwellings.						
(3) Tourist homes.						
(4) All retail establishments for the sale, service and rental of goods, except aircraft, beer distributor and marine supplies, contractor's and farm equipment, lumberyards, mobile homes and accessories, motor vehicles and accessories (including automobile service stations and garages), glass, pawn shops and swimming pools.						
(5) Barbers and beauticians, caterers, health clubs, mortuaries, photographic equipment and processing, shoe repair and tailors.						
(7) Studios for instruction in music and the performing arts; photographic studios and handcraft studios.	7,500 sq. ft.	50	25%	10	5	35
(8) Business, professional and financial offices.						
(9) Medical and dental offices and clinics, excluding animal hospitals and veterinary offices.						
(10) Mail-order agencies.						
(11) Eating and drinking establishments, except fast-food restaurants.						
(12) Clubs, lodges, and fraternal organizations.						
(13) Community Centers.						
(14) Municipal office buildings.						
(15) Public libraries and museums; art galleries						
Accessory Uses						
(16) Home occupations						
(17) Uses and structures which are accessory to primary use.						
(18) Essential services						
See primary use above to which it is accessory.						

**ARTICLE V
COMMERCIAL DISTRICTS**

5.00 GENERAL COMMERCIAL DISTRICT

1. Intent: It is the intent of the General Commercial District to promote the following:
 - A. to provide for a full range of retail, service and office uses in appropriate locations;
 - B. to minimize the hazards of highway commercial activity;
 - C. to encourage the clustering of commercial activity;
 - D. to meet minimum standards of health and safety by protecting against hazards and nuisances; and
 - E. to promote stable commercial development.
2. District Regulations: Only the uses listed shall be permitted in the General Commercial District. All uses must conform to the lot, yard setback, and maximum height regulations stipulated herein, as well as other appropriate requirements of this Ordinance.

Loganton Borough (C-1)

Criteria and Standards for the General Commercial District

Permitted Uses	Lot Requirements The following requirements shall be met for each primary use:		Yard Setback Requirements The following lot requirements shall be met:			Maximum Height (feet)	
	Minimum Size	Minimum Width (feet)	Maximum Coverage	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)
<p>Land and structures may be used for only the following:</p> <p>Primary Uses</p> <p>(1) All retail establishments for the sale, service, and rental of goods, except aircraft.</p> <p>(2) All service establishments, including, but not limited to automobile service stations, barbers and beauticians, dry cleaning, health clubs, mortuaries and tailors.</p> <p>(3) All permitted uses of the Village.</p> <p>(4) Ambulance services.</p> <p>(5) Amusement enterprises, including billiard parlors, bowling alleys, skating rinks or similar uses.</p> <p>(6) Arenas, stadiums, commercial auditoriums, and motion-picture theaters.</p> <p>(7) Animal hospitals and veterinary offices.</p> <p>(8) Bus passenger stations.</p> <p>(9) Commercial dairies; commercial horticulture nurseries.</p> <p>(10) Eating and drinking establishments.</p> <p>(11) Hotels and Motels.</p> <p>(12) Public and private garages for the storage and maintenance of motor vehicles.</p> <p>(13) Public utility facilities.</p> <p>(14) Taxi and limousine service.</p> <p>(15) Tourist homes.</p> <p>(16) Community center (Added 6-13-85 by Ord. No. 59-H)</p>	<p>The minimum lot size shall be determined on the basis of the minimum width, maximum coverage, yard setback, parking and other requirements contained in this section and chapter</p>	150	30%	50	15	50	45
<p>Accessory Uses</p> <p>(17) Customary uses accessory to the above, essential services</p>							

See primary use above to which it is accessory.

**ARTICLE VI
INDUSTRIAL DISTRICT**

6.00 INDUSTRIAL DISTRICT

1. Intent: It is the intent of the Industrial District to promote the following:
 - A. to cluster industrial development in selected appropriate locations;
 - B. to provide sites for light industries separated from incompatible uses; and
 - C. to minimize the hazards and nuisances resulting from the operation of industries.
2. District Regulations: Only the uses listed below shall be permitted in the Industrial District.
All uses must conform to the lot, yard setback, and maximum height regulations stipulated herein, as well as other appropriate requirements of this Ordinance.

Loganton Borough (I)

Criteria and Standards for the Industrial District

Permitted Uses	The following requirements shall be met for each primary use:		Yard Setback Requirements The following lot requirements shall be met:			Maximum Height (feet)	
	Minimum Size	Minimum Width (feet)	Maximum Coverage	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)
<p>Land and structures may be used for only the following:</p> <p>Primary Uses</p> <p>(1) Assembly from electrical components, including the assemble of radios, television, and other electronic products.</p> <p>(2) Fabricating of models or test equipment used in research.</p> <p>(3) Newspaper publishing.</p> <p>(4) Optical instrument systems development.</p> <p>(5) Plastics assembly.</p> <p>(6) Printing and binding.</p> <p>(7) Radio and television studios.</p> <p>(8) Research, engineering, or testing laboratories.</p> <p>(9) Public utility facilities.</p> <p>(10) Any production, manufacturing, assembly, processing, cleaning, repair, storage, or distribution of goods, materials, foodstuffs, and other products not involving a retail activity except as an accessory use.</p> <p>(11) Auto wrecking, junk, and scrap establishments.</p> <p>(12) Freight and trucking terminals.</p> <p>(13) The manufacture, processing, or bulk storage of natural gas, petroleum, gasoline, and other petroleum derivatives and explosives.</p> <p>(14) Moving and storage, parcel delivery and express transfer stations.</p> <p>(15) Public and private garages for the storage and maintenance of motor vehicles.</p> <p>(16) Public utility facilities.</p> <p>(17) Refractories.</p> <p>(18) Rendering plants.</p> <p>(19) Wholesale distribution; warehouses</p> <p>Accessory Uses:</p> <p>(20) Uses and structures which are accessory to primary use.</p> <p>(21) Essential services</p>	<p>The minimum lot size shall be determined on the basis of the minimum width, maximum coverage yard setback, parking, and other requirements contained in this Section and Ordinance</p>	150 feet	30%	50 feet	25 feet	50 feet	35 feet
	See primary use above to which it is accessory.						

ARTICLE VII
SUPPLEMENTAL REGULATIONS

7.00 SLOPE CONTROLS

All land defined herein as having steep slopes shall be subject to the following regulations:

1. Intent: It is the intent of this section to control the development of land in areas containing excessive topography for the following purposes:
 - A. to limit erosion and sedimentation;
 - B. to protect watersheds and limit increases in storm water runoff;
 - C. to prevent an increase in the possibilities of landslides and soil subsidence;
 - D. to maintain adequate foliage cover on hillsides; and
 - E. to protect streams from increases in sediment pollution.
2. Permitted Uses: Steep slopes may be used as permitted by the district regulations within which they are located, subject to the additional requirements below.
3. Principals of Development: Wherever possible, structures and grading of land shall only be located on portions of a lot where the slope is less than twenty-five (25) percent, as herein defined. However, where it is necessary to use steep slopes to permit development of a lot, all such proposals shall, in addition to other applicable regulations of this Ordinance, be in accordance with the following principles of development. All development on steep slopes shall:
 - A. be oriented so that grading and other site preparations are kept to an absolute minimum;
 - B. where grading is essential, shape such grading to complement the natural land form;
 - C. be staged where necessary to complete construction of each stage during a season so that large areas of disturbed land are not left bare and exposed during the winter-spring run-off period;
 - D. accomplish all paving as rapidly as possible after grading;
 - E. allocate to open space and recreation uses those areas least suited to development, as evidenced by competent soils, geology, and hydrology investigations;
 - F. landscape areas around structures to blend them with the natural landscape; and
 - G. take measures to minimize erosion and sedimentation and to limit increases in storm water runoff in accordance with other Ordinances and regulations of this municipality and the laws and regulations of the Commonwealth of Pennsylvania.

4. Site Plan: All applications for zoning permits for lots, uses, and structures located, in whole or in part, on land with steep slopes shall submit, along with the application, a site plan as required by Article X of this Ordinance. Such application shall also include a storm water management plan in accordance with the Loganton Borough Fishing Creek Act 167 Stormwater Management Ordinance and a copy of the erosion and sedimentation control plan as required by the Pennsylvania Department of Environmental Protection.

7.01 OUTDOOR STORAGE

The outdoor storage of materials shall be subject to the following requirements:

1. all outdoor storage of fuel, raw materials, and products, except finished products for retail sale to the public, in any Commercial District, Industrial District, or Village District, shall be completely screened from view from any public right-of-way and Residential District by a sight-obscuring evergreen planting, fence, or wall; and
2. all discarded organic rubbish or garbage stored outdoors shall be placed in water-tight, vermin-proof containers.

7.02 WASTE AND SEWAGE DISPOSAL

All methods and plans for the disposal of sewage and wastes shall be designed in accordance with regulations of the Pennsylvania Department of Environmental Protection. A required sewage permit issued by the Loganton Borough Sewage Enforcement Officer or the appropriate sewage authority shall be a prerequisite to the filing of an application for a zoning permit.

7.03 ILLUMINATION

The illumination of any lot, use, or structure shall be arranged in such a manner that the direct rays of the light source shall not enter any dwelling unit or fall within the right-of-way of any public street or highway.

7.04 LANDSCAPING AND SOIL EROSION CONTROL

Unless otherwise regulated by this Ordinance, any vacant portion of a lot not in use shall be planted with grass or similar vegetation, and/or trees and shrubs, except for farm uses and gardens left vacant outside the growing season.

7.05 MOTOR VEHICLE ACCESS

Every building hereafter erected or moved shall be on a lot adjacent to a public street or with motor vehicular access to a public street via a private street. The intent of the following regulations is to provide safe and convenient access for servicing, fire protection, traffic circulation, and required off-street parking.

1. Access for each lot shall be provided by not more than one driveway for the first fifty (50) feet of frontage or fraction thereof, and one driveway for each additional fifty (50) feet of frontage.
2. No driveway shall be closer to the side or rear property line than five (5) feet, unless the two adjoining property owners mutually agree to a common driveway. A written agreement, approved by the municipal solicitor and zoning officer and acceptable to be recorded by the Recorder of Deeds, must be submitted with the application for zoning permit.
3. Driveways which provide access to all uses other than detached and semi-detached dwellings shall have a throat width of not less than twelve (12) feet or greater than twenty-four (24) feet, and the curb return radius shall not be less than thirteen (13) feet or greater than fifteen (15) feet.
4. In the R-3, C-1, and LI Districts, all driveways shall enter a public street right-of-way at least one hundred (100) feet from the intersection with another public street. In all other districts, all driveways shall enter a public street right-of-way at least fifty (50) feet from its intersection with another public street of any classification. If the lot width is insufficient to provide for the required distance, access shall be as far from the intersection as the lot and other provisions of this Ordinance will permit. For all cases above, the distance in which access is prohibited shall be measured from the tangent of the curb return of the intersection street cartway to the tangent of the curb return of the driveway, but shall not include, in measurements, any portion of either curb return.
5. If two or more driveways of the same lot enter a public street right-of-way, the distance between the entrances of the driveways shall be at least fifty (50) feet.

7.06 OFF-STREET PARKING AND LOADING REGULATIONS

Off-street parking and loading space shall be provided and maintained for each use and structure hereafter established, erected, altered, or extended in accordance with the provisions of this Section.

1. General Regulations.
 - A. All required off-street parking spaces shall be used solely for the parking of motor vehicles by residents, visitors, patrons, or employees. No more than one motor vehicle without current and valid inspection sticker as required by the Commonwealth of Pennsylvania shall be parked or stored on any lot for a period exceeding six (6) months in any given twelve (12) month period. Nothing contained

within this section shall apply to motor vehicles parked or stored in enclosed buildings.

B. Location: All required parking spaces shall be located on the same lot as the use they serve, except that:

1. the owner of two or more abutting lots may locate the use on one lot and the parking space required for the use on another of his abutting lots;
2. two or more abutting property owners may locate the parking space required for their uses on any of their lots if:
 - a) the lot (s) providing the parking space abuts the lot (s) containing the uses it serves;
 - b) all of the affected lots are in the same zoning district;
 - c) the total number of spaces provided is not less than the sum of spaces required for all the uses;
 - d) means of pedestrian access is provided from the parking space to the uses so that pedestrians are not required to traverse property owned by other than said property owners, except where public sidewalks may provide the access;
 - e) that a lease, or other form of agreement be executed among said property owners assuring use of the required parking spaces until or unless the required parking spaces are located on the same lot as the use they serve;
3. in the Village District the parking spaces required for a use of a lot may be located on another lot provided;
 - a) the lot on which the parking is located is in the C-1 General Commercial District or in the Village District provided that no such lot in the Village District shall have more than four (4) parking spaces;
 - b) the lot on which the parking is provided is within one hundred (100) feet of the lot on which the use is located;
 - c) that a lease, easement, or other form of general agreement be executed among the owners of the lot on which the use and parking are located assuring the use of the required parking spaces until or

unless the required parking spaces and the use which the parking spaces serve are located on the same lot.

4. In all cases above, both lots shall be included in the application for a zoning permit.
 - C. All parking spaces and lots open to the sky (i.e. not in garages or carports) shall be located no closer than five (5) feet from any property line, except for abutting property lines of two or more lots exercising the options for common parking stipulated in Section 7.06 (1)(B) above.
 - D. All covered parking spaces and lots, including garages and carports, shall not be located within any yard setback area, except when permitted as an accessory building regulated in Article II Section 2.03(A) of this Ordinance.
 - E. Existing Facilities. Parking spaces and lots serving structures and uses in existence at the date of the adoption of this Ordinance shall not be subject to the requirements of this Section as long as the kind or extent of use is not changed, provided that any parking facility now serving such structures or uses shall not in the future be reduced below such requirements, or if already below such requirements, be reduced further.
 - F. Change In Requirements. Whenever there is an alteration or extension of a use or structure which increases the parking requirements according to Section 2 below, the total additional parking required for the alteration or extension shall be provided in accordance with the requirements of that subsection.
 - G. Construction. All required off-street parking spaces and aisles shall be covered with an all-weather material. For spaces and aisles which are not part of a parking lot as defined, this may include gravel or other crushed stone. However, for parking lots, the paving material shall be limited to asphalt, concrete, or similar hard surface material with all parking spaces designed with a four (4) inch white or yellow stripe painted the entire length of each space in accordance with the dimensional requirements stipulated in Section 2 below.
2. Required Off-Street Parking Spaces. All uses and structures shall provide off-street parking spaces in an amount equal to, or greater than, the number listed below. The total number of parking spaces necessary for two or more uses on the same lot shall be the sum of that required for each use.

- A. Exception: Village District. Parking areas in the Village District, excluding driveways or aisles, shall not occupy more than the equivalent of four (4) parking spaces (720 sq. ft.)
- B. Dimensions. Each required off-street parking space shall be at least ten (10) feet wide and eighteen (18) feet long if set at an angle to the access aisle, or eight (8) feet wide and twenty-four (24) feet long if parallel to the access aisle.
- C. Number and Computations. In computing the required number of spaces, all fractional numbers shall be increased to the next highest integer. When computation is based on the number of employees, the number employed during the largest work shift shall be used.

Use	Number of Required Spaces
1. <u>Residential Uses</u>	
a. Structures with less than four dwelling units	2 per dwelling unit
b. Structures with four or more dwelling units	1.5 per dwelling unit
2. <u>Commercial Uses</u>	
a. All retail and service establishments except those specified below	1 per 250 sq. ft. of retail and service floor area plus 1 per employee
b. Furniture stores, contractor's equipment, farm equipment and feed sales, boat and marine, mobile home, motor vehicle, and monument burial vault and casket sales.	1 per 400 sq. ft. of enclosed retail and service floor area, plus 1 per 3000 sq. ft. of outside sales area, plus 1 per employee
c. Automobile service station	2 per fuel pump if station provides for repairs, otherwise 1 per pump, plus 1 per employee
d. Barbers and beauticians	2 per chair
e. Car wash	4 per stall
f. Mortuary	1 per 4 seats, plus 1 per vehicle maintained on the premises, plus 1 per

	employee
g. Bowling alleys, billiard parlors, table tennis, pinball machines, or similar amusement enterprises	4 per alley or table, 1 per employee
h. Arenas, stadiums, auditoriums, theaters, roller rinks, ice rinks, and dance halls	1 per four seats with fixed seats, otherwise 1 per four persons based on maximum design capacity
i. Business, professional, and financial offices	1 per 400 sq. ft. of floor area
j. Medical and dental offices, clinics	5 per practitioner
k. Eating and Drinking	1 per four persons, based on maximum design capacity
l. Hotels, motels, and tourist homes	1 per room, plus 1 per four persons for restaurants and meeting rooms, based on maximum design capacity
3. <u>Light Industrial Uses</u>	
a. All industrial uses except those specified below	1 per employee, plus 1 for each 25 required spaces
b. Auto wrecking, junk, and scrap establishments	1 per employee, plus 5
c. Freight and trucking terminals, moving and storage, parcel delivery and express transfer stations, and wholesale distributions and warehouses	1 per employee, plus 1 for per vehicle maintained on the premises
4. <u>Public and Quasi-Public Uses</u>	
a. Ambulance, taxi and limousine service	1 per vehicle maintained on the premises, plus 1 per employee
b. Bus passenger station	1 per employee, plus 1 per 100 sq. ft. of waiting room
c. Child day care center	1 per employee, plus 1 per five children

d. Churches and other places of worship	1 per four seats, based on maximum capacity of the nave
e. Clubs, lodges, fraternal organizations; community centers	1 per three persons, based on maximum capacity
f. Commercial cemeteries	25 plus 1 per employee
g. Golf courses and driving ranges	2 per tee
h. Hospitals	1 per bed
i. Nursing homes and other	1 per 10 patients, based on maximum capacity, plus 1 per employee
j. Public libraries, museums, art galleries, visitor centers	1 per 800 sq. ft.
k. Schools	
-institutions of higher education and post secondary schools	1 per employee, plus 1 per student
-nursery, kindergarten, elementary	2 per classroom
-secondary schools	1 per 10 students
l. Group Home	1 per staff employee or caregiver, plus 1 per client, maximum of 5
m. Personal care boarding home for adults	1 per unit
n. Community Center	1 per 3 persons, based on maximum capacity

3. Parking Lots. For the purposes of this Ordinance, parking lots are defined as facilities providing off-street parking space for five or more motor vehicles. All parking lots shall meet the design and maintenance standards specified below. All applications for a zoning permit to use land, in whole or in part, as a parking lot as herein defined shall be accompanied by a site plan as stipulated in Article X.

A. Dimensions. All parking spaces shall comply with the dimensions specified in Section 2 above. The minimum dimensions of all aisles providing access to parking lot shall be as follows:

Permitted Angles of Parking Space to Aisle (in degrees)	Aisle Width (in feet)	
	One Way	Two Way
Parallel	12	20
30 (150)	12	20
45 (135)	15	20
60 (120)	18	20
90	24	24

The above permitted angles of parking spaces shall be the only permitted angles. No portion of any parking space shall intrude in to the required aisle width. For aisles providing access to parking spaces set at angles other than those specified above, the required aisle width shall be that of the nearest specified angle of parking. If equidistant from specified angles, the greatest aisle width of the two nearest angles shall apply.

- B. Obstructions. Parking lots shall be designed to permit each motor vehicle to proceed to and from all unoccupied parking spaces without requiring the moving of any other parked motor vehicle.
- C. Ingress and Egress. Entrance and exit driveways and aisles linking parking lots to public streets shall comply with the standards for motor vehicle access stipulated in Section 7.06 of this Article. Parking spaces shall be designed to prevent motor vehicles from backing onto a public street in order to leave a lot.
- D. Location and Yard Requirements. All parking lots shall meet the location requirements stipulated in Section 7.06 (3)(B) above. All yards surrounding the parking lot, exclusive of driveways providing ingress and egress to the lot, shall be bordered by a curb six inches high along the sides of the yard area abutting the parking lot, including spaces and aisles. Such curb may consist of bumpers at the end of each parking space. Setback areas shall be planted with grass or similar vegetative material and may include shrubs, fences, or walls provided they are not placed closer than three feet from any parking space.

- E. Structures. Utility poles, light standards, and similar structures shall not be permitted within any aisle or parking space. Any structure located elsewhere within a parking lot shall be surrounded on all sides abutting the spaces or aisles by a curb six (6) inches high, separated from the broadest point on each side exclusive of any portion greater than ten (10) feet from the ground.
 - F. Maintenance. All parking lots shall be kept free of litter and trash. Any vegetative material required herein which dies shall be replaced as soon as recommended seasonal conditions occur for the replacement of the species.
 - G. Drainage. All parking spaces shall have a storm drainage plan designed to prevent excessive flow of water to the public streets, alleys or adjoining properties. This plan must be submitted to the Borough Engineer for approval.
 - H. Sight Distance. At intersections between driveways and/or parking lot aisleways and between driveways and streets, all earth banks and vegetation shall be cut or removed when such will impede vision between a height of two and one-half (2 ½) and ten (10) feet above the driveways within an area bounded by the edge of the driveway and/or street cartway lines and a line joining points of these lines twenty-five (25) feet from their intersection.
 - I. Building Structures or Ramps. Motor vehicles parked within, under or on top of buildings, parking structures or on ramps shall be screened from public view. On street level, living plant material is required in the setback areas. Walls, earth mounds, fences or any combination thereof may also be included with the plant material. All floors or levels above the street shall be screened by walls, fences or other improved materials.
 - J. Walkways. Walkways adjacent to or within off-street parking area shall be wide enough to provide a minimum of four (4) feet clear horizontal passage exclusive of car overhang, parking meters or other obstruction.
4. Loading Regulations. Space for the loading and unloading of vehicles shall be provided when required below. Each required space shall be at least twelve (12) feet in width, forty-five (45) feet in length, and have a vertical clearance of at least fourteen (14) feet. Spaces shall be located no closer than ten (10) feet from a public right-of-way and five (5) feet from any other lot line, and shall be paved with an all-weather material.
- A. One off-street loading space for all non-residential uses with a floor area of at least 5000 sq. ft. but less than 20,000 sq. ft. For non-residential uses which have a floor

area of 20,000 sq. ft. or more, one additional space shall be provided for each additional 20,000 sq. ft., or fraction thereof.

- B. Required off-street parking spaces shall not be used for loading and unloading purposes except during hours when business operations are suspended.
- C. All required loading and unloading spaces shall be located on the same property and the use they serve.

7.07 TEMPORARY USES

Temporary uses shall be permitted only in the zoning districts specified and according to the requirements of this section and shall be required to obtain a zoning permit. This section shall not apply to accessory uses allowed under the district regulations nor to temporary uses that are clearly incidental to a permanent use. Other temporary uses not specifically allowed by this section are prohibited.

- 1. Temporary Uses Permitted. The following temporary uses may be permitted by the Zoning Officer according to the requirements specified and only for the period of time given:

- A. Carnival or Circus.

- 1. Permitted in any rural, industrial, or commercial districts or in the Village District.
- 2. The maximum time shall be fifteen (15) days.
- 3. No such temporary use shall be located within fifty (50) feet of any dwelling unit within a residential zoning district.

- B. Christmas Tree Sales.

- 1. Permitted in the rural or commercial districts or in the Village District.
- 2. The maximum time shall be forty-five (45) days.

- C. Contractor's Office or Storage Shed.

- 1. Permitted in any district only where the use is incidental to a construction project.
- 2. Temporary use shall be removed within thirty (30) days after the project is completed or canceled.

- D. Educational, Artistic or Recreational Events.

- 1. Permitted in any district.
- 2. The maximum time shall be ninety (30) days.

- E. Religious Services.

- 1. Permitted in any district.

2. The maximum time shall be thirty(30)days.

F. Seasonal Sale of Farm Produce, Horticulture Products or Seafood Products.

1. Permitted in the rural or commercial districts or in the Village District.
2. The maximum time shall be two hundred seventy (270) days.

G. Public Auctions.

1. Permitted in the rural or commercial districts or in the Village District.

H. Livestock Exhibition.

1. Permitted in the rural districts.
2. The maximum time shall be fifteen (15) days.
3. No such temporary use shall be located within five hundred (500) feet of any dwelling unit within a residential zoning district.

I. Flea Markets.

1. Permitted in commercial and industrial districts.
2. The days of the week for use shall be limited to, weekends only (Friday, Saturday and Sunday)

2. General Regulations. All temporary uses shall meet the following requirements:

- A. The above temporary uses shall at least meet the smallest lot and yard requirements listed in the zoning district in which they are located.
- B. The above temporary uses shall provide the following number of parking spaces:

<u>Use</u>	<u>Number of Spaces</u>
Christmas tree sales	1 per 250 square feet of retail area, plus 1 per employee
Contractor's office	1 per employee
Educational, artistic or recreational events	1 per 4 persons based on maximum capacity
Religious services	1 per 4 persons based on maximum capacity
Seasonal sale of farm produce	1 per 250 square feet of retail floor area, plus 1 per employee
Auction or livestock exhibition	1 per 4 persons based on maximum capacity

- C. The above temporary uses shall meet the motor vehicle access requirements of Article VII, Section 7.05.
- D. Temporary uses that propose an activity regulated under Article X, Section 9.03, shall be required to submit a site plan.
- E. All temporary uses shall be provided with adequate sanitary facilities.
- F. At the end of the specified allowed time period the temporary use and all debris shall be removed. A cash bond for a minimum of Twenty Five (\$25) Dollars and not to exceed Five Thousand (\$5,000) Dollars shall be posted or a signed contract with a disposal firm shall be required as a part of the application for the temporary use to ensure that all debris is removed. Portions of the cash bond may also be required to ensure the repair of any damage done to a borough right-of-way. The Zoning Officer shall determine the amount of the cash bond based upon the estimated cost of clean-up, debris removal and reasonably possible damage.
- G. At the end of the allowed time period, the temporary use shall be removed. A new permit allowing the same temporary use at the same location may not be issued for a period of three (3) months from the date the original permit was issued.
- H. No zoning permit shall be issued for a temporary use unless all regulations governing peddling and soliciting have been met by the applicant.

7.08 MOBILE HOMES ON INDIVIDUAL LOTS

A mobile home shall be permitted on an individual lot in any District permitting single family residences. When reviewing permit applications for such mobile houses, the Zoning Officer shall utilize the following criteria and may require additional information to be submitted where it is necessary in order to adequately protect the health, safety, and welfare of Borough residents

1. Every lot to be used for the placement of an individual mobile home shall have a gross area at least equal to the minimum lot size of the District in which it is located. In addition, the unit must be situated on the lot to meet the applicable minimum setback line requirements.
2. All mobile homes shall be placed upon on of the following types of foundations:
 - A. Permanent Foundation. A permanent foundation shall consist of no less than footers or masonry construction set well below the frost line. Such foundation shall be constructed to leave no unnecessary open space between

the mobile home and the foundation, except for windows or other openings as might be necessary for purposes such as floodproofing.

- B. Stand or Pad. A pad or stand, properly graded, placed and compacted so as to be durable and adequate to support maximum anticipated loads during all seasons may be utilized.
3. Every mobile home shall be firmly anchored to its foundation prior to the unit being occupied. The mobile home foundation shall be provided with anchors and tie-downs, such as cast-in-place concrete “deadman” eyelets embedded in concrete or runways, screw augers or arrow head anchors. The anchoring system shall be designed to resist a wind velocity of at least ninety (90) miles per hour.
 4. Each mobile home shall have a continuous wall around its entire perimeter in accordance with one of the following methods.
 - A. Permanent Walls. A permanent wall may be constructed of concrete or masonry and shall extend from the unit floor system to concrete footing below the subgrade frost line; i.e. the extension of a permanent foundation.
 - B. Skirting. If a masonry wall is not used, each mobile home shall be circled with skirting designed to compliment its appearance. Skirting shall include materials which have been prefabricated for this specific purpose. Bales of hay or plywood shall not be allowed.
 5. Access to crawl space created by the installation of a wall shall be provided by means of a door or panel capable of being locked.
 6. Every unit to be used as a dwelling unit must contain a minimum of six hundred fifty (650) square feet of habitable floor area.

Every unit which is to be placed in the Floodplain must comply with all provisions contained in the Municipal Floodplain Ordinance.

7.09 MOBILE HOME PARKS

GENERAL

Mobile home parks are permitted only in those zoning districts as specified in this Ordinance. Every proposed mobile home park must meet the requirements of this Article as well as the requirements pertaining to major land development, unless otherwise accepted.

Each mobile home placed in a mobile home park shall secure an Occupancy Permit prior to its use as living quarters.

SITE PLAN REQUIREMENTS AND PROCEDURES

Application for a mobile home park shall require the submission of six (6) copies of the Preliminary and Final Plans to the Clinton County Planning Commission in accordance with Articles III & IV of the Clinton County Subdivision and Land Development Ordinance . In addition, all design standards as contained in Article V of the Clinton County Subdivision and Land Development Ordinance shall apply, unless delineated by this Article.

DESIGN STANDARDS

1. Minimum Park Area. Each mobile home park shall have a gross area of at least two (2) contiguous acres of land suitable for development.
2. Grading and Ground Cover Requirements.
 - A. The developer shall retain existing vegetation to the greatest extent possible in order to prevent soil erosion.
 - B. A Stormwater Management Plan shall be submitted in accordance with the Loganton Borough Fishing Creek Act 167 Stormwater Management Ordinance.
3. Mobile Home Park - Lot Requirements.
 - A. Gross Density. The maximum number of mobile home lots within park shall be no more than four (4) lots per acre of the gross area..
 - B. Minimum Lot Sizes. The minimum mobile home lot shall contain no less than six thousand (6,000) square feet. The minimum width of any mobile home lot shall not be less than sixty (60) feet.
 - C. Innovative Site Design. Variations in lot size may be permitted for innovative design deemed desirable by the Clinton County Planning Commission.
4. Setbacks, Buffer Strips and Screening Requirements.
 - A. Setbacks from Public Roads. All mobile homes and auxiliary structures shall be located at least forty (40) feet from the right-of-way of any abutting public road or street.
 - B. Park Perimeter Buffer Strips. All mobile homes and auxiliary structures shall be located at least fifty (50) feet from the mobile home park boundary lines. If a suitable attractive, effective screening either man-made or of natural plantings is provided along the perimeter, this minimum buffer strip may be reduced to twenty-five (25) feet.
 - C. Existing Hedgerows. Developers shall utilize existing hedgerows as buffers, wherever possible.
 - D. Adjacent Commercial or Industrial Zones. All mobile home parks located adjacent to industrial or commercial land uses or zoned districts shall have a buffer yard of

twenty-five (25) feet wide consisting of fencing, trees and shrubbery. Fencing may be waived by the Planning Commission where sufficiently dense hedgerow is utilized as the buffer.

- E. Screening shall be in conformance with Section 2.03 of this Ordinance. Repair, maintenance, and storage areas or buildings shall be effectively and attractively screened from the mobile home lots and streets by fencing or natural plant materials.
5. Recreation Space Requirements. A minimum of ten (10) percent of the gross park area or one thousand (1,000) square feet per unit, whichever is larger, shall be provided for recreational space. This recreational space shall be suitable for outdoor recreational activity and shall be easily accessible to all mobile home lots.
 6. Parking Space Requirements. A minimum of two (2) stabilized vehicle parking spaces shall be provided for each mobile home lot within the mobile home park. These parking spaces shall be located within two hundred (200) feet of the mobile home lot which they are intended to serve.
 7. Mobile Home Park Internal Street and Drainage System Requirements. All mobile home lots within a mobile home park must have access to the mobile home park internal street system. Streets and drainage control systems shall be constructed in accordance with the road standards outlined in the Clinton County Subdivision and Land Development Ordinance except that street width shall be as follows:
 - A. Where parking is permitted on both sides, a minimum cartway width of thirty (30) feet shall be required.
 - B. Where parking is limited to one side, a minimum cartway width of twenty-eight (28) feet shall be required.
 - C. Where no parking is permitted on either side of the street, a minimum cartway width of twenty feet (20) shall be required.
 8. Mobile Home Lot Improvements. All mobile home lots within the mobile home park shall be improved for use by independent homes. This shall include necessary utility hook-ups.

In addition, an all-weather patio area with a minimum area of two hundred (200) square feet shall be provided for each mobile home.

UTILITIES AND PARK FACILITIES

1. Water Supply System. An adequate supply of water shall be provided for mobile homes, service buildings and other accessory facilities. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made to it and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the applicant shall design, install, and maintain a private water supply system according to the standards of and with the approval of the Pennsylvania Department of Environmental Protection.

2. Sewage Disposal System. An adequate and safe sewage system shall be provided in all mobile home parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Mobile home parks shall be connected to public sewer systems where possible. Where a satisfactorily public sewage disposal system is not available, the applicant shall design, install and maintain an approved private sewage system according to the standards of the Department of Environmental Protection.
3. Other Utility Systems. Telephone, electric, television cable, natural or bottled gas, fuel oil or other utilities shall be provided in accordance with plans approved by the Township Supervisors and the utility company. Underground installation of the utility distribution are required for approval of the mobile home park proposal.
4. Service and Other Auxiliary Park Buildings. Service, maintenance and management buildings, recreation or community buildings and commercial sales buildings required for the management, servicing and maintenance of the park and well-being of the park residents shall be allowed within the mobile home park boundaries. The entire area of these buildings shall be used exclusively for the management, servicing and maintenance requirements of the park.
5. Solid Waste Collection and Disposal. The developer shall present information to the Borough Council explaining the proposed method of solid waste collection disposal. If such method is not deemed sufficient by the reviewing agencies, an alternate method shall be proposed by the applicant.

RULES AND REGULATIONS OF THE PARK

The developer shall submit to the Borough Council a copy of the proposed rules and regulations to be followed by tenants of the mobile home park. At a minimum, regulations shall include the following:

1. Each mobile home shall be skirted with either a masonry wall or fabricated materials for this specific purpose. Bales of hay; straw, interior plywood, unfinished wood or like material shall not be allowed.
 - A. Garbage and trash shall be placed in appropriate receptacles.
 - B. Each mobile home shall be anchored to prevent the structure from being overturned or blown from its foundation or supports. This anchoring shall comply with the specifications outlined in Article VII Supplemental Regulations, Section 7.08 of this Ordinance.

7.10 COMMUNICATIONS TOWERS

Regulations Governing Communications Antennas and Communications Equipment Buildings.

1. Building mounted Communications Antennas shall not be located on any single family dwelling or two family dwelling.

2. Building mounted Communications Antennas shall be permitted to exceed the height limitations of the applicable Zoning District by no more than twenty (20) feet.
3. Omnidirectional or whip Communications Antennas shall not exceed twenty (20) feet in height and seven (7) inches in diameter.
4. Directional or panel Communications Antennas shall not exceed five (5) feet in height and three (3) feet in width.
5. Any applicant proposing Communications Antennas to be mounted on a Building or other Structure shall submit evidence from a Pennsylvania registered professional engineer certifying that the proposed installation will not exceed the structural capacity of the Building or other Structure, considering wind and other loads associated with the antenna location.
6. Any applicant proposing Communications Antennas to be mounted on a Building or other Structure shall submit detailed construction and elevation drawings indicating how the antennas will be mounted on the Structure for review by the Zoning Officer for compliance with the Loganton Borough Zoning Ordinance.
7. Any applicant proposing Communications Antennas to be mounted on a Building or other Structure shall submit evidence of agreements and/or easements necessary to provide access to the Building or Structure on which the antennas are to be mounted so that installation and maintenance of the antennas and Communications Equipment Building can be accomplished.
8. Communications Antennas shall comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
9. Communications Antennas shall not cause radio frequency interference with other communications facilities located in the Borough.
10. A Communications Equipment Building shall be subject to the height and setback requirements of the Loganton Borough Zoning Ordinance for an accessory structure.
11. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a Communications Tower, if applicable, and Communications Antennas.
12. The applicant shall demonstrate that the proposed Communications Tower and Communications Antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
13. Communications Towers shall comply with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation and applicable Airport Zoning Regulations.

14. Any applicant proposing construction of a new Communications Tower shall demonstrate that a good faith effort has been made to obtain permission to mount the Communications Antennas on an existing Building, Structure or Communications Tower. A good faith effort shall require that all owners of potentially suitable Structures within a one-quarter (1/4) mile radius of the proposed Communications Tower site be contacted and that one (1) or more of the following reasons for not selecting such Structure apply:
- a) The proposed antennas and related equipment would exceed the structural capacity of the existing Structure and its reinforcement cannot be accomplished at a reasonable cost.
 - b) The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing Structure and the interference cannot be prevented at a reasonable cost.
 - c) Such existing Structures do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - d) Addition of the proposed antennas and related equipment would result in electromagnetic radiation from such Structure exceeding applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
 - e) A commercially reasonable agreement could not be reached with the owners of such Structures.
15. Access shall be provided to the Communications Tower and Communications Equipment Building by means of a public street or easement to a public street. The easement shall be a minimum of twenty (20) feet in width and shall be improved to a width of at least 10 feet with a dust-free, all weather surface for its entire length.
16. A Communications Tower may be located on a lot occupied by other principal Structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements for the Zoning District.
17. Recording of a plat of subdivision or land development shall not be required for a lease parcel on which a Communications Tower is proposed to be constructed, provided the Communications Equipment Building is unmanned.
18. The applicant shall demonstrate that the proposed height of the Communications Tower is the minimum height necessary to perform its function.

In all Zoning Districts except (I) Industrial, the maximum height of any Communications Tower shall be one hundred fifty (150) feet; provided, however, that such height may be increased to no more than two hundred (200) feet, provided the required setbacks from adjoining property lines (not lease lines) are increased by one (1) foot for each one (1) foot of height in excess of one

excess of one hundred fifty (150) feet. In the Light Industrial District, the maximum height of any Communications Tower shall be one hundred eighty (180) feet.

1. The foundation and base of any Communications Tower shall be set back from a property line (not lease line) located in any Residential District at least one hundred (100) feet and shall be set back from any other property line (not a lease line) at least fifty (50) feet.
2. The base of a Communications Tower shall be landscaped so as to screen the foundation and base and Communications Equipment Building from abutting properties.
3. The Communications Equipment Building shall comply with the required yards and height requirements of the applicable Zoning District for an accessory structure.
4. The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed Communications Tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association and applicable requirements of the Loganton Borough Zoning Ordinance.
5. The applicant shall submit a copy of its current Federal Communications Commission license; the name, address and emergency telephone number for the operator of the Communications Tower; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the Communications Tower and Communications Antennas.
6. All guy wires associated with guyed Communications Towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.
7. The site of a Communications Tower shall be secured by a fence with a minimum height of eight (8) feet and a maximum of ten (10) feet to limit accessibility by the general public.
8. No signs or lights shall be mounted on a Communications Tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental agency which has jurisdiction.
9. If a Communications Tower remains unused for a period of twelve (12) consecutive months, the owner or operator shall dismantle and remove the Communications Tower within six (6) months of expiration of such twelve (12) month period.
10. One off street parking space shall be provided within the fenced area.

7.11 AUTOMOBILE SERVICE STATIONS

In addition to the district regulations specified, all automobile service stations shall meet the following regulations:

1. The dismantling of motor vehicles shall be performed within a completely enclosed building, and all dismantled motor vehicles, and parts thereof, shall be stored within such buildings.
2. Fuel pumps may be located within the front yard setback area provided such are at least thirty (30) feet from any lot line.

7.12 AUTO WRECKING, JUNK, AND SCRAP ESTABLISHMENTS

In addition to the district regulations specified, all auto wrecking, junk, and scrap establishments shall meet the following regulations:

1. All material shall be placed in such a manner that it is incapable of being transferred off the premises by wind, water, or other natural causes.
2. No material shall be placed within the front, side, or rear yard setback areas. All yard setback areas shall, at all times, be kept clean, vacant, and maintained with grass and vegetative cover.
3. All paper, cloth and rags, and other fibers, and activities involving the same, other than loading and unloading, shall be within fully enclosed buildings.
4. All materials and activities not within fully enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring from the nearest point on the lot line and maintained in good condition. No such fence may be permitted in any yard setback area. Any gate in a fence shall be similarly constructed and maintained, and shall be kept securely locked at all times when the establishment is not in operation. The yard setback area shall be planted in grass, trees, bushes and other vegetative cover.
5. All gasoline and oil shall be drained from any junked motor vehicle into containers and stored at only one location on the premises. No more than (20) gallons in aggregate shall be stored above ground.
6. Fire hazards shall be minimized by the segregation of combustible from noncombustible materials, and the provision of adequate aisles at least twelve

- (12) feet wide for escape and fire fighting equipment.
7. The storage of material in piles shall not exceed ten (10) feet in height.
 8. The manner of storage and arrangement of junk and the drainage facilities of the premises shall be such as to prevent the accumulation of stagnant water.
 9. Every structure erected upon the lot after the enactment of this Ordinance shall be of fireproof construction.
 10. All auto wrecking, junk and scrap establishments shall be screened by an evergreen planting which shall reach the height of at least six (6) feet at maturity which shall be planted outside of, and in addition to, the fence or wall.

7.13 CHILD DAY CARE CENTERS

In addition to the district regulations specified, all day care centers shall meet the following requirements:

1. Child day care centers shall be located only on lots with direct motor vehicle access onto a public street in the districts where they are permitted uses.
2. All outdoor play areas shall be completely enclosed by a fence or wall within a minimum height of at least (4) feet and screened by an evergreen planting which shall reach a height of at least six (6) feet at maturity. Such play areas shall not be placed in the front or side yard setback area.

7.14 CHURCHES AND OTHER PLACES OF WORSHIP AND THEATERS FOR THE PERFORMING ARTS AND AUDITORIUM

Churches and other places of worship and theaters for the performing arts and auditoriums shall be located only on lots with direct motor vehicle access onto a public street in the districts where they are permitted uses.

7.15 DWELLING UNITS, ATTACHED

In addition to the district regulations, no buildings used for attached dwelling units shall exceed two hundred (200) feet in length.

7.16 MANURE STORAGE

In addition to the district regulations specified, the outdoor storage of silage or hydrated manure in bulk for farm uses shall not be permitted within one hundred fifty (150) feet of any lot line.

7.17 GOLF COURSES, PITCH PUTT GOLF COURSES, DRIVING RANGES ANY MINI GOLF COURSES

In addition to the district regulations specified, all golf courses, pitch putt golf courses, driving ranges and mini golf courses, shall meet the following applicable regulations:

1. No golfing green, fairway, tee area, or driving range, shall be closer than one hundred (100) feet to any lot line.
2. Golfing tees and greens for the same hole may not be separated by a street.
3. Driving ranges shall have screens or fences of a height and location sufficient to prevent golf balls from landing on the property of another.

7.18 HOME OCCUPATIONS

Home occupations shall be permitted only as an accessory use in Residential Districts. Home occupations shall include professional offices, crafts, and domestic services such as: the professional practice of medicine and dentistry; architecture and engineering; law, teaching, accounting, real estate, and insurance; artists, artisans, and writers; barbers and beauticians; domestic service such as baby-sitting (no more than five (5) children who are not regular members of the household), cooking and sewing. Under no circumstances shall home occupation be construed to include motor vehicle repair and/or maintenance. All home occupations shall conform to the following regulations:

1. The home occupation shall be carried on completely within the dwelling unit or an accessory structure.
2. The home occupation shall be carried on only by members of the immediate family residing in the dwelling unit plus not more than one (1) full-time additional employee or equivalent.
3. Not more than twenty-five (25) percent of the ground floor area of the dwelling only shall be devoted to home occupations.
4. Articles sold or offered for sale on the premises shall be limited to those produced on the premises.

5. There shall be no use of show windows or display or advertising visible outside the premises to attract customers or clients except permitted in Chapter VIII, Sign Regulations. Nor shall there be any exterior storage of wares or materials.
6. No exterior alterations, additions, or changes to the residential character of the dwelling unit shall be permitted in order to accommodate or facilitate a home occupation.
7. No repetitive servicing by truck or service vehicle over 20,000 pounds for supplies and materials shall be required by the home occupation.

7.19 MINING AND QUARRYING.

It is the purpose of this section to allow Surface Mining and its related processing procedures, in Rural Districts by conditional use.

1. Criteria for Special Exception. Use of land for Surface Mining in the Rural Districts shall be permitted as a Conditional Use, provided the Zoning Hearing Board determines in each instance that the proposed location will offer reasonable protection to the neighborhood in which the mining operation will occur against possible detrimental effects of the Surface Mining operations, taking into consideration the physical relationship of the proposed mining site to surrounding properties and permitted land uses, access to the site from public roads, streets and other public rights-of-way that must be traveled in removing minerals from the site, and the effect of tile mining operations on the public water supply. In granting a use permit under this provision, the Borough Council may impose such conditions upon the location of the mining operation as are shown to be necessary and appropriate to protect the public health, safety and welfare. No permit granted under this provision shall be valid unless the mine operator also has secured a valid permit to conduct surface mining operations from appropriate state and federal agency having regulatory authority over the conduct of surface mining operations.
 - a) The Borough Council shall forward one copy of all applications for a conditional use for surface mining to the Loganton Borough Planning Committee immediately upon receipt for review and comment by that agency on all aspects of the application as they relate to the purposes and

requirements of this Chapter. The Loganton Borough Planning Committee shall prepare a report on the application within thirty (30) days of the receipt of the application, which report shall be presented to the Borough Council by an authorized representative of the Planning Committee during the public hearing held on the application for conditional use. Copies of the report shall be made available to any party of the proceeding before the Board at a reasonable cost for duplication or reproduction.

2. Application. Application for a Conditional Use permit from the Borough Council shall include a duplicate copy of the application which the applicant made to Pennsylvania Department of Environmental Protection in accordance with the Surface Mining Conservation and Reclamation Act, 52 P.S. 1396.1 et seq.; and the Noncoal Surface Mining Conservation and Reclamation Act, 52 P.S. 3301 et seq., as amended
3. Limitations. No surface mining shall be conducted closer than one hundred feet (100') of any public right-of-way or within three hundred feet (300') of any property line.
4. Fencing. A six foot (6') fence that completely encloses the portion of the property that includes the open pit area, highwall, water pool, or spoil bank and culm bank (as those terms are defined in the coal or noncoal Surface Mining Conservation and Reclamation Acts) shall be provided and shall be constructed as to have openings no larger than six inches (6"), and if pickets are used, the openings shall not exceed six (6).
5. Screening. In addition to fencing, the use shall be screened by an evergreen planting which: 1) shall obscure the fence; 2) shall be outside the fence; and 3) shall reach a height of at least ten (10') feet by maturity.
6. Drainage. All drainage from the site shall be controlled by dikes, barriers, or drainage structures sufficient to prevent any silt, debris, or other loose materials from filling any drainage course, or encroaching on public streets or adjacent property; and a drainage plan must be submitted which shall meet the Stormwater Management Ordinance.
7. Traffic. All mining and quarrying operations shall have direct site access onto public roads, and shall have at least 500 feet sight distance, and 500 feet distance

from the nearest street or driveway access to the public road to which the site accesses.

8. Noise. No mining or quarrying operation shall produce noise in excess of 86 decibels at any lot line of the property.

7.20 PUBLIC AND PRIVATE NURSERIES, KINDERGARTENS, ELEMENTARY, SECONDARY AND POST- SECONDARY SCHOOLS

Public and private nurseries, kindergartens, elementary, secondary and post-secondary schools shall locate in the districts where they are permitted uses only when adjacent to the following street classifications:

1. Nurseries, kindergartens, and elementary schools shall be located only on lots with direct motor vehicle access onto public streets.
2. Secondary and post secondary schools shall be located only on lots with direct motor vehicle access onto public streets.

7.21 PERSONAL CARE BOARDING HOME, FAMILY CARE, GROUP HOMES AND HALFWAY HOUSES/REHABILITATION CENTERS

1. No abuse centers, family care, group home, or halfway house/rehabilitation center shall be allowed unless it is certified by, and meets all regulations of appropriate local, state and federal agencies.
2. No more than one abuse center, family care, group home or halfway house/rehabilitation center shall be allowed per block face.

7.22 USES OMITTED AND PROHIBITED

This Ordinance is intended to apply to all conceivable uses and structures. Under no circumstances, however, shall the following uses be permitted in any district in the Borough:

1. Any dumping, depositing, or filling with refuse, garbage, or building debris not in accordance with State or Borough regulations or this Ordinance.
2. The removal of topsoil and sod, except as part of the construction, grading, or alteration of an approved building, street, construction site or other structure, the normal preparation and maintenance of lawns, mining and quarrying, or the removal of sod as part of a recognized farm or garden use.

7.23 FARM ANIMALS AS PETS

The raising and keeping of animals of the equine, bovine, and ovine species as pets in a residential district is prohibited unless as a part of a farm use meeting the requirements in the appropriate district regulations, or unless 1 acre of pasture is provided per pet.

7.24 USES NOT PROVIDED FOR

Whenever, in any District established under this Ordinance, a use is neither specifically permitted nor denied and an application is made by a property owner to the Zoning Officer for such use, the use may be permitted in the district, but only upon approval of a Special Exception, in accordance with Article X, by the Zoning Hearing Board.

**ARTICLE VIII
SIGN REGULATIONS**

8.00 SIGNS

The following regulations shall apply to all Zoning Districts.

1. Permits to construct, install and maintain signs shall be obtained from the Borough Zoning Officer.
2. Signs may be erected and maintained only when in compliance with the provisions of this Ordinance and all other Ordinances and Regulations relating to the erection, alteration, or maintenance of signs.
3. Signs shall not contain moving parts nor use flashing or intermittent illumination. The source of light shall be steady and stationary.
4. No sign shall be placed in a position, or have illumination that it will cause any danger to pedestrians or vehicular traffic.
5. Floodlighting of any sign shall be arranged so that the source of light is not visible nor glare is detected from any property line or vehicular access, and that only the sign is illuminated.
6. No sign other than official traffic signs shall be erected within the right-of-way lines of any street.
7. Every sign must be constructed of durable material and be kept in good condition. Any sign which is allowed to become dilapidated shall be removed by the owner, or upon failure of the owner to do so, by the Borough at the expense of the owner or lessee. The Borough Zoning Officer shall make such determination as to state of repair. All violations shall be corrected within ninety (90) days of receiving notice of violation.
8. No sign shall be erected or located as to prevent free ingress to or egress from any window, door, fire escape, sidewalk or driveway.
9. No sign shall be erected which emits smoke, visible vapors or particles, sound or odor.
10. No sign shall be erected which uses an artificial light source, or reflecting device, which may be mistaken for a traffic signal.
11. No sign shall be erected containing information which implies that a property may be used for any purpose not permitted under the provisions of this Ordinance.

12. No sign shall be placed on any tree except political signs, yard or garage sale signs, hunting and trespassing signs. Any political, yard or garage sale signs must be removed no later than five (5) days after the cessation of the posted event.
13. The distance from ground level to the highest part of any free-standing sign shall not exceed eight (8) feet in residential districts.
14. No free-standing sign shall be located within the street right-of-way.
15. Signs shall not project above the maximum building height permitted in any District in which they are located.
16. Signs necessary for the identification, operation, and protection of public utilities, may be erected within the street right-of-way when authorized by the Borough Zoning Officer for a special purpose and for a specified time.
17. Only parallel signs are permitted in areas of limited yard setback.
18. All signs erected along the right-of-way of a state highway shall be in accordance with the regulations of Pennsylvania Department of Transportation.

8.01 SIGNS PERMITTED IN THE SINGLE FAMILY, TWO FAMILY AND MULTI-FAMILY RESIDENTIAL DISTRICTS

1. Official traffic signs.
2. Identification signs, bulletin or announcement boards for schools, churches, hospitals, or similar institutions, and for clubs, lodges, farms, estates, or similar uses, provided that:
 - A. No more than two such signs shall be erected on any frontage to any one property.
 - B. The area on one side of any such sign shall not exceed twelve (12) square feet.
3. Professional, home occupation, or name sign indicating the name, profession, or activity of the occupant of a dwelling, provided:
 - A. The area of any one side of any such sign shall not exceed six (6) square feet.
 - B. One such sign shall be permitted for each permitted use or dwelling.

- C. Signs indicating a permitted non-residential use shall be erected on the property where that use exists.
 - D. The sign shall not be illuminated or animated.
4. Real estate signs, including signs advertising the rental or sale of premises, provided that:
- A. The area on any one side of any such sign shall not exceed six (6) square feet.
 - B. A sign shall be located on the property to which it refers.
 - C. Such signs shall be removed within fourteen (14) days upon the sale of the premises.
 - D. Not more than one such sign shall be placed on any one street frontage.
5. Temporary signs of contractors, architects, special events, and the like, provided that:
- A. Such signs shall be removed within fourteen (14) days upon completion of the work or special event.
 - B. The area of such signs shall not exceed six (6) feet.
 - C. Such signs shall be located on the applicable property.
6. Signs advertising an existing non-conforming use, provided that:
- A. The area on one side of such sign shall not exceed six (6) square feet.
 - B. The sign shall be erected only on the applicable premises.
 - C. No more than one such sign shall be erected on any one street frontage.
7. Signs necessary for the identification and protection of public utility corporation facilities, provided that the area of one side of such sign shall not exceed four (4) square feet.
8. Signs within a residential subdivision to direct persons to a rental office or sample unit within that subdivision provided that the area on one side of any such sign shall not exceed two (2) square feet.
9. Trespassing signs and signs indicating the private nature of the premises. The area of any one side of such signs shall not exceed two (2) square feet and the

signs shall be placed at intervals of not less than one hundred (100) feet along any street frontage.

10. Sign denoting the name of a subdivision or development, provided that:
 - A. The area on one side of such sign shall not exceed twenty-four (24) square feet.
 - B. The sign shall be erected only on the premises on which the subdivision or development is located.
 - C. No more than one such sign shall be erected on any one street frontage.

8.02 SIGNS PERMITTED IN THE COMMERCIAL AND INDUSTRIAL DISTRICTS

1. Any sign permitted under Section 8.01 of this Article.
2. Commercial signs, provided that:
 - A. The total area on one side of all signs placed on or facing any one street frontage of any one premises shall not exceed twenty (20) square feet, except in the case of a tract or building housing more than one commercial use.
 - B. In the case of a building, or tract of land housing more than one use, one permanent directory or identifying sign for the building or tract may be erected. The area on one side of said sign shall not exceed forty (40) square feet. In addition, for each use located within that building, or on the same lot, one wall-mounted sign shall be permitted. The area of such sign shall not exceed twelve (12) square feet, may be attached to that portion of the building housing in use.
 - C. No more than two separate signs shall face any one street frontage for any one use except in the case of a tract containing a directory sign.
3. Directional signs, provided that:
 - A. The area on one side of a directional sign shall not exceed two (2) square feet.
4. Free-standing signs, provided that:
 - A. No more than one (1) free-standing sign exclusive of all directional signs shall be allowed on any one property.

- B. The area on one side of a free-standing sign shall not exceed thirty-two (32) square feet, exclusive of all directional signs.

8.03 SIGNS PERMITTED IN THE VILLAGE RESIDENTIAL DISTRICT

1. Any sign permitted under Section 8.01 of this Article.
2. Commercial signs, provided that the total area on one side of all signs placed on or facing any one street frontage of any one premises shall not exceed sixteen (16) square feet.

8.04 EXISTING SIGNS

1. Existing signs may be continued provided that all such signs shall conform to the General Requirements as set forth in Section 8.00 of this Article.
2. Any sign existing at the time of the passage of this Ordinance that does not conform with the regulations of the District in which such sign is located shall be considered a nonconforming use and may continue in such use in its present location until replacement or rebuilding becomes necessary, at which time a zoning permit will be required and the sign brought into conformity with this Ordinance.

8.05 BILLBOARDS

Within the Conservation/Agricultural District, billboards are permitted by special exception, subject to the following criteria:

1. No billboard shall be located within one thousand (1000) feet of another billboard.
2. All billboards shall be a minimum of fifty (50) feet from all side and rear property lines.
3. All billboards shall be set back at least fifty (50) feet from any road right-of-way lines.
4. All billboards shall be set back at least one hundred (100) feet from any land within a Residential District.
5. No billboard shall obstruct the view of motorists on adjoining roads, or the view of adjoining commercial or industrial uses, which depend upon visibility for identification.
6. No billboard shall exceed an overall size of three hundred (300) square feet, nor exceed twenty-five (25) feet in height.

ARTICLE IX
NONCONFORMING USES, STRUCTURES AND LOTS OF RECORD

9.00 INTENT

1. It is the intent of this Ordinance to recognize the right of nonconformities to continue, but to encourage that such lots, uses, and structures be brought into conformity with this Ordinance as soon as constitutionally permissible. To achieve this end, nonconformity's are subject to the regulations set forth in this Article.

9.01 NONCONFORMING LOTS OF RECORD

1. In any district in which dwellings are permitted as primary uses, a single family detached dwelling and customary accessory uses may be erected on any single nonconforming lot of record at the effective date of adoption or amendment of this Ordinance, notwithstanding limitations imposed by other provisions of this Ordinance. Such nonconforming lot must be in separate ownership and not abut other lots under the same ownership. This provision shall apply even though such lot fails to meet the requirements for area and/or width that are applicable in the district, provided that all other yard dimensions and requirements of the lot shall conform to the regulations for single family detached dwellings in the Single Family Residential District. Variance of yard setback requirements may be obtained only by application to the Zoning Hearing Board.
2. If two or more abutting lots or combinations of abutting lots and portions of lots under the same ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots do not meet the requirements established for either lot width or area, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with either lot width or area requirements established by this Ordinance, nor shall any division of any parcel be made which creates a lot with either width or area below the requirements stated in this Ordinance.

9.02 NONCONFORMING USES AND STRUCTURES

Where a lawful use or structure exists which, on the effective date of this Ordinance or subsequent amendment thereto, becomes nonconforming, such use or structure may be continued as long as it remains otherwise lawful, including subsequent sales of the property, subject to the following provisions.

1. The existing nonconforming use shall not be changed to a different nonconforming use.
2. No such nonconforming use or structure shall be altered or extended except if such complies with the following criteria and standards:
 - A. to provide for a natural expansion which is not detrimental to public health, safety, and general welfare, provided such expansion does not exceed fifty (50%) percent of the existing ground floor area of the structure or other space occupied by the use;
 - B. provided such does not constitute the addition of a new nonconforming use or structure;
 - C. provided such does not decrease yard setbacks when such already fail to meet minimum yard setback areas; and
 - D. provided that the alteration or extension meets the district regulations for such use or structure as if same were being altered or extended in district where such use is permitted. In cases where the use is permitted in two or more districts, the most restrictive district regulations shall apply.
3. In the event that any nonconforming structure is destroyed or partially destroyed by any means to an extent of seventy-five (75%) percent or more of the replacement value less depreciation of such structure immediately preceding the casualty, such nonconforming structure and use thereof shall terminate and the lot shall thereafter be used only for conforming uses and structures.
4. When a nonconforming use or structure is discontinued or abandoned for a period of one year or more continuously, or replaced by a conforming structure, the premises shall not thereafter be used except in conformity with the regulations of the district in which it is located, except if the use is a farm use as herein defined.

9.03 REGISTRATION OF NONCONFORMING USES AND STRUCTURES

1. In order to administer this Article, the Zoning Officer shall maintain a register of nonconforming uses, structures and lots.
2. The purpose of maintaining a register of nonconforming uses, structures or lots is to provide an administrative means for a landowner to establish and preserve evidence of a nonconforming use, structure or lot.

3. An application for a Certificate of Nonconformity may be made to the Zoning Officer by a landowner. The application shall be made on forms supplied by the municipality on which the landowner shall: (1) identify the nonconforming use, structure or lot; (2) state all information known to the landowner about the date when the nonconforming structure, use or lot came into existence; (3) state the period of uninterrupted existence or continuation of the nonconforming use, structure, or lot; and (4) state the names of all witnesses or list the evidence which may support the claim of existence and continuation of the nonconformity.
4. The Zoning Officer shall investigate the claim of nonconformity in order to determine whether or not it came into existence prior to the regulations of this or a prior zoning ordinance which made it nonconforming, whether or not the claimed use has been continuous, and shall determine the extent of the nonconformity.
5. If the use, structure or lot is determined by the Zoning Officer to be a valid, pre-existing, continuous, nonconforming use, structure or lot, the Zoning Officer shall issue a Certificate of Nonconformity. The said Certificate shall identify the nonconformity, state the dates of its inception and continuity, and define the extent of the nonconformity in terms relevant to the use, structure or lot as determined by the Zoning Officer.
6. If the Zoning Officer denies an application for a Certificate for Nonconformity, the Zoning Officer shall state in writing the reasons for his denial and the results of his investigation upon which he bases the denial.
7. The Zoning Officer shall make the determination upon each application for a Certificate of Nonconformity within thirty (30) days of receiving a complete application for Certificate of Nonconformity together with the filing fee as established by the municipality for such applications. No application shall be considered complete until the fee for filing has been received.
8. The Zoning Officer shall maintain a record of all applications filed, determinations made, and Certificates issued or denied.
9. Any person aggrieved by the determination of the Zoning Officer's issuing or denying an application for a Certificate of Nonconformity may appeal the action within thirty (30) days of its issuance to the Zoning Hearing Board.

9.04 NEW CONSTRUCTION

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction or designated use of any structure on which actual construction was lawfully begun prior to

the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing structure has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

**ARTICLE X
ADMINISTRATION AND ENFORCEMENT**

10.00 GENERAL PROVISIONS

1. The Borough Council shall appoint a Zoning Officer who shall meet the requirements of the Pennsylvania Municipalities Planning Code. The Zoning Officer shall administer and enforce this Ordinance in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to this Chapter. The duties of the Zoning Officer shall be as follows:

- A. to examine, record, and file all applications for zoning permits, with any accompanying plans and documents, and to issue such permits only for lots, uses, and structures which are in conformity with the provisions of this Ordinance;
- B. to receive applications for certificates of nonconforming uses, investigate, and issue or deny certificates of nonconforming uses;
- C. to post a schedule of fees in his office;
- D. to receive, investigate, and process all complaints and to notify persons of any violations of provisions of this Ordinance.
- E. to conduct inspections of property for which zoning permits have been issued to ascertain if the construction or use is in conformity with the provisions of the permit;
- F. upon request of the Borough Council or the Planning Commission, to present to such body facts, records, and any similar information required to assist such body in its deliberations;
- G. to be responsible for keeping current copies of this Ordinance and the Official Zoning Map for distribution to the public;

- H. to present to the Zoning Hearing Board, in each case before the Zoning Hearing Board, all relevant facts and arguments to support the municipality's position, interpretation and procedures in the application of the provisions of the Zoning Ordinance.
- I. to institute civil enforcement proceedings as a means of enforcement when acting within the scope of the Zoning Officer's employment;
- J. to perform other duties in the administration and enforcement of this Chapter as may be directed or as required by this Ordinance or the Pennsylvania Municipalities Planning Code.

10.01 FEES

1. Fees. The Borough Council shall establish by resolution a schedule of fees and a collection procedure for all zoning permits, certificates of nonconformity, applications for variances, validity challenges, unified appeals, and requests for curative amendments.
2. The schedule of fees shall be posted in the office of the Zoning Officer.
3. All such fees shall be payable to the municipality.
4. No request for a zoning permit or any other application provided for in this Ordinance shall be considered complete nor considered filed unless all fees have been paid in full.
5. No application or appeal to the Zoning Hearing Board and no application for a certificate of nonconformity shall be considered filed until the appropriate filing fee shall have been paid in full.

10.02 ZONING PERMITS

1. A zoning permit shall be required prior to the erection, extension, or alteration of any structure or portion thereof, except those listed in Article II, Sections 2.05 (6) and 2.05 (7), and prior to the use or change in use of a structure or land. No such zoning permit shall be

required for normal maintenance activities and minor repairs which do not constitute erection, extension, or alteration as herein defined. No permit shall be granted by the Zoning Officer for any purpose except in compliance with the provisions of this Ordinance or, upon appeal, in compliance with a decision of the Zoning Hearing Board or the courts.

2. Application for Zoning Permits. To apply for a zoning permit, the applicant shall submit an "Application for a Zoning Permit" to the Zoning Officer along with all required fees. When required by this Ordinance, site plans and other information shall accompany the application.
3. Review of Application. All applications for zoning permits shall be granted or denied by the Zoning Officer within thirty (30) days from the date of receipt of the application and fees for such. The Zoning Officer shall notify the applicant in writing of all action taken on the application for a zoning permit within said thirty (30) day period. If the application is denied, such notification shall specify the provisions of this Ordinance with which such application does not comply. If for any reason the Zoning Officer fails to notify the applicant of all action taken in the manner and time limit set forth above, such application shall be considered approved as submitted.
4. Permit Expiration. A zoning permit shall be valid for a period of twelve (12) months from the day of issuance, or until a certificate of occupancy is issued, whichever is first. A permit may be extended by the Zoning Officer upon proper application and payment of fees for a period not to exceed twelve (12) months.

10.03 SITE PLAN REVIEW

1. A site plan, as described below, shall accompany all "Applications for Zoning Permit" whenever such applications propose the following: (1) a proposed use or structure located in or within one hundred (100) feet of a flood plain; (2) a proposed use or structure on steep slopes as stipulated in Article VII, Section 7.00 (3); a proposed use required to have a parking lot as stipulated in Article VII, Section 7.06 (4); whenever development is proposed

involving the location of two or more primary uses or structures on a single lot, including, but not limited to, apartment complexes, shopping centers, and industrial parks; and (5) any proposed use or structure located in the Village District except single family and two family detached or single family semi-detached dwellings. A site plan is not required for those circumstances cited above when a similar plan is required for a mobile home park permit or approval of a planned residential development as defined and regulated by their respective ordinances of the Borough.

2. Submission and Content of the Site Plan. Three (3) copies of the site plan shall be submitted to the Zoning Officer along with the "Application for a Zoning Permit". The site plan shall be drawn to a scale of 1" equals 50' or larger and contain the following written and graphic information unless an item is waived by the Zoning Officer because such is necessary to determine conformance with this Ordinance.
 - A. the name of the proposed development and the name and address of the owner of the property and the individual or firm preparing the site plan;
 - B. date of the "Application for a Zoning Permit";
 - C. graphic scale;
 - D. north point;
 - E. key map at a scale of 1' equals 400' showing streets and roads, buildings, and motor vehicle access within 500 feet from the exterior boundary of the lot;
 - F. total size of the property, and each lot and/or area to be leased;
 - G. the proposed use of the property;
 - H. topographic contour lines drawn at vertical intervals of five feet, including elevation of each ten foot interval, both before and after the proposed construction;
 - I. the total tract boundary with distances marked to at least the nearest foot;

- J. location of the front, side, and rear yard setback area as required by the applicable zoning district;
 - K. all existing and proposed structures, showing location and a statement of the ground floor area, any retail and service floor area, height and elevation of each;
 - L. all streams, springs, sink holes, flood plain boundaries, and slopes of twenty-five (25%) percent or more;
 - M. all existing and proposed street right-of-way and cartway, including those abutting the property;
 - N. all existing and proposed points of motor vehicle access to the property;
 - O. all existing and proposed parking and loading spaces, parking lots and a statement of the surfacing material to be used;
 - P. the location of all outdoor lighting fixtures;
 - Q. the location and common name of existing and proposed vegetation to be used for landscaping;
 - R. the location of all buffer yards required by this Ordinance; and
 - S. Letter of compliance from Fishing Creek Stormwater Management Plan Engineer.
 - T. a space labeled "Approved by" for the signature of the Zoning Officer and a space for the date of such approval.
3. Review Procedure. All applications for a zoning permit which include a site plan as herein required shall be reviewed in the same manner as stipulated in Section 9.03 (1) above, except that (1) upon receipt of the application the Zoning Officer may forward one copy of the site plan to the staff of the Clinton County Planning Commission for review and comment, and (2) upon approval of the application the Zoning Officer shall sign two (2) copies of the site

plan, return one copy to the applicant along with the requested zoning permit and retain the other copy for his files.

10.04 CERTIFICATE OF OCCUPANCY

Upon completion of the erection, extension or alteration of a structure, or upon fulfilling the requirements of a change in use for which a zoning permit was issued, the applicant shall apply for a certificate of occupancy. The structure or the use for which the zoning permit was issued may not be occupied or otherwise used until a certificate of occupancy has been issued by the Zoning Officer.

1. Within fifteen (15) days of an application for a certificate of occupancy, the Zoning Officer or his designated agent shall inspect the premises and determine if the action taken complies with the regulations of this Ordinance. If it does, a certificate of occupancy shall be issued within the fifteen (15) day time limitation.
2. If the action fails to comply with the regulations of this Ordinance, the Zoning Officer shall notify the applicant, in writing, of the denial of a certificate of occupancy and shall state the provisions of this Ordinance with which the action does not comply. The applicant may correct the defects cited in the denial of the Zoning Officer for a certificate of occupancy. If, upon notification by the applicant and inspection of the premises, the Zoning Officer finds that the defects have been corrected and that no additional defects have been created, a certificate of occupancy shall be issued within two working days.
3. Failure of the Zoning Officer to properly grant or deny an occupancy permit in the manner and time period stipulated above shall constitute an approval of the application for a certificate of occupancy, and the premises may be occupied or otherwise used as stipulated in the zoning permit;
4. Appeal rights from a denial of Zoning Hearing Board.

10.05 VIOLATIONS AND PENALTIES

1. Complaints Regarding Violations. Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written signed complaint to the Zoning Officer stating fully the causes and basis thereof. The Zoning Officer shall record such complaint, investigate, and take action thereon as provided by this Ordinance.
2. Notice of Violation. If the Zoning Officer shall find that any provision of this Ordinance has been violated, he shall initiate enforcement proceedings by sending an enforcement

notice as provided for by in the current Pennsylvania Municipalities Planning Code, 53 P.S. Section 10616.1.

3. Penalties. Penalties and remedies for violations of this Ordinance shall be as set forth in the Pennsylvania Municipalities Planning Code, as amended 53 P.S. Section 10617.2 as amended from time to time.

10.06 APPEALS

Any appeal from a decision or action of the Borough Council or of any officer or agency of the municipality in matters pertaining to this Ordinance shall be made in accordance with the Pennsylvania Municipalities Planning Code, as amended.

10.07 AMENDMENTS

The regulations, restrictions and district boundaries set forth in this Ordinance may, from time to time, be amended through action of the Borough Council in the manner provided by the Pennsylvania Municipalities Planning Code, as amended.

ARTICLE XI
ZONING HEARING BOARD

11.00 ESTABLISHMENT OF ZONING HEARING BOARD

There is hereby created a three (3) member Zoning Hearing Board whose membership, organization and procedures shall be those as set forth in Article IX of the Pennsylvania Municipalities Planning Code, as amended.

11.01 ALTERNATE MEMBERS

The Borough Council may appoint up to three (3) alternate members of the Zoning Hearing Board who shall serve pursuant to Article IX of the Pennsylvania Municipalities Planning Code.

11.02 HEARINGS

The Zoning Hearing Board shall hear all cases involving variances, special exceptions, appeals involving interpretations of this article, unified appeals, and challenges to the validity of this article as provided by the Pennsylvania Municipalities Planning Code.

11.03 POWER AND FUNCTIONS

The Board shall have such powers and perform such functions as are authorized by Article IX of the Pennsylvania Municipalities Planning Code.

11.04 ZONING APPEALS TO COURT

Appeals to court shall be governed by Article X of the Pennsylvania Municipalities Planning Code.

ARTICLE XII
DEFINITIONS

12.00 LANGUAGE INTERPRETATIONS

For the purpose of this Ordinance, certain terms and words used herein shall be interpreted as follows:

1. Words used in the present tense include the future tense; the singular number includes the plural; and the plural number includes the singular; words of masculine gender include feminine gender, and words of feminine gender include masculine gender.
2. The words “includes” or “including” shall not limit the term to the specific example, but is intended to extend its meaning to all other instances of like kind and character.
3. The word “person” includes an individual, firm, association, organization, partnership, trust, company, corporation, or any other similar entity.
4. The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.
5. The words “used” or “occupied” include the words “intended, designed, maintained, or arranged to be used or occupied”.
6. The word “municipal” shall mean the Borough of Loganton.
7. The word “municipality” shall mean Borough of Loganton.
8. The term “county” shall mean County of Clinton.
9. The term “governing body” shall mean Loganton Borough Council.

12.01 DEFINITIONS

1. Unless a contrary intention clearly appears, the following words and phrases shall have the meaning given in this section. All words and terms not defined herein shall be used with a meaning of standard usage.

ACCESSORY STRUCTURE, BUILDING: a separate structure or building used to house or provide for an accessory use.

ADDITION: see “EXTENSION”

AISLE: a corridor used for access within a parking lot by motor vehicles to the parking space.

ALLEY: see "STREET"

ALTERATION: as applied to a structure, a change or rearrangement in the structural parts, including supporting members such as bearing walls, columns, beams, or girders, or an enlargement, whether by extending on a side or by increasing in height, or the relocation of a structure onto or within a lot.

AMENDMENT: any change or revision of the text of this Ordinance or the Official Zoning Map.

ANIMAL HOSPITAL: a building used by a veterinarian for the treatment, housing or boarding of small domestic animals such as dogs, cats, rabbits, birds and fowl.

APARTMENT COMPLEX: a group of two or more buildings occupying a lot in single ownership, with each building used by three or more families.

APPLICANT: this term is defined in Section 105 of Pennsylvania Municipalities Planning Code, 53 P.S. Section 10105.

APPLICATION FOR DEVELOPMENT: every application, whether preliminary, tentative, or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

AUTHORITY: a body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945."

AUTOMOBILE SERVICE STATION: the use of land and structures engaged in the retail sales of gasoline, oil, grease, batteries, tires and other motor vehicle accessories, which may also provide minor mechanical repairs and servicing of motorized vehicles.

AUTO WRECKING, JUNK, AND SCRAP ESTABLISHMENTS: the use of land and structures for the storage, baling, packing, sorting, handling, disassembling, purchase, or sale of any material which has been used, salvaged, scrapped, or reclaimed, but is capable of being reused in some form, including metals, fiber, cloth and rags, rubber, rope, bottles, machinery, tools, appliances, fixtures, utensils, lumber, boxes, crates, pipe and pipe fittings, tires, motor vehicles which do not have a current and valid inspection sticker as required by the Commonwealth of Pennsylvania, and motor vehicle parts, but not including garbage or other organic wastes.

BOUNDARY: a line marking the limit or border of a lot or district.

BUILDING: a structure, including any part thereof, having a roof and used for the shelter or enclosure of persons or property.

BUILDING SETBACK LINE: the line within a lot defining the required minimum setback distance between any structure and the adjacent street line.

CAMPS AND CAMPING GROUNDS: the use of land and structures by campers for seasonal, recreational and temporary living purposes in cabins, tents or outdoor recreational vehicles.

CARTWAY: the portion of a street right-of-way designed or intended for vehicular use.

CENTER LINE: a line running parallel to and equidistant from both sides of a street.

CHILD DAYCARE CENTER: the use of land and structures for supervised day care of six or more children.

CHURCHES AND OTHER PLACES OF WORSHIP: the use of land and structures for religious worship, education and related activities including chapels, cathedrals, temples, synagogues and the like.

CLUBS, LODGES AND FRATERNAL ORGANIZATIONS: the use of land and structures by a non-profit group which is not operated for the purpose of trade or business, no part of the earnings of which benefit any individual but which is operated for social and community service activities among group members and their guests.

COMMERCIAL DAIRY: the use of land and structures for the manufacture and processing of dairy products.

COMMON OPEN SPACE: a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

COMMUNICATIONS ANTENNA: Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes or television antennas or amateur radio equipment including without limitation ham or citizen band radio antennas.

COMMUNICATIONS EQUIPMENT BUILDING: An unmanned Building or cabinet containing communications equipment required for the operation of Communications Antennas and covering an area on the ground not greater than 250 square feet.

COMMUNICATIONS TOWER: A Structure other than a Building, such as a monopole, self-supporting or guyed tower, designed and used to support Communications Antennas.

CONDITIONAL USE: a use permitted in a particular zoning district pursuant to the provisions in Article VI of the Pennsylvania Municipalities Planning Code.

CONVENIENCE FOOD STORE: small stores permitted in selected rural and residential districts which retail food and beverages primarily to the immediately surrounding population.

COUNTY: the county of Clinton.

CURB RETURN: a curved curb connecting the tangents of two intersecting curbs of streets or driveways.

DEVELOPER: any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT: any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operations.

DEVELOPMENT PLAN: the provisions for development, including a planned residential development, a plat of subdivisions, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this act shall mean the written and graphic materials referred to in this definition.

DIRECT RAYS: when used in regard to illumination, that form of lighting wherein the source is visible and the light is distributed directly from it to the object illuminated.

DISTRICT: all land and watercourses located within designated boundaries on the Official Zoning Map; a zoning district.

DRIVEWAY: a corridor which provides motor vehicle access from a street into or across a lot.

DWELLING: a building designed for human living quarters.

-Dwelling Unit: a dwelling occupied by one family.

-Single Family Dwelling: a single dwelling unit occupying the building from ground to roof.

-Two Family Dwelling: two dwelling units, one above the other.

-Multi-family Dwelling: three or more dwelling units, with the units stacked one above the other.

-Detached: each dwelling unit has open space on all sides.

-Semi-detached: one side of each dwelling unit is a party wall common with an adjoining dwelling unit.

-Attached: both side walls of all except the dwelling units at the ends of the building are party walls.

ERECTION: construction or assembly.

EROSION: the removal of soil, stone and other surface materials by the action of natural elements.

ESSENTIAL SERVICES: facilities for the distribution of utility services, including gas, electric, steam, water, sewerage, telephone and similar services excluding communications towers and communications antennas.

EXTENSION: an addition to the floor area of an existing structure, an increase in the size of a structure, or an increase in that portion of a lot occupied by an existing use; an enlargement of a use or structure.

FACING WALLS: (1) walls of a structure opposite to and parallel with one another, or (2) wall lines, or wall lines extended of opposite walls intersecting at angles of less than sixty-five (65) degrees.

FAMILY: (1) a person, or (2) two or more persons, all of whom are related by blood, marriage, parentage or adoption (including foster children) living together as a single housekeeping unit. In addition to the family, two or fewer unrelated persons may reside within the housekeeping unit in the dwelling unit. Except that in the case where one or more of the unrelated person is a family care client, the number of unrelated persons permitted to be with the housekeeping unit shall be three or fewer. However, regardless of number, domestic servants or domestic employees employed on the premises and

temporary gratuitous guests may be housed on the premises without being counted as part of the family.

FAMILY CARE: the provision of care in accord with regulations of the appropriate State agency (ies) for up to three (3) mentally ill, retarded or disabled children or adults or elderly persons in a dwelling unit by a provider who resides in that unit.

FARM USE: the use of land and structures for one or more of the following: the tilling of the land, the raising of crops, fruits and vegetables, and the raising and keeping of animals and plants; horticultural uses related to the raising, propagating and selling of trees, shrubs, flowers and other plant materials; forestry uses related to the harvesting of lumber products.

FAST FOOD RESTAURANT: any establishment whose principal business is the sale of food or beverages with rapid turnover to customers in a ready-to-consume state for consumption either within the building or for carry out off the premises, and whose design or principal method of operation includes the following: foods and beverages are usually served in disposable or edible containers; it is self-service, with customers expected to clean up after themselves; and menus are posted.

FINISHED LIVING AREA: all habitable interior space, excluding unheated porches, carports and garages.

FLOOD PLAIN: the limits of the Flood Plain Conservation regulations are hereby determined to be areas subject to periodic inundation by flood waters or runoff as delineated on the Flood Insurance Rate Map (FIRM) for the municipality, as prepared by the Federal Emergency Management Agency, or on maps pertaining to Loganton Borough in "Soil Survey of Clinton County, Pennsylvania," August 1981, published by the United States Department of Agricultural. Soil Conservation Service in Cooperation with the Pennsylvania State University College of Agricultural and the Pennsylvania Department of Environmental Protection State Conservation Commission. Such maps shall be interpreted as follows:

Areas subject to periodic inundation by flood waters shall include all flood hazard areas indicated on the aforementioned Flood Hazard Boundary Maps.

Where the boundaries of such areas delineated on the two map sets are not conterminous, that map which depicts the greater distance from the related streams or body of water shall control.

Natural drainage swales subject to periodic inundation by runoff rather than flood waters are also subject to the Flood Plain Conservation regulations. Such drainage swales are identified as Nolin silt loam soils, soil symbol "No" on the aforementioned soil survey maps.

Excluded from this definition of flood plain are: (1) all lands within such areas designated above to which the natural flow of flood waters or runoff within drainage swales has been prevented because of lawful alterations to such areas by roads, dams, or other obstructions; and (2) all lands which, prior to the passage of this Ordinance, were filled with earth to an elevation greater than that of the boundary of the natural flood plain drainage swale as shown on said maps.

FLOOD PLAIN AREA: a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

FLOOD WATERS: waters which escape from streams or other bodies of water and overflow adjacent lands, as distinct from runoff.

FLOOR AREA: the sum of the gross usable area of all floors of a building measured from the face of the exterior walls. Retail and service floor area is that portion of the total floor area relegated to use by the customer and employees to consummate retail sales and services including display areas for goods but not including office space and storage areas.

FRONTAGE: the portion of a lot boundary abutting a street.

GOVERNING BODY: Loganton Borough Council.

GRADING: the act of excavating and/or filling land for the purpose of changing natural slope.

GROUP HOME: a dwelling unit in which care and residence are provided in accordance with regulations of the appropriate State agency (ies) for more than two (2), and not more than four (4) non-adjusted clients who are dependent children or elderly, mentally ill, retarded or disabled adults.

HEIGHT: the vertical distance of a structure measured from the mean level of the ground surrounding the structure to its highest point, regardless of roof design.

HOME OCCUPATION: an accessory use of a dwelling for gainful employment.

HUNTING AND FISHING CABIN: a building used for seasonal and temporary living purposes by persons engaged in hunting, fishing and similar recreational purposes.

INDUSTRIAL PARK: an area planned for the integrated design of two or more primary industrial uses and structures on a lot held in single ownership.

LAND DEVELOPMENT: any of the following activities: (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving: (a) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on lot or lots regardless of the number of occupants or tenure; or (b) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features. (2) A subdivision of land. (3) Development in accordance with section 503 (1.1).

LANDOWNER: the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LIVING SPACE: the portion of the floor area of a dwelling relegated to use for residential purposes but excluding crawl spaces, garages, carports, breezeways, attics or portions thereof with clear ceiling heights of less than five (5) feet, open porches, balconies, terraces and accessory structures.

LOT: a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

CORNER LOT: a lot at the junction of and abutting on two or more intersecting streets or at the point of abrupt change of a single street where the interior angle is less than 135 degrees and the radius of the street is less than one hundred (100) feet.

INTERIOR LOT: a lot with only one frontage on a street.

THROUGH LOT: a lot with front and rear street frontage.

LOT LINE: a boundary line of a lot; includes property line.

FRONT LOT LINE: the line separating the lot from the street right-of-way.

SIDE LOT LINE: any lines which are not front or rear lot lines.

REAR LOT LINE: any line parallel to or within 45 degrees of being parallel to a street line which defines the rear of the lot.

LOT SIZE: the area contained within the boundary lines of the lot.

LOT WIDTH: the horizontal distance between side lot lines.

MAXIMUM LOT COVERAGE: the percentage of lot area which may be occupied by the ground floor area of all primary and accessory buildings.

MANUFACTURED HOME: a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities.

MANUFACTURED HOME PARK: a parcel (or contiguous parcels) of land which has been planned and improved for the placement of two or more manufactured homes.

MINING AND QUARRYING: the use of land for the purpose of extracting rocks and minerals for sale, exclusive of grading a lot preparatory to the construction of a structure for which a zoning permit has been issued.

MOBILE HOME: a transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT: a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.

MOBILE HOME PARK: a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for placement thereon of mobile homes.

MUNICIPALITY: Loganton Borough.

NONCONFORMING LOT: a lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

NONCONFORMING STRUCTURE: a structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE: a use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

NURSING HOMES AND OTHER CONVALESCENT HOMES: a building with sleeping rooms where persons are housed or lodged and furnished with meals, nursing care for hire, and which is approved for such by the Pennsylvania Department of Public Welfare.

OFFICIAL ZONING MAP: the map setting forth the boundaries of the zoning districts of this Chapter and adopted by the Borough Council of the municipality.

OFF-SITE SEWER SERVICE: a sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

OFF-STREET LOADING SPACE: a space not located within any street right-of-way used by motor vehicles for the temporary storage of trucks and other commercial vehicles while loading and unloading merchandise or materials.

ON-SITE SEWER SERVICE: a sanitary sewage disposal system in which sewage is treated and discharged on the same lot as the use which it serves.

ONE HUNDRED YEAR FLOOD: a flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has a one percent chance of occurring each year, although the flood may occur in any year).

PARKING BAY: a row of parking spaces abutting one another along the length of each space.

PARKING LOT: a facility providing off-street parking space for five (5) or more motor vehicles.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE: Act of 1968, July 31, P.L. 805, as amended (53 P.S. 10101 et seq.).

PERMANENT FOUNDATION: A permanent foundation shall consist of no less than footers or masonry construction set well below the frost line. Such foundation shall be constructed to leave no unnecessary open space between the mobile home and the foundation, except for windows or other openings as might be necessary for purposes such as floodproofing.

PLANNING COMMITTEE: the planning committee established for this municipality pursuant to Article II of the Pennsylvania Municipalities Planning Code.

PLANNED RESIDENTIAL DEVELOPMENT: an area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of a municipal zoning ordinance.

PLANNING AGENCY: a planning commission, planning department, or a planning committee of the governing body.

PREMISES: any lot and any structure constructed thereon.

PRIVATE: not publicly owned, operated or controlled by a governmental unit or a governmental agency.

PUBLIC: owned, operated, or controlled by a governmental unit or a governmental agency.

PUBLIC HEARING: a formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this act.

PUBLIC NOTICE: notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

PUBLIC UTILITY FACILITY: for the purpose of this Chapter electric substations, automatic telephone exchanges, micro-relay stations and the like (but excluding public

sewer and water facilities, communications towers) and any other public utility corporation when exempted from the provisions of this Chapter by state law.

RENEWABLE ENERGY SOURCE: any method, process or substances whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy and excluding those sources of energy used in the fission and fusion processes.

RIDING STABLE AND ACADEMY: an establishment where horses are kept for riding or driving or are stabled for compensation as part of a club, association, ranch or similar establishment.

RIGHT-OF-WAY: a corridor of land set aside for use, in whole or in part, by a street.

RUNOFF: the surface water discharge or rate of discharge of a given watershed after a fall of rain, snow or other form of precipitation that does not enter the soil but runs off the surface of the land.

SCHOOL: any place offering instruction in any branch of knowledge under the supervision of the Commonwealth of Pennsylvania.

SEASONAL COTTAGE; SEASONAL DWELLING: a single family detached dwelling used for seasonal and temporary living purposes during any season by persons engaged in recreational pursuits.

SEDIMENTATION: the process by which mineral or organic matter is accumulated or deposited by the movement of wind or water, or by gravity.

SHOPPING CENTER: a group of two or more primary uses or structures used for retail sales and service occupying a lot in single ownership.

SPECIAL EXCEPTION: a use permitted in a particular zoning district pursuant to the provisions of Articles VI and IX of the Pennsylvania Municipalities Planning Code.

STEEP SLOPE: land whose slope (surfaces at all angles to the plane of the horizon) is twenty-five (25%) percent or more (a vertical difference of twenty-five (25) feet or more pre one hundred (100) feet of horizontal difference).

STREET: includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET LINE: the dividing line between a street and the lot; includes right-of-way line and front lot line.

STRUCTURE: any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISION: the division or re-division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: {Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBSTANTIAL IMPROVEMENT: any modification, alteration, reconstruction or improvement of any kind to an existing structure, to an extent or amount fifty (50%) percent or more of its market value, either (a) before the improvement, modification or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred.

SUBSTANTIALLY COMPLETED: where, in the judgment of the municipal engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to Section 509 of the Pennsylvania Municipalities Planning Code) of those improvements required as a condition for final approval have been completed in accordance with the approved plan.

SUMMER COTTAGE: a single family detached dwelling used for seasonal and temporary living purposes during any season by persons engaged in recreational pursuits.

SUMMER SPORTS AREA: an establishment or facility providing outdoor recreation during the summer or warm weather period of the year, such as golf course, golf ball driving ranges, batting cages, baseball, football, soccer and other sports playing fields.

TEMPORARY USE: a use permitted for a fixed period of time with the obligation and intent to discontinue the use at the end of such time. Such uses do not involve the construction or alteration of any permanent structure.

TOURIST HOME: a single family dwelling in which overnight accommodations are provided as offered for transient guests for compensation and where the provider of accommodations resides in the dwelling.

TRANSFERRABLE DEVELOPMENT-RIGHTS: the attaching of development rights to specific rights to specified lands which are desired by a municipality to be kept

undeveloped, but permitting those rights to be transferred from those lands so that the development potential which they represent may occur on other lands where more intensive development is deemed to be appropriate.

USE: any purpose for which a lot or structure may be designed, arranged, intended, maintained or occupied, or any activity, occupation, business or operation carried on in a structure on a lot.

PRIMARY USE: the principal use of a lot or structure.

ACCESSORY USE: the use of land which is (1) customarily incidental; and (2) inferior, secondary and subordinate to the primary use, and located on the same lot with such unless specifically permitted elsewhere herein.

VARIANCE: relief granted pursuant to the provisions of Articles VI and IX of the Pennsylvania Municipalities Planning Code.

VISITOR'S CENTER: the use of land and structure or part thereof, which is open to the general public and designed for the dissemination of information. Such information may include, but shall not be limited to, exhibits, maps, brochures, pamphlets, and similar items.

WATER SURVEY: an inventory of the source, quantity, yield and use of groundwater and surface-water resources within a municipality.

WINTER SPORTS AREA: an establishment or facility providing outdoor recreation during the winter, such as skiing, sledding, and skating.

YARD: an unoccupied space, open to the sky, extending from the lot line to a structure. The size of a required yard shall be measured as the shortest distance between the structure and lot line.

FRONT YARD: the yard extending the full length of the front lot line.

SIDE YARD: a yard extending along the side lot line from the required front yard to the required rear yard setback area.

REAR YARD: the yard extending the full length of the rear lot line.

BUFFER YARD: a yard covered with vegetation and designed to provide an area of separation between different districts or uses.

YARD SETBACK AREA: an area bounded by a lot line and a line drawn parallel to the lot line at a distance specified in the Ordinance for front, side, or rear yard setbacks.

**ARTICLE XIII
REPEALER AND EFFECTIVE DATE**

13.00 REPEALER

The existing Zoning Ordinance, adopted June 1980, and titled Loganton Borough Zoning Ordinance, and all supplements and amendments thereto, are hereby repealed. Provided, however, if the present ordinance is held to be ineffective or invalid by reason of some irregularity in or impediment to its passage, this repealer shall also be ineffective as aforesaid. Then and in an event, the Zoning Ordinance of 1980, together with its supplements and amendments, would necessarily remain in full force effect.

13.01 EFFECTIVE DATE

The effective date of this Ordinance shall be fourteen (14) days after the date of enactment.

13.02 ENACTMENT

Enacted and ordained into an Ordinance this 9 day of December 1999.

Loganton Borough Council

W. DeLuca

Raymond A. Phillips

John P. Ruff

John A. Hauler

David F. Oros

Constance L. Shaffer

William T. Sayers

ATTEST:

Carol A. Brungard

Carol Brungard, Secretary

