

AMENDMENTS
TO THE
**PORTER TOWNSHIP
ZONING ORDINANCE**

(adopted September 17, 1998)

ZONING ORDINANCE #48-6/03

Prepared by the
PORTER TOWNSHIP PLANNING COMMISSION
PORTER TOWNSHIP BOARD OF SUPERVISORS
PORTER TOWNSHIP SECRETARY
and the
PORTER TOWNSHIP ZONING OFFICER

with the Assistance of
LANDPLAN, INC.
Professional Planning & Development Consultant

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Article I

General Provisions

Section 1.01 **Repeal Provision; Short Title; Effective Date; Purpose; Interpretation; Conflict; Validity**

1. **Repeal Provisions** - The Porter Township Zoning Ordinance of 1964 and all amendments thereto are hereby repealed.
2. **Short Title** - This Chapter shall be known and may be cited as the "Porter Township Zoning Ordinance of 1998."
3. **Amendments for 1998**
4. **Purpose** - This Chapter is enacted to promote, protect and facilitate the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, the provision of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewage, schools, public grounds and other public requirements, as well as to prevent overcrowding of land, blight, danger, and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers. This Chapter is enacted in accordance with an overall program, and with consideration for the character of the Township, its various parts and the suitability of the various parts for particular uses and structures.
5. **Scope** - From and after the effective date of this Chapter, the use of all land and every building or portion of a building erected, altered with respect to height and area, added to, or relocated, and every use within a building or use accessory thereto, in the Township of Porter shall be in conformity with the provisions of this Chapter. Any existing building or land not in conformity with the regulations herein prescribed shall be regarded as nonconforming but may be continued, extended, or changed subject to the special regulations herein provided with respect to nonconforming buildings or uses.
6. **Interpretation** - In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of the health, safety and general welfare of the residents of the Township.
 - A. Whenever any regulations made under authority of this ordinance require a greater width or size of yards, courts or other open spaces, or require a lower height of buildings or smaller number of stories, or
 - B. Whenever the provisions of any other statute require greater width or size of yards, courts or other spaces, or require a greater percentage of lot

to be left unoccupied, or impose other higher standards that are required by any regulations made under authority of this Ordinance, the provisions of such statute shall govern.

C. Whenever any regulations pertaining to a specific use or activity under authority of this Ordinance require a greater width or size of yards, courts or other open spaces, or require a lower height of buildings or smaller number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required for the zoning district or generally required under this Ordinance, the greater or higher standards shall govern.

D. Uses Not Provided For. Whenever, in any District established under Chapter 27, 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 Zoning Officer shall refer the application to the Zoning Hearing Board. The Board has the authority to permit or deny the use. However, the use shall be permitted if it is similar to and compatible with permitted uses in the District and in no way is in conflict with the general purpose and intent of this Chapter.

The Porter Township Supervisors state the following legislative finding with respect to land use, density of population, location and function of roads, and other community facilities and utilities, which the board believes relevant in establishing community development objectives.

Maintain the agricultural productivity of prime soils and assure the continuance of farming as an important commercial operation and life style. Minimize the impact of residential development on agriculture and ensure that normal farm practices will not be affected by such development

1. Guide community development to encourage the retention of agricultural activity while permitting residential construction in rural-suburban residential character, with sufficient commercial enterprise to satisfy community needs and enough industrial employment to assure fiscal health.
2. Bring about and maintain standards of construction which protect the health, safety, and welfare of Township citizens singly and collectively.
3. Encourage the design of new residential construction in a wide range of housing for people of all income levels, age, large or small families, race or creed.
4. Extend sewer and water services whenever practicable to existing population centers that are experiencing water or septic

problems, and to where growth is both anticipated and recommended based on the most appropriate land use.

5. Encourage variety and efficient land use in residential development through provision by ordinance for flexibility in design, density, and building type. Particularly desirable are plans of superior quality because of better layout, better streets, lighting and other facilities; more efficient use of land with a corresponding greater allocation of open space; and a more comprehensive design in terms of serving people's needs.
 6. Encourage the retention in open space or low density use of those land areas such as streamsides, mountain areas and steep slopes, and flood plains less suitable or unsuitable for building. The overall objective of this goal is to maintain for public welfare the natural watershed and drainage system in the Township. Benefits which may accrue are environmental - tending to protect the rural character in spite of residential growth - and financial, in that storm drainage systems would be greatly reduced in scope and cost, and flood damage problems would not occur.
 7. Provide for the addition of industry in the Township under high standards of design and construction.
 8. Limit growth of extensive commercial enterprise to the central area of Township where adequate access can be provided and public facilities are available. Promote greater efficiency and improved appearance in commercial uses through careful application of the design standards. Remote neighborhoods and Planned Residential Development should have available neighborhood shops for staple items.
 9. Develop a recreational program by acquiring and improving additional park land.
 10. Aid in bringing about the most beneficial relationship between land use and the circulation of traffic throughout the Township, having particular regard to traffic and to the avoidance of congestion in the streets and provision of safe and convenient access appropriate to the various land uses.
 11. Bring about, through proper timing, the gradual conformity of land use to Comprehensive Plan and minimize conflicts among users of land in business.
7. **Conflict** - It is not intended by this Chapter to repeal, abrogate, annul or interfere with any existing ordinances or enactment's, or with any rule, regulation or permit adopted or issued thereunder, except insofar as the same may be

inconsistent or in conflict with any of the provisions of this Chapter, provided that where this Chapter imposes greater restrictions upon the use of buildings or land, or upon the height and bulk of buildings, or prescribes larger open spaces than are required by the provisions of such ordinance, enactment, rule, regulation or permit, then the provisions of this Chapter shall control.

8. **Severability** - The provisions of this ordinance shall be severable, and if any of the provision shall be held or declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the validity of the remaining provisions of the ordinance shall not be affected. It is hereby declared as the Legislative intention that this ordinance would have been adopted had such illegal, invalid, or unconstitutional provisions not been included herein.

Section 1.02 **Establishment of Districts**

1. **Classes of Districts** - For the purpose of this Chapter, the Township of Porter is hereby divided into districts which shall be designated as follows:
 - A. Agricultural District;
 - B. Conservation District;
 - C. Residential District;
 - D. Village Residential District;
 - E. Neighborhood Commercial District;
 - F. Commercial Industrial;
2. **Zoning Map** - The areas within the Township of Porter, as assigned to each district and the location of the districts established by this Chapter, are shown upon the Zoning Map, which together with all explanatory matter thereon is attached to and is declared to be a part of this Chapter.
3. **District Boundary Lines** - The district boundary lines shall be as shown on the Zoning Map. District boundary lines are intended to coincide with lot lines, center lines of streets and alleys, railroad right-of-way, beds of streams existing at time of passage of this Chapter, the corporate boundary of the Township or as dimensioned on the map. In the event of dispute about the location of the boundary of any district, the Zoning Officer shall investigate and render a decision on the location of the line. Appeals from this decision shall be made to the Zoning Hearing Board. (Ord. 1977)

Section 1.03 **Definitions**

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of this Chapter, and words used in the present tense include the futures; the singular number shall include the plural, and the plural the singular; the word "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used, and the word "shall" is mandatory and not optional, the word "abut" shall include the words "directly across from."

ABANDONMENT - To cease or discontinue a use or activity, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

ABUTTING - Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.

ACCESSORY BUILDING - A building subordinate to the principal building on a lot and used for purposes customarily incidental to those of the principal building.

ACCESSORY USE - A use subordinate to the principal use of land or of a building on a lot and customarily incidental thereto.

ACT 247 - The Pennsylvania Municipalities Planning Code, as amended. The law, passed July 31, 1968, is the enabling legislation which permits municipalities in Pennsylvania to prepare and enact comprehensive development plans, zoning ordinances and other land use controls.

ADULT BUSINESS OR ENTERTAINMENT - An adult business or entertainment is any establishment which:

- A. In whole or in part sells, leases, dispenses or displays publications, photographs, drawings, posters, films, videos, or reproductions of any type depicting explicit or implicit sex acts or lewdness; or
- B. Exhibits or permits the exhibition of live sexual acts or implied sexual acts, or solicits or permits solicitation, of persons and/or animals for purposes of indulging in sexual relations or implied sexual relations.

AGRI-BUSINESS - For the purposes of this Ordinance, an agri-business shall be defined as an independent commercial use, related to agriculture or an agricultural activity, which may or may not be associated with an agricultural operation located on the same tract of ground.

AGRICULTURAL - The cultivation of soil and other uses of land including but not by way of limitation; horticulture, mushroom growing, and the breeding and raising of customary domestic animals, dairying, pasturing, floriculture, viticulture, apiculture, and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce provided however that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

AGRICULTURAL PROTECTION AREAS - Farmland preserved through the use of Pennsylvania Act 43, known as the "Agricultural Area Security Law" as signed into law. In effect, this Act provides a means by which agricultural land may be protected and enhanced as a viable segment of the County's economy, and an economic and environmental resource of major importance.

ALTERATIONS - As applied to building or structure, means a change or rearrangement in structural parts or in the existing facilities or an enlargement, whether by extending on side, front or back or by increasing height or the moving from one location or position to another.

AMMENDMENT - Revisions to the zoning text and/or the official zoning map; the authority for any amendment lies solely with the Porter Township Supervisors and is pursuant to the Pennsylvania Municipalities Planning Code.

ANIMAL EQUIVALENT UNIT (AEU) - One thousand pounds live weight of livestock or poultry animals, regardless of the actual number of individual animals comprising the unit. (See PA Nutrient Management Regulations for a listing of standard animal weights.)

APARTMENT BUILDING - A dwelling structure containing three (3) or more independent dwelling units, with or without separate outside access, excluding single-family attached dwelling structures as defined herein.

AQUIFER - A geological unit in which porous and permeable conditions exist and thus are capable of yielding usable amounts of water.

AQUIFER RECHARGE AREA - An area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into groundwater.

AREA, BUILDING - The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory building.

BASE FLOOD - The flood which has been selected to serve as the basis upon which the flood plain management provisions of this and other ordinances have been prepared; for purposes of this Chapter, the one hundred year flood.

BASE FLOOD ELEVATION - The one-hundred-year flood elevation. Within the Approximated Flood Plain the Base Flood Elevation shall be established as a point on the boundary of the Approximated Flood Plain which is necessary to the construction site in question.

BASEMENT - A basement is an enclosed area partly or completely below grade. It shall be considered a building story if more than thirty-three and one third percent (33 1/3%) of the perimeter walls are five feet (5') or more above grade and if the net area of the door or window openings in the exterior is at least equal to ten percent (10%) of the enclosed area.

BED AND BREAKFAST ESTABLISHMENT - An establishment, dwelling, or part thereof, in which individual rooms are offered for temporary lodging purposes by the owner or operator for limited periods of time. Breakfast or other meals may also be offered for overnight guests as a part of the lodging fee.

BILLBOARD OR ADVERTISING SIGN BOARD - A sign which attracts the attention of motorists or pedestrians to a business, product or activity which exists or occurs at a location other than the premises upon which the sign is situated; i.e. an off-premises sign.

BLOCK - A block is an area of land bounded by streets.

BOARD - The board of Supervisors of Porter Township.

BOARDING HOUSE - Any structure in which more than four (4) persons either individually or as a family are housing or lodge for hire with or without meals but without separate cooking or sanitary facilities. A rooming house, furnished room house, tourist home, or fraternity/sorority house shall be deemed a boarding house for the purpose of this Ordinance. Any dwelling containing one or more units with an occupancy of more than four (4) unrelated people in such unit shall also be deemed a boarding house.

BUILDING - A building is a structure which has enclosing walls and a roof including all buildings on lot.

BUILDING AREA - The area of a horizontal section of a building taken at its greatest outside dimensions on the ground floor, including all buildings on the lot.

BUILDING, PRINCIPAL - A building in which is conducted the principal use of the building site on which it is situated. In any residential district any dwelling shall be deemed to be a principal building on the lot on which the same is located

BUILDING SETBACK LINE - An established line within a property defining the minimum required distance between any building to be erected and an adjacent right-of-way, or street line.

BULK - A term used to describe the size of buildings or other structures and their relationships to each other, to open areas such as yards and to lot lines, and is used in conjunction with such expressions as:

- A. The size including height and floor area of building and other structures.
- B. The relation of the number of dwelling units in a residential building to the area of the lot.
- C. All open areas in yard space relating to buildings or other structures.

BUSINESS OFFICE - The office of a commercial or industrial enterprise providing administrative support for the operation and/or business services to the general public.

BUSINESS SIGN - A sign identifying a business, product, or activity located, available, or occurring on the same premises as the sign; i.e. an on-premises sign.

CAMP, CABIN OR VACATION HOME - A permanent building or structure intended for occupancy only occasionally during the year. For the purpose of this Ordinance, no camp, cabin or vacation home may be occupied for more than six (6) months in any calendar year.

CAMPGROUND OR RECREATIONAL VEHICLE PARK - A tract or tracts of ground, or portion thereof, used for the purpose of providing space for two (2) or more recreational vehicles, camps, or tents for camping purposes, with or without a fee charged for the leasing, renting or occupancy of such space.

CEMETERY - Property used for interring the dead.

CHURCH - A building or structure, or group of buildings or structures, which by design and construction are primarily intended for conducting organized religious or

worship services, and uses customarily accessory and incidental thereto. For the purposes of this Ordinance, uses such as schools, child day care or nursery facilities, social halls or similar places of assembly associated with the church shall require separate consideration and approval by Township officials.

CLUB and/or LODGE - Building utilized as a private club offering restaurant and/or bar privileges.

CLINTON COUNTY NATURAL HERITAGE INVENTORY - Adopted February 9, 1994, by the Clinton County Board of Commissioners.

COMMON OPEN SPACE – Common open space as required in a Planned Residential Development shall be defined as that area of land to be maintained for the use and enjoyment of residents and/or the general public. It shall consist of landscaped or natural terrain including lakes and streams and may include such buildings as are necessary to fulfill its permitted functions, but the area of common open space shall not include street rights-of-way or yard or off-street parking areas required for residential or other uses permitted by this Chapter.

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.

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO) - Agricultural operations where the animal density exceeds two (2) animal equivalent units (AEU) per acre on an annualized basis.

CONDITIONAL USE - A use that, owing to some special characteristics attendant to its operation or installation (for example, potential danger, smoke, or noise), is permitted in a district subject to approval by the Porter Township Board of Supervisors, and subject to special requirements, different from those usual

requirements for the district in which the conditional use may be located.

CONSERVATION EASEMENT - An easement granting a right or interest in real property that is appropriate to retaining land or water areas predominately in the natural, scenic, open, or wooded condition; retaining such areas as suitable habitat for fish, plants, or wildlife; or maintaining existing land uses.

CREMATORIUM - A building or structure containing a furnace used for cremation.

DAY CARE CENTER - A private facility enrolling more than 12 young children where tuition, fees, or other forms of compensation are charged for the care of the children, and which is licensed, inspected, and approved to operate as a child day care center by the PA Department of Public Welfare. (See also **NURSERY SCHOOL**. For the purposes of this Ordinance, such facilities may also provide care for adult, elderly, or handicapped persons.

DENSITY - A term used to express the amount of land allocated for a single usage within a lot.

DETACHED DWELLING - A detached dwelling is one which has yards on all four sides of the building.

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavations or drilling operations.

DOMESTIC ANIMAL - Any animal normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes, or normally or ordinarily kept as a household pet.

DISTRICT OR ZONING DISTRICT - An area constituted by or pursuant to this Ordinance and delineated by text and map as to location, extent, nature and contents.

DWELLING - A building or portion thereof that provides living facilities for one or more families.

DWELLING, SINGLE-FAMILY ATTACHED - See **TOWNHOUSE** and **SINGLE-FAMILY ATTACHED DWELLING STRUCTURE**.

DWELLING UNIT - One or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.

EASEMENT - The right of a person, government agency, or public utility company

to use public or private land owned by another for a specify purpose.

EATING ESTABLISHMENT - Any form of restaurant and/or tavern open to the public and dispensing food and drink.

ENLARGEMENT - an enlargement is an addition to the floor area of an existing building, an increase of size of another structure, or an increase in that portion of a lot occupied by an existing use.

ENTERTAINMENT ESTABLISHMENT, PUBLIC - An indoor facility operated as a business for profit, open to the public, for the purpose of providing entertainment, including but not limited to, bowling alleys, roller skating rinks, amusement arcades, motion picture theaters, health clubs, and similar types of establishments, but excluding adult entertainment facilities as described herein.

ESSENTIAL SERVICES - The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of buildings or other structures for operations of gas, electrical, steam or water transmission or distribution systems, collection, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies for the public health or safety or general welfare excluding Communications Towers and Communications Antennas, as defined herein.

EXTRACTIVE OPERATION - The commercial extraction of sand, gravel, clay, shale, rock or other natural mineral deposits from the earth, but excluding the extraction of oil or gas reserves.

FAMILY - A family is:

- A. A single person occupying a dwelling unit; or
- B. Two or more persons related by blood, marriage, adoption or as foster children occupying a dwelling unit, including not more than two (2) boarders, roomers, or lodgers; or
- C. Not more than three (3) unrelated persons occupying a dwelling unit, living together.

Notwithstanding the definition in the preceding paragraph a family shall be deemed to include four or more persons not related by blood or marriage occupying a dwelling unit and living as a single, non-profit housekeeping units if said occupants are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as

amended by the Fair Housing Amendments Act of 1988. Such unrelated individuals shall have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit as defined in the first paragraph of this definition.

FARM - A lot upon which residences and agricultural accessory buildings are permitted and which is used for agricultural purposes for livelihood.

FARM ANIMALS - For the purposes of this Ordinance, farm animals shall be defined to include cows, pigs, horses, sheep, llamas, goats, poultry or fowl, and other similar animals.

FARM PRODUCE STAND - A temporary or permanent booth, stand or shelter from which farm, nursery or greenhouse products raised or grown on the premises are offered for sale to the general public.

FARM-RELATED BUSINESS - For the purposes of this Ordinance, a farm-related business shall be defined as a commercial enterprise conducted on a farm parcel which is related to or supportive of the an on-going agricultural operation located on the same tract.

FISHING CREEK STORM WATER MANAGEMENT ORDINANCE - #30
Adopted September 2, 1996 by the Porter Township Supervisors

FLOOD - A general and temporary inundation of normally dry land areas.

FLOOD FRINGE - That portion of the 100-year flood plain outside the floodway.

FLOOD PLAIN - A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation and an area subject to the unusual and rapid accumulation or runoff of surface waters from any source. For the purpose of this Chapter, the one hundred year flood plain is as defined by the Federal Emergency Management Agency and the Federal Insurance Administration.

FLOODPROOFING - Any combination of structural and non-structural additions, changes or adjustments of properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures, and contents of buildings.

FLOODWAY - The channel of a river or other water course and the adjacent land areas required to carry and discharge a flood of a 100 year frequency without cumulatively increasing the water surface elevation more than one foot at any point.

FLOOR AREA - Floor area is the sum of the area of the several floors of a building

or buildings measured from the face of the exterior walls or from centerlines of walls separating two buildings. In particular, floor area includes but is not limited to the following:

- A. Basement space if it meets the requirement of a building story.
- B. Elevator shafts, stairwells, and attic space (whether or not a floor has been laid) providing structural headroom of eight feet (8') or more.
- C. Roofed terraces, exterior balconies, breezeways or porches, provided that over fifty percent (50%) of the perimeter of these is enclosed.
- D. Any other floor space used for dwelling purposes, no matter where located within the building.
- E. The area of accessory buildings.

FOREST INDUSTRIES - The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development. (See also LOGGING & SAWMILL.)

GARAGE AND YARD SALES - A sale to the public at a residential property of items not originally acquired for resale; provided, however, that the sale of farm products and sales by home occupations are excluded.

GARAGE, REPAIR - A building used primarily for making major repairs to motor vehicles, including overhauling, body work, refinishing, and upholstering and incidental servicing.

GASOLINE SERVICE STATION - A building and accompanying structures in which the sale of motor fuels constitutes twenty-five percent (25%) or more of gross income.

GREENHOUSE OR NURSERY - Buildings and/or land used to raise flowers, shrubs, trees and plants for subsequent sale.

GROUP HOME - A facility or dwelling unit housing four or more persons who are not within the second degree of kinship and are operating as a group family household, including but not limited to handicapped persons, foster children, elderly, battered children and women, and operates as a special treatment facility providing less than primary health care.

HEIGHT OF BUILDING - A building's vertical measurement from the mean level of the ground abutting the building to a point midway between the highest and

lowest points of the roof. (See § 801 (5) for exceptions.)

HEIGHT OF A COMMUNICATIONS TOWER - The vertical distance measured from the ground level to the highest point on a Communications Tower, including antennas mounted on the tower.

HEIGHT OF SIGN - The vertical distance measured from the ground level to the highest point on the sign itself and/or its supporting structure.

HOME OCCUPATION - (See Home Occupation, § 809).

HOME OWNERS ASSOCIATION - A formally constituted non-profit association or corporation made up of the property owners and/or residents of a fixed area; may take permanent responsibility for costs and upkeep of semiprivate community facilities.

HOUSEHOLD PET - Any dog, cat, or other domesticated animal which is normally and generally housed within the dwelling of its owner.

IMPROVEMENT - The construction of any type of structure or pavement excluding driveway.

INDUSTRIAL - A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

INSTITUTION - A building and grounds, a portion of which is used for the residence of more than three (3) unrelated persons who occupy the buildings for a common purpose; to include hospitals, convents, school dormitories, nursing homes, reformatories, and the like.

INSTITUTIONAL RESIDENCE - An establishment primarily engaged in the provision of residential, social and personal care for children, the elderly, and other special categories of persons with some limits on their ability for self-care, but where medical care is not a major element. Residents of these facilities are treated by staff in an institutional setting, rather than living independently. Such facilities may also require licensing by the PA Department of Public Health or other agencies. For the purposes of this Ordinance, such facilities shall not include halfway houses for delinquents, offenders and other adjudicated individuals, nor training schools for delinquents and other adjudicated individuals.

INSTITUTIONAL USE - A private, non-profit or public use or facility such as a church, school, library, hospital, nursing home, personal care home, cemetery,

government or public service building, or municipally-owned land used for public purposes.

JUNK - Any worn, cast-off or discarded article or material which is ready for destruction or which has been collected or stored for sale, resale, salvage or conversion to some other use. Any such article or material which, unaltered, not needed to be disassembled or unfastened from, or unchanged and without further reconditioning can be used for its original purpose as readily as when new shall not be considered junk.

JUNK, AUTOMOBILE - motor vehicle not in running condition, stored in the open, not being restored to operation, unlicensed and without a current Pennsylvania State inspection sticker.

JUNK YARD - The use of more than one hundred (100) square feet of the area of any lot for the storage, keeping or abandonment of junk, including scrap material from the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereto. A "junk yard" shall include an automobile graveyard or motor vehicle graveyard.

KENNEL - Any structure pen or area set aside for the breeding, boarding, showing, grooming or keeping of dogs, cats or similar domestic animals. For purposes of this Chapter, the keeping of four (4) or more such animals shall be deemed a kennel.

LAND DEVELOPMENT - Any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:
 1. A group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or
 2. 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.
- B. A subdivision of land.

C. Development in accordance with Section 503 (1.1), Article V of Act 247, as amended.

LAND OWNER - 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.

LOGGING - The act of cutting trees for cord wood, for timber, for pulp or for any commercial purpose, excepting therefrom a person cutting on his own property or the property of another, with his permission, for his own or his family's use, the clearing of less than one (1) acre for development of building sites, or the clearing for farm operations, if there is no altering of natural drainage.

of LOT - A parcel of land separately described by metes and bounds. The description which is recorded in the Office of the Recorder of Deeds of Clinton County by deed description or is described by an approved subdivision plan recorded in the Office of the Recorder of Deeds of Clinton County.

LOT, CORNER - One bounded on at least two sides by streets, whenever the lines of such streets extended form an interior angle of one hundred thirty-five (135°) or less. Both yards adjacent to streets shall be considered front yards. The remaining two yards shall be side yards.

LOT AREA - The area of land included within the title lines of a lot except the area within the title lines set aside as right-of-way for a street.

lot LOT COVERAGE - The ration of the total ground floor area of all buildings on a to the total area of the lot on which they are located.

LOT LINE, FRONT - the front lot line is the line separating the lot from the street right-of-way.

LOT LINE, REAR - Any line, except the front lot line, which is parallel to, or within forty-five degrees (45°) of being parallel to, and does not intersect any street line.

LOT LINE, SIDE - Any lot line which is not a front lot line or a rear lot line.

LOT OF RECORD - A lot whose existence, location, and dimensions have been legally recorded or registered in a deed or on a plat.

LOT WIDTH - The horizontal distance between side lot lines measured at right angles to the lot depth.

MEASUREMENTS, DE MINIMUS - Any measurement required by this Chapter which falls within two (2') feet of the requirement. Such de minimis measurements shall be considered unenforceable.

MINING OR QUARRYING - See EXTRACTIVE OPERATION.

MOBILE HOME - A transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two 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 PARK - A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

MOBILE HOME LOT - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

MULTI-SERVICE CONVENIENCE PLAZA - For the purposes of this Ordinance, a multi-service convenience plaza shall be defined as group of three (3) or more commercial establishments which have been planned, developed and managed as a unit, whether contained in one building or multiple buildings on the same tract of ground.

NEW CONSTRUCTION - Structures for which the Start of Construction as herein defined commenced on or after the effective date of this Chapter. This term does not apply to any work on a structure existing before the effective date of this Chapter.

NONCONFORMING LOT - A lot 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 provisions in this Zoning Chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this Chapter or amendment or prior to the application of this Chapter 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 this Zoning Chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the application of this Chapter or amendment to its location by reason of annexation.

NURSERY SCHOOL - A school for children primarily between the ages of three and five, providing preparation for kindergarten or elementary school; i.e. pre-school. For the purposes of this Ordinance, a nursery school may also provide day care services.

NURSING HOME - A State-licensed institutional facility which provides full-time convalescent or chronic nursing and/or medical care. Such facilities shall not provide surgical, obstetrical, or other services generally provided by a hospital.

OFF-SITE SEWER SERVICE - The disposal of sewage by the use of a sanitary sewer system approved by the Pennsylvania Department of Environmental Resources, which system is located primarily off of the lot.

OFF-SITE WATER SERVICE - Off-site water service is a safe, adequate and healthful supply of water to more than one user from a common source approved by the Pennsylvania Department of Environmental Resources.

ON-SITE SEWER SERVICE - On-site sewer service is the disposal of sewage by use of cesspools, septic tanks, or other safe and healthful means within the confines of the lot on which the use is located.

ON-SITE WATER SERVICE - On-site water service is a safe, adequate and healthful supply of water to a single user from a private well.

ONE HUNDRED YEAR FLOOD - A flood that has one chance in one hundred or a one percent (1%) chance of being equaled or exceeded in any year. For the purposes of this Chapter, the One Hundred Year Flood (Base Flood) as defined by the Federal Insurance Administration, Federal Emergency Management Agency, in the Flood Insurance Study, Porter Township, Clinton County, Pennsylvania.

OPEN SPACE - Any parcel or designated land area in its natural state or essentially unencumbered by either principal or accessory uses, buildings, structures, or impervious surfaces.

OPEN SPACE, COMMON - 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 area, and areas set aside for public facilities.

OUTDOOR RECREATION, PUBLIC OR PRIVATE - A park or park-type facility providing outdoor recreational enjoyment or activities, either for free or on a fee basis. Such facilities may include, but need not be limited to, tennis or basketball courts, baseball or other athletic fields, swimming, hiking or picnic areas, and playgrounds. Such facilities may also include buildings and accessory structures.

PARKING LOT - Five (5) or more contiguous off-street parking spaces. [Ord. 5/1/1989]

PARKING SPACE - An area on a lot and/or within a building intended for the use of temporary parking of a personal vehicle. This term is used interchangeably with parking stall. Each parking space must have a means of access to a public street. Tandem parking stalls in single-family detached, single-family attached, and townhouse residential uses shall be considered to have a means of access to a public street.

PAVED AREA - When required under this Chapter, that amount of land required for the location of adequate parking space, driveways, or other access roads. In the computation of such, the actual building area shall be excluded.

PERSON - The word "person" included an individual, corporation, partnership, incorporator's association, or any other similar entity.

PERSONAL CARE HOME - A State-licensed institutional facility providing supervised care services, including meals and less than full-time skilled or intermediate nursing care, for individuals, usually the elderly.

PERSONAL SERVICE ESTABLISHMENT - A building or a portion of a building in which personal services are offered to the general public. Examples of such uses include agents, barbers, beauticians, cleaners, doctors, Laundromat, lawyers, optometrists, photographers, post offices, repairing, tailors, undertakers, and utility collections offices.

PERSONAL STORAGE WAREHOUSE - A warehouse facility where separate storage spaces of varying sizes are available for lease or rental to the general public. For the purposes of this Ordinance, there shall be no residential occupancy of, nor commercial sales from such storage areas.

PLANNED RESIDENTIAL DEVELOPMENT - an area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, the development plan for which does not correspond in lot size, bulk or type of dwelling, density, lot coverage and required open space to the regulations established in anyone residential district created, from time to time, under the provisions of this Zoning Chapter.

PLANNING COMMISSION - The Planning Commission of Porter Township.

PRINCIPAL BUILDING - A structure in which the principal use of the site is conducted.

PRINCIPAL USE - The main use of land or structures, as distinguished from a secondary or accessory use.

PRINCIPALLY ABOVE GROUND - Where a least fifty-one percent (51%) of the actual cash value of a structure, less land value, is above ground.

PRIVATE - Any activity limited to members of an organization or to persons specifically invited where no advertisement or inducement has been made to the general public.

PROCESSING - A function involved in the manufacture of materials, goods, or products in which they are not physically changed except for packaging or sizing.

PRODUCTION - A function involved in the manufacture of materials, goods, or products in which they are physically changed.

PROFESSIONAL OFFICE - The office of a member of a recognized profession, including but not limited to, a real estate or insurance agent, a physician or dentist, an attorney, accountant, architect, or engineer. A professional office may be considered a home occupation when conducted from a residence, by a member of the resident family, and when the office is clearly secondary to the residential use of the dwelling.

PUBLIC - Any use in which the general public is involved.

PUBLIC HEARING - A formal meeting held, pursuant to public notice by the governing body or planning agency, intended to form and obtain public comment prior to taking action in accordance with Act 170.

PUBLIC NOTICE - Notice published once each week for two successive weeks in a newspaper of general circulation in the Township. 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 be the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days or less than seven (7) days from the date of the hearing.

PUBLIC UTILITY TRANSMISSION TOWER - A Structure, owned and operated by a public utility electric company regulated by the Pennsylvania Public Utility Commission, designed and used to support overhead electricity transmission lines.

RECREATIONAL VEHICLE - A portable or mobile vehicle used for temporary living or sleeping accommodation, without a permanent foundation. For the purposes of this Ordinance, recreational vehicles shall include travel trailers, house

trailers, truck campers, motor homes, and other similar types of vehicles used for recreational, camping or travel purposes.

RESIDENTIAL CLUSTER DEVELOPMENT - A large-scale residential development in which individual dwelling units or buildings are grouped together rather than spread out on conventional lots. Modification or reduction of the minimum lot and yard requirements are permitted in exchange for an equivalent amount of land in open space to be preserved for scenic, recreation, or conservation purposes.

RIGHT-OF-WAY - A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or other special use.

SANITARY LANDFILL - A lot or land or part thereof used primarily for the disposal of garbage, refuse, and other discarded materials including, but not limited to, solid and liquid waste materials resulting from industrial, commercial, agricultural, and residential activities and approved by the PA Department of Environmental Resources.

SAWMILL - A business establishment equipped with machinery for cutting timber into lumber or boards.

SCHOOL - An institutional establishment or facility, or part thereof, which is designed, constructed, or used for public or private education or instruction in any branch of knowledge. For the purposes of this Ordinance, such facilities shall not include halfway homes or training facilities for delinquents, offenders, and other adjudicated individuals, nor other detentional facilities providing residential or "live-in" services.

SETBACK - The required minimum horizontal distance between the building line and the related front, side, or rear property line.

SHOPPING CENTER - the multiple use of a single property for the retail sale of such things as dry goods, variety and general merchandise, clothing, food, flowers, drugs, household supplies or furnishings, sale or repair of jewelry, watches and clocks, optical goods, or musical, professional or scientific instruments; the provision of personal services such as barber shops, banks cosmetology salons, laundry or Laundromats, and cleaning and pressing shops, and for such purposes as theaters or bowling alleys.

SIGN - A sign is any letter, word, model, device, symbol, or representation intended as an announcement, direction or advertisement and may be (1) either free-standing or attached to another structure, or (2) painted on the exterior wall of a building or other structure.

SIGN AREA - The entire face of a single side of a sign, including all advertising surface and any framing, trim, molding, or border area, but excluding any supporting framework or bracing.

SINGLE-FAMILY ATTACHED DWELLING STRUCTURE - A residential dwelling structure which contains a minimum of three (3) and a maximum of six (6) townhouse units.

SINGLE-FAMILY DETACHED DWELLING - A dwelling structure containing one (1) dwelling unit from ground to roof, having independent outside access and open space on all sides, including a mobile home as defined below.

START OF CONSTRUCTION - The occurrence of any of the following, whichever first occurs:

- A. Placement of any permanent construction of a structure or a mobile home upon a site such as pouring of slabs or footings;
- B. Land preparation such as clearing, grading and filling;
- C. The installation of walkways;
- D. Excavation of a basement, footings, piers or foundations or the erection of temporary forms;
- E. Installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not as part of the main structures.

STORAGE - An activity involving the depositing of materials, goods, or products for safekeeping.

STORY - That portion of a building located between the surface of any floor and the ceiling or roof next above it.

STREET - A way intended for general public use to provide means of approach for vehicles and pedestrians. The word "street" includes the word "road" "highway", "thoroughfare" and "way."

STREET, CENTER LINE OF - A line which is an equal distance from both street lines.

STREET GRADE - The officially established grade of the road upon which a lot fronts, or in its absence the established grade of roads upon which the lot abuts, at the midpoint of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the road at such mid-point shall be taken as the road grade.

STREET LINE - The right-of-way of a street.

STRUCTURE - Any thing built, constructed or erected which requires location on the ground or attachment to something located on the ground.

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, transfer of ownership or building or lot development: provided, however, that the subdivision by lease of land for agricultural purposes into parcels or more than ten acres, not involving any new street or easement of access or residential dwellings, shall be exempted.

SUBSTANTIAL IMPROVEMENT - Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either:

- A. Before the improvement or repair is started or;
- B. If the structure has been damaged, and is being restored, before the damage occurred.

For purposes of this definition "substantial improvements" is considered to occur when the first alteration of any well, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

- A. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
- B. Any alteration of a structure listed on the National Register of Historic Places of a State Inventory of Historic Places.

SWIMMING POOL - A body of water in an artificial container, whether located in or on the ground, having a depth at any point of more than two (2) feet or a surface area of 250 square feet, used or intended to be used for swimming by children and/or adults, excluding "kiddy" or wading pools. Swimming pools may be permitted as accessory uses in all zoning districts.

TEMPORARY - Lasting for a limited time

TOWNHOUSE - A single dwelling unit from ground to roof with independent outside access and a portion of one or more walls in common with an adjoining dwelling unit(s).

TOWNSHIP - The Township of Porter.

TRACT - One or more lots assembled for the purpose of development under the Planned Residential Development provisions of this Chapter.

TWO-FAMILY DWELLING - A dwelling structure containing two (2) independent dwelling units which are entirely separated by vertical walls or horizontal floors, unpierced except for access to the outside or a common basement or cellar; i.e. a duplex.

VARIANCE - A modification of the literal provisions of this Ordinance which the Zoning Hearing Board is permitted to grant when strict enforcement would cause undue hardship owing to circumstances unique to the individual property on which the variance is sought.

WETLANDS - Land that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The term includes, but is not limited to, swamps, bogs, marshes, and marine meadows.

YARD - A yard is that portion of a lot which is unoccupied and open to the sky and extends from the lot line to the building setback line.

YARD, FRONT - A yard extending along the full-length of the front lot line to the nearest point of the building setback line.

YARD, REAR - A yard extending the full width of the lot along the rear lot line and extending in depth from the rear a lot line to the nearest point of the building setback line.

YARD, SIDE - A yard extending the full length of the lot along a side lot line and extending in width from such side lot line to the nearest point of the building setback line.

ZONING HEARING BOARD - The Zoning Hearing Board of Porter Township.

ZONING MAP - The official zoning map of Porter Township, together with all notations, references and amendments which may subsequently be adopted. The zoning map shall be considered a part of this Ordinance.

ZONING OFFICER - The administrative officer charged with the duty of enforcing the provisions of this Ordinance.

ZONING PERMIT - A permit stating that the purpose for which a building or

land is to be used is in conformity with the uses permitted and all other requirements under this Ordinance for the District in which it is located.

Article II

AGRICULTURAL DISTRICT

Section 2.01 Intent

It is the purpose of this District to provide for continued agricultural activity in all of the areas of the Township where such use is suitable. While residential subdivision and construction is permitted, it is not encouraged by the provision of increased densities or by the planned provision of public facilities. The encouragement and preservation of agricultural activity wherever possible is in the best interests of the people of the Township and the population in general.

Section 2.02 Use Regulations

1. A building may be erected, altered or used and a lot may be used occupied for any of the following purposed, and no other, as a permitted use:
 - A. Agriculture.
 - B. Farm residence and accessory buildings.
 - C. Single-Family detached dwelling.
 - D. Fish hatcheries.
 - E. Forest Industries.
 - F. Processing agricultural products produced on the premises.
 - G. Creameries, Milk-bottling plants.
 - H. Restaurants and farm produce stands where incidental to permitted use.
 - I. Commercial Stables.
 - J. Cemeteries or Mausoleums.
 - K. Outdoor Recreation, public or private.

- L. Airports and Landing Fields.
- M. Essential Services.
- N. Home Occupations.
- O. Kennels.
- P. Any accessory use or structure customarily appurtenant to a permitted use.
- Q. Communication Antennas mounted on existing Public Utility Transmission Tower, Building or other Structure, and Communications Equipment Buildings.
- R. Bed and Breakfast Establishments.
- S. Group Homes.
- T. Greenhouses or Nurseries.
- U. Sawmills.
- V. Camp, Cabin or Vacation Homes.
- W. Farm-related Businesses.

2. Conditional Uses - The following uses may be approved as conditional uses when authorized by the procedure outlined in Section § 1106.

- A. School.
- B. Church.
- C. Billboards.
- D. Communication Towers and Communications Equipment Buildings.
- E. Mobile Home Park.
-  F. Residential Cluster Developments.
- G. Day Care Centers or Nursery Schools.
- H. Personal Care or Nursing Homes.

- I. Institutional Residences.
- J. Concentrated Animal Feeding Operations.
- K. Agri-Businesses.
- L. Crematoriums.

Section 2.03 Area and Bulk Regulations

1. The following regulation shall apply to permitted uses:

Lot Area (minimum) [Ord. 11]	- 30,000 sq. ft.
Building Setback Line (minimum)	- 50 feet
Lot Width at Street Line (minimum)	- 75 feet
Rear Yard (minimum)	- 20 feet
Side Yard (minimum)	- 10 feet
Side Yard for Agricultural Buildings (minimum)	- 50 feet
Lot Coverage (maximum)	-15 percent

2. The following regulations shall apply to conditional uses:

- A. All commercial uses permitted under § 202 (2) shall comply with the Area & Bulk Regulations as specified in § 703.
- B. All other conditional uses in this district shall be subject to the following regulations:

Lot Coverage (maximum)	-15 percent
Lot Area (minimum)	
Church	- 3 acres
Concentrated Animal Feeding Operations	- 25 acres
Institution	- 2 acres
Residential Cluster Development	- 25 acres
School	- 5 acres
Building Setback Line (minimum)	- 50 feet

Lot Width at Street (minimum)	- 50 feet
All Yards (minimum)	- 50 feet

Section 2.04 **Standards**

1. All permitted uses and conditional uses shall be subject to applicable regulations in Article VIII - Use Regulations.
2. All mobile homes intended for permanent occupancy must, within thirty (30) days after being placed on a permanent foundation, have skirting installed completely around said mobile home.

Article III

Conservation District

Section 3.01 Intent

The mountainous areas of Big Mountain on the south and Bald Eagle on the north are not suited for extensive development because of the very steep slopes and because the shallow soils in many areas prevent the proper construction of on-site sewage disposal systems.

Insofar as possible, it is the intent of the Conservation District to preserve this extensively wooded area in uses devoted to forestry and recreation.

Section 3.02 Use Regulations

1. A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes, and no other, as a permitted use:
 - A. Agriculture.
 - B. Farm residential and accessory buildings.
 - C. Single family detached dwellings.
 - D. Forest industries.
 - E. Fish hatcheries.
 - F. Outdoor recreation, public or private.
 - G. Essential services.
 - H. Home occupations.
 - I. Kennels.
 - J. Communications Antennas mounted on existing Public Utility Transmission Towers, Building, or other Structure, and Communications Equipment Buildings.
 - K. Communications Towers and Communications Equipment Buildings.
 - L. Any accessory use or structure customarily appurtenant to a permitted

use.

- M. Greenhouses or Nurseries.
- N. Sawmills.
- O. Camps, Cabins or Vacation Homes.
- P. Campgrounds or Recreational Vehicle Parks.

2. The following uses may be approved as conditional uses when authorized by the procedures outlined in § 1106.

- A. Junk Yard
- B. Adult Business or Entertainment
- C. Mining, Quarrying, and Extractive Operations

Section 3.03 **Area and Bulk Regulations**

1. The following regulation shall apply to permitted uses:

Lot Area (minimum) [Ord. 11]	- 5 acres.
Building Setback Line (minimum)	- 75 feet
Lot Width at Street Line (minimum)	- 50 feet
Rear Yard (minimum)	- 50 feet
Side Yard (minimum)	- 50 feet
Building Height (maximum)	- 40 feet
Lot Coverage (maximum)	- 5 percent
Paved Area (maximum)	- 10 percent

Section 3.04 **Standards**

1. All permitted uses and conditional uses shall be subject to applicable regulations in Article VIII - Use Regulations
2. All mobile homes intended for permanent occupancy must, within thirty (30) days after being placed on a permanent foundation, have skirting installed completely around said mobile home.

Article IV

Residential District

Section 4.01 Intent

It is the purpose of this District to encourage residential development in an area of the Township where public water and sewer services are planned. Lots of sufficient size are provided for on-site disposal and water until public facilities become available. If public sewers are not provided, capped sewers will be required in anticipation of future public sewer service. The Planned Residential Development concept is included to provide for improved design of residential development along with preservation of open space.

Section 4.02 Use Regulations

1. A building may be erected, altered or used and a lot maybe used or occupied for any of the following purposes and no other, as a permitted use:
 - A. Single-family detached dwellings.
 - B. Outdoor recreation, public or private.
 - C. Essential Services
 - D. Home occupations.
 - E. Any accessory use or structure customarily appurtenant to a permitted use.
2. The following uses may be approved as conditional uses when authorized by the procedures outlined in § 1106.
 - A. School.
 - B. Church.
 - C. Communications Antennas mounted on existing Public Utility Transmission Tower, Building, or other Structure, and Communications Equipment Buildings.
 - D. Planned Residential Developments, subject to the further regulation in Article IX of this Chapter.

E. Two-family Dwellings; i.e. duplexes.

Section 4.03 Area and Bulk Regulations

1. Single-family detached and two-family dwellings with on-site sewer service.

Lot Area	30,000 sq. ft.
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2. Single-family detached dwellings with off-site sewer service and on-site water service:

Lot Area (minimum)	22,000 sq. ft.
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3. Two-family dwellings with off-site sewer service and on-site water service:

Lot Area (minimum)	14,000 sq. ft. per dwelling unit
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4. Single-family detached dwellings with off-site sewer service and off-site water service:

Lot Area (minimum)	18,000 sq. ft.
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5. Two-family dwellings with off-site sewer service and off-site water service:

Lot Area (minimum)	12,000 sq. ft. per dwelling unit
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6. All single-family detached and two-family dwellings:

Lot Width at Street Line (minimum)	75 feet
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Lot Coverage (maximum)	20 percent
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Building Setback Line (minimum)	40 feet
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Side Yards (minimum)	15 feet
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Rear Yards (minimum)	25 feet
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Side Yards for agricultural	50 feet
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Building height (minimum)	40 feet
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7. Recreation and conditional uses:

Lot Area (minimum)	
Recreation	3 acres
Church	3 acres
Institution	2 acres
School	5 acres
Lot Width at Street Line (minimum)	75 feet
Lot Coverage (maximum)	15 percent
Building Setback Line (minimum)	40 feet
Side Yards (minimum)	25 feet
Rear Yards (minimum)	50 feet

Section 4.04 **Standards**

1. All permitted uses and conditional uses shall be subject to applicable regulations in Article VIII - Use Regulations.
2. All mobile homes intended for permanent occupancy must, within thirty (30) days after being placed on a permanent foundation, have skirting installed completely around said mobile home.

Article V

Village Residential District

Section 5.01 Intent

The purpose of this district is to provide for continuation and orderly growth of the village areas of Lamar and Clintondale. Until public sewer facilities are available, the existing single-family pattern in these villages is continued. Limited density apartment and townhouse zoning is provided for the future when public sewer is completed. Until such a time, larger lots than currently existing are called for to minimize the problems with on-site disposal systems in this area.

Section 5.02 Use Regulations

1. A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes, and no other, as a permitted use.
 - A. Single-family detached dwellings.
 - B. Funeral homes.
 - C. Outdoor recreation, public or private.
 - D. Conversion of dwellings to provide for not more than two (2) dwelling units in a single structure, but no commercial or manufacturing structure, originally designed for other than residential use shall be converted to a dwelling structure, nor shall any such structure which was so converted prior to the adoption of this Chapter be further converted to provide for additional dwelling units.
 - E. Essential Services.
 - F. Home occupations.
 - G. Any accessory use or structure customarily appurtenant to a permitted use.
 - H. Two-family Dwellings; i.e. duplexes.
 - I. Clubs and/or Lodges.
 - J. Group Homes.

2. The following uses may be approved as conditional uses when authorized by the procedures outlined in § 1106.

- A. School.
- B. Church.
- C. Apartments and townhouses.
- D. Post Office.
- E. Municipal, State and Federal Offices and Service Facilities.
- F. Communications Antenna mounted on existing Public Utility Transmission Tower, Building, or other Structure, and Communications Equipment Buildings.
- G. Bed and Breakfast Establishments.
- H. Day Care Centers or Nursery Schools.
- I. Personal Care or Nursing Homes.
- J. Boarding Houses.

Section 5.03 Area and Bulk Regulations

The following regulations shall be observed:

1. Single-family detached and two-family dwellings with on-site sewer service and off-site water service:

Lot Area	30,000 sq. ft.
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2. Single-family detached dwellings with off-site sewer service and off-site water service:

Lot Area (minimum)	14,000 sq. ft.
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3. Two-family dwellings with off-site sewer service and off-site water service:

Lot Area	10,000 sq. ft. per dwelling unit
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4. All single-family detached and two-family dwellings:

Lot Width at Street Line (minimum)	75 feet
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Lot Coverage (maximum)	20 percent
Building Setback Line (minimum)	40 feet
Side Yards (minimum)	15 feet
Rear Yards (minimum)	25 feet

5. Recreation and conditional uses:

Lot Area (minimum)	
Recreation	3 acres
Church	3 acres
Institution	2 acres
School	5 acres
Apartment or townhouse complex	3 acres
Maximum number of dwelling units for each acre of land	6
Lot Width at Street Line (minimum)	75 feet
Lot Coverage (maximum)	15 percent
Building Setback Line (minimum)	40 feet
Side Yards (minimum)	25 feet
Rear Yards (minimum)	50 feet

Section 5.04 Standards

1. All permitted uses and conditional uses shall be subject to applicable regulations in Article VIII - Use Regulations.
2. Where townhouses are permitted by conditional use, townhouses shall be arranged in groups or clusters and not in long rows parallel to street lines. No more than six (6) such buildings can be attached in any one group.
3. All mobile homes intended for permanent occupancy must, within thirty (30) days after placed on a permanent foundation, have skirting installed completely around said mobile home.

Article VI

Neighborhood Commercial District

Section 6.01 Intent

This commercial district is intended as a neighborhood service activity. At present it is provided in Lamar Village at the commercial center of the town and to supplement the commercial-industrial frontage near the Interstate 80 intersection on Pennsylvania Route 64. In the future, it may be necessary to extend this use to other areas of the Township as concentrations of populations develop, requiring local commercial activities.

Section 6.02 Use Regulations

1. A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes, and no other, as a permitted use.
 - A. Retail outlets and service establishments in which outdoor storage is not a primary activity which uses shall include but are not limited to grocery stores, fruit stores, super markets, drug stores, and similar retail establishments, barber shops, beauty parlors, dry cleaning and Laundromat establishments and other similar services, offices, banks, restaurants, automobile service stations, automobile repair shops, second floor apartments, and similar uses, and also residences which shall be limited to occupancy by the owner-operator of such retail or service establishments.
 - B. Job printing establishments.
 - C. Essential services.
 - D. Other accessory uses customarily appurtenant to a permitted use.
 - E. Single-family detached dwelling.
 - F. Home Occupations.
 - G. Personal Storage Warehouses.
 - H. Public Entertainment Establishments (excluding adult entertainment).
2. Multiple use of a single property as a shopping center may be approved as a

conditional use when authorized by the procedures outlined in § 1106. Provided, that the uses therein shall be limited to those provided for as permitted uses in § 602 (1) hereof and further provided that no wholesale sales shall be permitted.

3. Communications Antennas mounted to existing Public Utility Transmission Towers, Building, or other Structure, and Communications Equipment Buildings may be approved as a conditional use when authorized by the procedures outlined in § 1106.

Section 6.03 Area and Bulk Regulations

The following regulations shall be observed:

Lot Area (minimum)	-30,000 sq. ft.
Building Setback Line (minimum)	40 feet
Lot Width at Street Line (minimum)	100 feet
Rear Yard (minimum)	50 feet
Side Yard (minimum)	20 feet
Building Height (maximum)	40 feet
Lot Coverage (maximum)	30 percent
Shopping Centers (minimum building size)	-5,000 sq. ft.
Paved Area (maximum)	60 percent
Open Area (minimum)	20 percent

Section 6.04 Standards

The following regulations shall be observed:

1. All permitted uses and conditional uses shall be subject to applicable regulations in Article VIII - Use Regulations.
2. All required parking shall be located within two hundred feet (200') of a customarily used entrance.

3. No use shall emit any odor or produce any noise perceptible at the lot line.

Article VII

Commercial - Industrial District

Section 7.01 Intent

The combination of a commercial and industrial district is established as a response to the requirement for highway services and the improved accessibility of the areas surrounding the interchange between Pennsylvania Route 64 and Interstate 80. The mix of uses is appropriate when accompanied by stringent requirements for off-street parking, adequate building setbacks and landscaping of sites. Public water and sewer services are anticipated in this area.

Section 7.02 Use Regulations

1. A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes, and no other, as a permitted use.
 - A. Highway-oriented retail and service establishments such as motels, restaurants, automobile service stations, automobile repair shops.
 - B. Trucking terminals for the transfer, receipt, or delivery of freight, or for the storage or repair of trucks or tractor trailers engaged in truck operations.
 - C. Animal hospitals and veterinary clinics.
 - D. Business and professional offices.
 - E. Medical clinics and research or testing laboratory facilities.
 - F. Wholesale, storage, or distribution uses.
 - G. Outdoor recreation, public or private.
 - H. Essential Services
 - I. Agriculture.
 - J. Farm residence and accessory buildings.

- K. Any accessory use or structure customarily appurtenant to a permitted use.
 - L. Communications Antennas mounted on existing Public Utility Transmission Tower, Building, or other Structure, and Communications Equipment Buildings.
 - M. Personal Storage Warehouses.
 - N. Public Entertainment Establishments (excluding adult entertainment).
2. Light industrial use with particular consideration to limiting the discharge of industrial waste of any kind in strict accordance with the requirements of the standards expressed in § 704 may be approved as a conditional use when authorized by the procedures outlined in § 1106. Multiple use of a single industrial tract may be permitted subject to the further requirements of this district.
- A. Public Entertainment Establishments (excluding adult entertainment).
 - B. Crematoriums.
 - C. Multi-Service Convenience Plazas.
3. Communications Towers and Communications Equipment Buildings may be approved as a conditional use when authorized by the procedures outlined in § 1106.

Section 7.03 Area and Bulk Regulations

Lot Area (minimum)	-2 Acres
Building Set Back Line	-100 feet

Lot Width at Street Line (minimum)	-150 feet
Rear Yard (minimum)	-50 feet
Side Yard (minimum)	- 50 feet
Building Height (maximum)	- 40 feet
Building Coverage (maximum)	- 40 percent
Paved Area (maximum)	- 60 percent
Open Area (minimum)	- 20 percent

Section 7.04 **Standards**

The following regulations shall be observed:

1. All permanent uses shall be conducted within a building.
2. No more than five percent (5%) of the open or paved area may be used for the display of goods.
3. No residential use shall be permitted, except farm residences.
4. No use shall emit obnoxious, toxic, or corrosive fumes or gases.
5. No use shall emit odors which are perceptible at lot lines.
6. No use shall emit smoke from the primary activities of plant operations.
7. No use shall discharge into the air dust or other particulate matter.
8. No use shall produce any heat or glare perceptible at or beyond the lot boundaries.
9. No use shall utilize lighting in a manner which produces a glare at or beyond the lot boundaries.
10. No use shall permit physical vibrations perceptible at or beyond the lot boundaries.
11. No use shall produce electromagnetic radiation or injurious radioactive

emissions.

12. No use shall engage in the production or storage of any material designed for use as an explosive.
13. No use shall engage in the storage of waste materials on the lot for any period beyond thirty (30) days
14. No use shall discharge any untreated and/or potentially dangerous effluent from plant operations.
15. No use shall be conducted so that regular production noise shall exceed the level of ordinary conversation at the boundaries of the lot.
16. No use shall engage in the excavation of clay, sand, gravel, rock or other mineral except in the construction of a building or street.
17. All permitted uses and conditional uses shall be subject to applicable regulations in Article VIII - Use Regulations.

Article VIII

Use Regulations

Section 8.01 Common Regulations

For the purposes of this Chapter, the following regulations shall apply to all districts.

1. Reduction of Lot Area - No lot shall be so reduced that the area of the lot or the dimensions of the required open spaces shall be less than herein specified.
2. Obstructions to Vision - On any lot, no wall, fence, structure, or other obstruction shall be erected, altered, or maintained, or placed, and no hedge, tree, shrub or other growth shall be planted or maintained within a clear sight triangle at an intersection measured twelve feet (12') along each intersecting road or drive from the origin of the angle of the intersecting roads or drives. Such measurement shall be along the right-of-way of the intersecting roads.
3. Stripping of Topsoil, Excavation of Clay, Sand, Gravel, or Rock - Such activities shall be permitted only under the following conditions:
 - A. As part of the construction or alteration of a building or the grading incidental to such building.
 - B. In connection with normal lawn preparation and maintenance.
 - C. In connection with the construction or alteration of a street.
 - D. In farming operations in those zoning districts where such use is permitted, provided sound soil conservation practices are observed.
4. Projections into Required Yards - A projection from a building, utilizing such building for support but not being enclosed or part of the living area of such structure may extend into any required yard not more than five feet (5'), provided that no projection shall extend closer than five feet (5') to any lot line.
5. Area and Bulk Exceptions -
 - A. Building Height limitations of this Chapter shall not apply to spires, agricultural buildings, belfries, cupolas, domes, monuments, towers, poles, chimneys or antennas; provided, that the height of an antenna above ground level shall not exceed the shortest distance from its base to any lot line.

- B. Lot Coverage limitations of this Chapter shall not apply to structures used for the storage of animals, silos, open porches, patios, or swimming pool, which are not located within the interior of any building.
6. Essential Services Structures - The location of any structure, building or other installation for the purpose of servicing any public utility or municipal function except common or contract carriers may be located within any zoning district subject to the following regulations:
 - A. The public utility or municipality shall file a plan indicating the location of all existing and proposed structures, buildings, or other installations within the municipality.
 - B. Any building, structure, or other installations shall be subject to the following Design Standards (§ 803) of this Chapter.
 1. § 803 (1) – Screening
 2. § 803 (2) – Storage
 3. § 803 (3) - Landscaping
 4. § 803 (6) - Lighting
 7. Garage and Yard Sales - Garage and yard sales shall not be conducted at any residence for more than seven (7) consecutive days or on more than three (3) separate occasions in any one calendar year.
 8. Dwelling Units –
 - A. Every principal building hereafter constructed shall be located on a lot as defined.
 - B. There shall not be more than one principal residential building and its accessory structures on one lot, except in the case of apartment or townhouse developments or mobile home parks.

Section 8.02 Non-conforming Use Regulations

1. Continuation - Any lawful building or other structure, or any lawful use of building or other structure or land, legally existing on the effective date of this Chapter or amendment hereto which does not conform with the provisions of this Chapter shall be considered a lawful non conforming building, structure or use, and may continued, except as otherwise herein provided
2. Extension and Additional Buildings - Any lawful non-conforming use of a

portion of a building may be extended throughout the building. Any lawful non-conforming building or any building of which a lawful non-conforming use is made may be extended upon the lot occupied by such building and held in a single and separate ownership on the effective date of this Chapter when permitted as a special exception by the Zoning Hearing Board subject to the provisions of Article X of this Chapter. The area of such building or buildings shall not be increased by more than fifty percent (50%) of the area of such building or buildings existing on the date it first became a non-conforming building or a building of which lawful non-conforming use is made. Any structural alterations, extension or addition to existing buildings shall conform with all area, height, width, yard, and coverage requirements for the district in which it is located.

3. Change - Any lawful non-conforming use of a building or land may be changed to another non-conforming use of substantially the same character, and for such purpose, a building may be extended on the same lot in accordance with § 802 (2). Whenever the non-conforming use of a building or land has been changed to a conforming use, such conforming use shall not thereafter be changed to a non-conforming use.
4. Use of Land - Any lawful non-conforming use of land exclusive of buildings and the use contained therein, may be extended upon the lot upon which it exists at the time of the effective date of this Chapter, but such extension shall conform to area and bulk regulations and to the design standards of this Chapter. The extension of a non-conforming use on a lot shall be limited to the lot which was in existence on the effective date of this Chapter.
5. Restoration - Any lawful non-conforming building or other structure which has been involuntarily damaged or destroyed by fire, explosion, windstorm, or other similar active cause, to an extent of not more than seventy-five percent (75%) of its fair market value, may be reconstructed in the same location, provided that:
 - A. The reconstructed building or structure shall not exceed the height, area, or volume of the damage or destroyed building or structure.
 - B. Reconstruction shall begin within one year from the date of damage or destruction and shall be carried on without interruption.
6. Discontinuance - If a non-conforming use of land or of a building ceases or is discontinued for a continuous period of one year, or more, subsequent use of such building or land shall be in conformity with the provisions of this Chapter, unless the Zoning Hearing Board shall authorize as a special exception the resumption of the discontinued use.
7. Lots Non-Conforming as to Area and Width Regulations, and Lots of Unusual

Dimensions.

A. A building may be erected or altered on any lot held at the effective date of this Chapter in single and separate ownership which is not of the required minimum area or width, or is of such unusual dimensions that the owner would have difficulty in providing the required open spaces for the district in which such lot is situated, provided a special exception is authorized by the Zoning Hearing Board, subject to the provisions of Article X, and provided further that the applicant does not own or control other adjoining property sufficient to enable him to comply with the provisions of this Chapter as amended. In considering a special exception to permit erection or alteration of a building on a lot non-conforming as to area and width regulations, the Zoning Hearing Board shall impose the following requirements:

1. That the use of the lot be required to conform to the permitted uses in the district in which such lot lies.
2. That the building height be restricted to that specified for other buildings within the district in which the lot lies.
3. That the design standards imposed for uses within the district in which the lot lies be applied to the use of the lot.
4. That adequate on- or off-site sewage disposal and water supply facilities are available for the use intended.
5. Impose such conditions as are necessary to assure that the general purpose and intent of the Zoning Ordinance are complied with.

B. In any district in which single family dwellings are permitted, notwithstanding the area limitation imposed by other provisions of this Chapter, a single family dwelling and customary accessory buildings may be erected on any single lot of record in existence at the effective date of adoption or amendment of this Chapter, without Zoning Hearing Board action, provided that such lot must be in single and separate ownership and that adequate on-or off-site sewage disposal and water supply facilities are available for the use intended.

8. Non-Conforming Signs -

A. Any sign, signboard, billboard, or advertising device legally existing at the time of the passage of this Chapter that does not conform with the regulations of this Chapter shall be considered a non-conforming sign and may be used in its existing location provided it is maintained in

good condition and repair at all times.

- B. Non-Conforming signs once removed may be replaced only with conforming signs; however, legal non-conforming signs may be repainted or, after issue of a permit, repaired or modernized, provided that such repaired or modernized sign does not exceed the dimensions of the existing sign.
9. Registration - In order to facilitate the administration of this Chapter, the Zoning Officer shall maintain an accurate listing of those non-conforming uses which are not permitted as a use by right in the district in which they are located and for which no special exception or variance has been granted. Such listing shall be a matter of public record and shall constitute notice to any transferee acquiring any right to use or own such property.

Section 8.03 Design Standards

- 1. Screening - A completely planted visual barrier or landscape screen shall be provided between any district and contiguous properties in residentially zoned district.
- 2. Storage - Outdoor storage areas may be operated in areas where permitted provided that such operation shall be in accordance with the following provisions to protect the public health, safety, comfort, convenience, and general welfare especially with regard to abutting properties and occupants thereof.
 - A. No highly inflammable or explosive liquids, solids, or gases shall be stored in bulk above ground except for agricultural purposes. Tanks or drums of fuel less than one thousand (1,000) gallons total directly connected with heating devices or appliances located on the same premises and used exclusively for providing fuel for such heating devices and appliances on the premises are excluded from this provision.
 - B. All outdoor storage facilities shall be enclosed by a fence or wall adequate to ensure the safety of such facilities thereof from adjacent property or from the public right-of-way. Such walls and fences shall be not less than twenty feet (20') from all property lines which abut a residential district but in any other case shall not be less than three feet (3') from any property line and shall not be less than twenty-five feet (25') from any street.
 - C. No materials or wastes shall be deposited on any premises in such form or manner that they may be moved from such premises by natural causes or forces.

D. All materials or waste which may cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only in closed containers.

E. No radioactive substances of any kind shall be stored in the Township.

3. Landscaping -

A. Any part or portion of a site which is not used for building, other structures, loading, or parking spaces and aisles, sidewalks and designated storage areas shall be planted with an all-season ground cover.

B. No less than five percent (5%) of a parking area must be landscaped and continually maintained. Planting along the perimeter of a parking area, whether for required screening or general beautification, will not be considered as part of the five percent (5%) parking area landscaping. In complying with the five percent (5%) landscaping requirements, the planting beds must be distributed throughout the parking areas.

4. Access and Traffic Control - All accessways to any street or highway shall be located at least two hundred feet (200') from the intersection of any street lines and shall be designed in a manner conducive to safe ingress and egress. Where possible, exits shall be located on minor rather than major streets or highways. The developer shall be responsible for the construction of any necessary traffic control devices or additional acceleration lanes required by the Pennsylvania Department of Transportation in the case of egress to major thoroughfares.

5. Interior Circulation -

A. Interior drives shall be designed so as to prevent blockage of vehicles entering or leaving the site.

B. Areas provided for loading and unloading of delivery trucks and other vehicles, and for the servicing of shops by refuse collections, fuel and other service vehicles shall be adequate in size, and shall be so arranged that they may be used without blockage, or interference with the use of accessways or automobile parking facilities.

6. Lighting - The parking, loading and ingress and egress areas of any commercial or industrial use shall be provided with a minimum of .75 foot-candles at any point. All lighting shall be completely shielded from traffic on any public right-of-way and from any residential district.

7. Shopping Cart Storage - Any establishment which furnishes carts or mobile baskets as an adjunct to shopping, shall provide definite areas within the

required parking space areas for storage of said carts. Each designated storage shall be clearly marked for storage of shopping carts. Such signs indicating storage shall not be considered as regulated by the Sign Controls, § 812.

Section 8.04 Off-Street Loading Regulations

1. Standards -

- A. Off-street loading and unloading space, or spaces, with proper and safe access from the street shall be provided on each lot, either within a structure or in the open, to serve the uses within the property adequately.
- B. Loading and unloading spaces shall be at least twelve feet (12') wide, forty-five feet (45') long, and shall have at least a fourteen-foot (14') vertical clearance.
- C. Loading and unloading spaces shall have all-weather dustless surfaces to provide safe and convenient access during all seasons.
- D. Loading facilities shall not be constructed between the building setback line and a street line.
- E. Required off-street parking space shall not be used for loading and unloading purposes except during hours when business operations are suspended.
- F. See Section § 805(2) D for heavy truck regulations.

Section 8.05 Off-Street Parking Regulations

1. Standards -

- A. Off-street parking space or spaces, with proper and safe access from the street, shall be provided on each lot, either within a structure or in the open, to serve the uses within the district adequately.
- B. Parking space for one vehicle shall be equal to at least three hundred and fifty (350) square feet for purposes of computing car spaces including stalls and driveways, and shall have a stall of at least ten feet (10') by twenty feet (20') in size. Parking spaces shall have an approved all-

weather dustless surface, and shall have a safe and convenient access in all seasons.

- C. Parking lots shall be graded to a minimum slope of one and one-half percent (1 ½%) to provide for drainage. Adequately sized inlets and storm sewers shall be provided to discharge storm water in accordance with a plan to be approved by the Township.
- D. Parking lots for over twenty (20) vehicles shall be so divided by permanent raised curbing that access lanes and parking bays are clearly defined and that moving traffic will be confined to designated access lanes.

2. Commercial and Industrial Requirements -

- A. One such off-street parking space shall be required per employee in all commercial and industrial districts. In computing the number of employees, the greatest number of employees working any shift shall be counted. Additional spaces shall be required as specified by the appropriate formula. In applying such, the following definitions shall be utilized:
 - 1. Employees serving the public: those employees who, as part of their employment, are expected to meet the public in the ultimate transaction of business.
 - 2. Sales area: space on the first floor on which goods are displayed and/or business transacted and such space or other floors on which one or more sales persons are regularly stationed.
- B. Off-street parking shall be required for any new construction or change of use in commercial and industrial zoning districts imposing these regulations.
- C. All commercial spaces shall be provided within six hundred feet (600') of the front access of the establishment along a route customarily used by pedestrian traffic. The number of required spaces in addition to those required for employees shall be determined by the application of the following formula to the contemplated use. In areas where several uses share parking spaces, the aggregate of all available spaces shall be compared to the sum required to serve all uses to determine whether there are sufficient spaces to permit the use.

Use	At least 1 Additional Parking Space for Each
Industry	1 employee serving the public
Eating and Drinking Places	2 seats
Driving Range	1 tee
Golf Course	¼ tee
Personal Service Establishment	1 employee serving the public
Theater and Churches	3 seats
Bowling Alley	1/5 alley
Motel	1 guest room
Hospitals, Nursing Homes	750 sq. ft. of floor area
Wholesale Sales or Storage	1,000 sq. ft. of floor area
Gasoline Service Station	¼ pump
Laundromat	1 machine
Elementary School	20 seats
All other schools	10 seats
Food Stores and Pharmacies	300 sq. ft. of sales area
Department and Variety	300 sq. ft. of sales area
Gift, Apparel, Hardware and Other Housewares	300 sq. ft. of sales area
Offices, Clinics, Financial Institutions	1 employee serving the public
All others with a lot coverage in excess of 10%	500 sq. ft. of floor area
All other retail uses	300 sq. ft. of sales area

D. Commercial spaces in the Commercial Industrial District that are to be used for heavy truck (in excess of 40,000 lbs.) parking shall use the following pavement design standard or an equivalent approved by the township engineer.

1. ID-2 Wearing Course 3"
2. CABC Base Course 10"
3. Sub base 9"

3. Residential Requirements -

- A. Dwelling units in Residential Districts - 2 off-street parking spaces per unit.
- B. Dwelling units in Nonresidential District - one off-street parking space per unit.

Section 8.06 Accessory Use Regulations

1. Unattached Accessory Structure - No accessory structure or building, except portable produce stands, shall be located within the required front yard area. No accessory structure or building shall be located in any side yard area nearer to the side lot line than ten feet (10'), or nearer to another principal or accessory structure or building than ten feet (10'). No unattached accessory structure or building when located within the rear yard area shall be closer than five feet (5') to any side or rear property line.
2. Attached Accessory Structures - An accessory structure or building attached to a principal building shall be considered to be a part of the principal building.

Section 8.07 Sale of Farm Products

The display and sale of farm products in produce stands shall be permitted, provided that:

1. At least fifty percent (50%) of such products shall have been produce on the property on which they are offered for sale.

2. Parking space for at least three (3) cars shall be provided behind the highway right-of-way line. A driveway must be provided for the entrance and exit to the off-street parking area including turn-around space.
3. Sale of farm products shall be conducted from a portable stand, dismounted at the end of the growing season, or from a permanent building located to meet the setback requirements for the district it is located in.

Section 8.08 Recreational Development Regulations

1. Uses Permitted -

A. The types of recreational uses permitted in recreational development areas are:

1. Boating and fishing
2. Golf course
3. Hiking and horseback riding
4. Parks and arboretums
5. Play fields
6. Playgrounds
7. Picnic areas
8. Skating rinks
9. Swimming pool
10. Tennis courts
11. Woodland
12. Lakes

B. The following uses in addition to those permitted in residential districts shall be permitted in recreational development areas, but only sufficient to service the employees, members, or users of the facilities and their guests:

1. Restaurant and clubhouse
2. Residence facilities
3. Lockers
4. Retail sale of playing equipment
5. Signs, subject to further regulation in § 812 of this Chapter.

2. Design Standards -

- A. Any building shall be set back a minimum of one hundred feet (100') from any property line.
- B. No recreational development shall be permitted on any lot less than three (3) acres.
- C. The following Design Standards set forth in § 803 of this Chapter shall be applicable:
 1. Storage, as provided by § 803 (2).
 2. Landscaping, as provided by § 803 (3).
 3. Access and traffic controls, as provided by § 803 (4).
 4. Interior circulation, as provide by § 803 (5).
 5. Off-street parking, as provided by § 805.
- D. Illuminated signs and other lights shall be directed away or shielded from adjoining residential properties in such a way as not to disturb the occupants thereof.
- E. No public address system is permitted except where such system will not be audible at any property line.

Section 8.09 Home Occupations Regulations

Home occupations may be permitted as accessory uses in all zoning districts, except the Commercial-Industrial Districts, unless such activities are prohibited by special deed restrictions. All such activities shall comply with the following requirements.

- A. All home occupations shall be clearly secondary to the use of the premises as a residence.
- B. The area devoted to the permitted occupation shall be located within the resident's dwelling OR a single building accessory thereto (including a garage, farm building, barn, shed, etc.) In the Residential and Village Residential Districts, no more than a total of 25% of the gross floor area of the dwelling, up to a maximum of 400 square feet, may be devoted to a home occupation. In the Agricultural and Conservation Districts, home occupations may occupy up to 35% of the gross floor area of the dwelling, up to a maximum of 600 square feet, and in the Neighborhood Commercial District, as much as 45% of the gross floor area of the dwelling, up to a maximum of 800 square feet, may be occupied by a home occupation.
- C. The home occupation must be owned and operated by the resident of the dwelling in which the activity is located. All applications for occupations to be operated by someone other than the owner of the structure shall include written consent of the land owner. There shall be no more than two (2) non-resident employees engaged in the home occupation.
- D. The home occupation shall create no adverse impact on existing traffic or circulation patterns in the neighborhood.
- E. No offensive or objectionable noise (including public address systems), vibration, smoke, dust, odor, heat or glare shall be produced or detected at or beyond the property line of the lot containing the home occupation.
- F. There shall be no exterior display or sign, except as may be permitted in Section 8.11 of this Ordinance, and no outdoor storage of materials on the premises associated with the occupation.
- G. The majority of all goods or products sold on the premises must be produced on the premises, or must be related to a service offered on the site.
- H. A minimum of three (3) additional off-street parking spaces shall be provided for all home occupations.

- I. Permitted home occupations may include, but shall not be limited to, the following "low-intensity", service-oriented activities:
1. Professional offices for physicians, dentists, architects, engineers, real estate or insurance agents, lawyers, and accountants;
 2. Home offices for seamstresses, fine artists, tutors, and musicians giving lessons;
 3. Barber and beauty shops;
 4. Family day care homes;
 5. Custom baking and catering operations;
 6. House cleaning services; and
 7. Non-automotive electronic equipment repair facilities.
- J. Requests for other home occupations not specified above may be submitted to the Zoning Hearing Board for consideration. Upon finding of the Board that such use complies with the criteria of this Section, other applicable codes and ordinances in effect in the Township, and that the proposed use would not be detrimental to the health, safety and welfare of the residents of the neighborhood where it is to be located, such use may be approved.
- K. Zoning Permits shall be required for all proposed home occupations. At the time of initial application, the Zoning Officer shall review the specifics of the proposed home occupation to determine its compliance with the requirements of this Ordinance, or shall rely on direction from the Township Zoning Hearing Board as outlined in Part K. above. All such Permits shall remain valid for two (2) years from the date of their issuance after which they must be renewed by written request to the Zoning Officer. The Zoning Officer retains the right to inspect the site of the home occupation to determine its continued compliance with the terms of this Ordinance and any conditions of its original approval.

Section 8.10 Flood Plain Overlay District

The identified floodplain area shall be any area of Porter Township, subject to the one hundred (100) year flood, which is identified as Zone A (Area of Special Flood Hazard) on the Flood Hazard Boundary Map (FHBM) dated July 15, 1988. (Or the most recent revision thereof as issued by the Federal Emergency Management Agency (FEMA), or on the most recent Flood Insurance Rate Map (FIRM) issued by FEMA, if such a map has been prepared for the Township.)

1. Determination of the One Hundred (100) Year Flood Elevation - For the purposes of this Ordinance, the one hundred (100) year flood elevation shall be used as the basis for regulation. When available, information from other Federal, State, and other acceptable sources shall be used to determine the one hundred (100) year elevation, as well as a floodway area, if possible. When no other information is available, the one hundred (100) year elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question.

In lieu of the above, the municipality may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques.

Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted to sufficient detail to allow a thorough technical review by the municipality.

2. Changes in Identification of Area - The identified floodplain area may be revised or modified by the Township where studies or information provided by the qualified agency or person documents the need for such revision. However, prior to any such change, approval must be obtained from the Federal Insurance Administration (FIA)
3. Boundary Disputes - Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Township and any party aggrieved by this decision may appeal to the Township Supervisors. The burden of proof shall be on the appellant.
4. General Technical Requirements -
 - A. In the identified floodplain area, the development and/ or use of any land shall be permitted provided that the development and/or use complied with the restrictions and requirements of this and all other applicable codes and ordinances in force in the municipality.

- B. Within any floodway area, no new construction or development shall be permitted that would cause any increase in the one hundred (100) year flood elevation.
 - C. Within any identified floodplain area, no new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
 - D. Within any identified floodplain area, the elevation of the lowest floor (including basement) of any new or substantially improved residential structure shall be one and one half (1 ½) feet or more above the one hundred (100) year flood elevation.
 - E. Any non-residential structure, or part thereof, having a lowest floor (including basement) which is not elevated to at least one and one half (1 ½) feet above the one hundred (100) year flood elevation, shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972), or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.
 - F. Enclosed area below the lowest floor (including basement) are prohibited.
5. Design and Construction Standards - The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:
- A. Fill - If fill is used, it shall:
 - 1. Extend laterally at least fifteen (15) feet beyond the building line from all points;
 - 2. Consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
 - 3. Be compacted to provide the necessary permeability and resistance to erosion, scoring, or settling;
 - 4. Be no steeper than one (1) vertical to two (2) horizontal, feet unless substantiated data, justifying steeper slopes are submitted

to, and approved by the Zoning Officer; and,

5. Be used to the extent to which it does not adversely affect adjacent properties.
- B. Drainage Facilities - Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along street, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
 - C. Streets - The finished elevation of all new streets shall be no more than one (1) foot below the Regulatory Flood Elevation.
 - D. Storage - All materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal, or plant life, and not listed in Section 810 (6), Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation and/or floodproofed to the maximum extent possible.
 - E. Placement of Buildings and Structures - All buildings and structure shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.
 - F. Anchoring
 1. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
 2. All air ducts, large pipes, storage tanks, and other similar objects or components located below the Regulatory Flood Elevation shall be securely anchored or affixed to prevent flotation.
 - G. Floors, Walls and Ceilings
 1. Wood Flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
 2. Plywood used at or below the Regulatory Flood Elevation shall be of a "marine" or "water-resistant" variety.
 3. Walls and ceilings at or below the Regulatory Flood Elevation

shall be designed and constructed of materials that are water-resistant and will withstand inundation.

4. Windows, doors, and other components at or below the Regulatory Flood Elevation shall be made of metal or other water-resistant materials.

H. Paints and Adhesives

1. Paints or other finishes used at or below the Regulatory Flood Elevation shall be of "marine" or water-resistant quality.
2. Adhesives used at or below the Regulatory Flood Elevation shall be of "marine" or water-resistant variety.
3. All wooden components (doors, trim, cabinets, etc.) shall be finished with a "marine" or water-resistant paint of other finishing materials.

I. Electrical Components

1. Electrical distribution panels shall be at least three (3) feet above the one hundred (100) year flood elevation.
2. Separate electrical circuits shall serve lower levels and shall be dropped from above.

J. Plumbing

1. Water heaters, furnaces, and other mechanical equipment or apparatus shall not be located below the Regulatory Flood Elevation.
2. No part of any new on-site sewage disposal system shall be located within any identified floodplain area.
3. Water supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters.
4. All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood water. Additional provisions shall be made for the drainage of these systems in the event that flood water

infiltration occurs.

6. Development Which May Endanger Human Life

A. In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community Affairs as required by the Act, any new or substantially improved structure which will be used for the production or storage or any of the following materials or substances or which will be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume or any amount of radioactive substances) of any of the following materials or substances on the premises, shall be subject to the provisions of this section, in addition to all other applicable provisions:

1. Acetone
2. Ammonia
3. Benzene
4. Calcium carbide
5. Carbon disulfide
6. Celluloid
7. Chlorine
8. Hydrochloric acid
9. Hydrocyanic acid
10. Magnesium
11. Nitric acid and oxides of nitrogen
12. Petroleum products (gasoline, fuel, oil, etc.)
13. Phosphorus
14. Potassium
15. Sodium
16. Sulfur and sulfur products

17. Pesticides (including insecticides, fungicides, and rodenticides)

18. Radioactive substances, insofar as such substances are not otherwise regulated.

B. Where permitted within any identified floodplain area, any new or substantially improved structure of the kind described in § 810 (4) (E), above, shall be:

1. Elevated or designed and constructed to remain completely dry up to at least one and one-half (1 ½) feet above the one hundred year flood, and,
2. Designed to prevent pollution from the structure or activity during the course of a one hundred year flood.

Any such structure, or part thereof, that will be built below the Regulatory Flood Elevation shall be designed and constructed in accordance with the standards for completely dry flood-proofing contained in the publication "Flood-Proofing Regulations" (U.S. Army Corps of Engineers, June 1972) or with some other equivalent water-tight standards.

7. Existing Structures - Existing structures and/or uses located in the Flood Plain Overlay District shall not be expanded or enlarged unless the effect of the proposed expansion or enlargement on flood heights is fully offset by accompanying stream improvements.

Any modification, alteration, repair, construction, or improvement of any kind to a structure and/or use located in the Flood Plain Overlay District to an extent or amount of less than fifty percent (50%) of its market value, shall be elevated and/or flood-proofed to the greatest extent possible.

Any modification, alteration, repair, construction, or improvement of any kind to a structure and/or use regardless of location to an extent or amount of fifty percent (50%) or more of its market value shall be undertaken only in full compliance with the provisions of this and any other applicable ordinance.

8. Warning and Disclaimer of Liability - The degree of flood protection sought by the provision of this part is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This Chapter does not imply that areas outside the identified floodplain districts, or that land uses

permitted within such districts will be free from flooding or flood damages.

This part shall not create liability on the part of Porter Township or any officer or employee thereof for any flood damages that result from reliance on this part or any administrative decision lawfully made thereunder.

Section 8.11 Signs

Any sign erected or maintained after the effective date of this Chapter shall conform to the following regulations.

1. General - The following regulations shall be observed in all districts:
 - A. No sign shall be erected within the lines of a street right-of-way, except traffic signs and similar regulatory notices of a duly constituted governmental body.
 - B. No moving or flashing signs which may have the effect of distracting motorists on adjacent highways shall be permitted.
 - C. No sign which emits smoke, visible vapors of particles, sound or odor shall be permitted.
 - D. No artificial light or reflecting device shall be used as a part of a sign where such light or device interferes with, competes for attention with, or may be mistaken for a traffic signal.
 - E. Flood lighting shall be arranged so that the source of light is not visible from any point off the lot and that only the sign is directly illuminated thereby.
 - F. No sign shall be erected containing information on it which states or implies that a property may be used for any purpose not permitted under the provisions of this Chapter in the zoning district in which the property to which the sign related is located.
 - G. Every sign permitted shall be constructed of durable material and kept in good condition and repair. Any sign which is allowed to become dilapidated shall be removed by the Township at the expense of the owner or lessee of the property on which it is located.
 - H. All distances provided for in this Part shall be measured along straight lines between signs and from the near edge to near edge of sign or sign structure. This paragraph shall apply in all cases including locating new

signs in relationship to currently existing non-conforming signs.

- I. A permit shall be obtained before erecting any sign under these regulations except as hereinafter provided.
 - J. No sign, other than official street signs, shall be erected or maintained nearer to a street line than a distance equaling the height of the sign, unless attached to the building.
2. Exempt signs - No permit shall be required before erecting any of the following signs. These signs, however, shall conform to all other regulations set forth § 8 12 (1).
- A. Directional, information or public service signs such as those advertising availability of rest rooms, telephone or similar public conveniences, and signs advertising meeting times and places of non-profit service or charitable clubs and organizations may be erected or maintained, provided that such signs do not advertise any commercial establishment, activity, organization, product, goods, or services except those of public utilities. Directional and information signs provided for the guidance and convenience of the public within commercial establishments may also be erected. Each such sign shall not exceed two (2) square feet in area.
 - B. Trespassing signs, or signs indicating the private nature of a road, driveway, or premises, and signs prohibiting or otherwise controlling hunting or fishing upon particular premises may be erected and maintained provided each sign area does not exceed two (2) square feet in area.
 - C. Signs advertising the sale or rental of premises, provided that:
 1. Such signs shall be erected only on the premises to which they relate.
 2. The area on one side of any sign shall not exceed twelve (12) square feet.
 3. Not more than two (2) such signs shall be placed on any one lot or premises.
 - D. Signs advertising garage and yard sales and other sales of personal property from a private residence, provided that:
 1. No such sale shall be conducted for more than seven (7) days.
 2. No more than three (3) such sales may be conducted from any

residence in any one calendar year.

3. Signs may be erected two (2) days before the sale, but shall be removed within two (2) days after the completion of the sale by the persons conducting said sale.
 4. Said signs shall be uniform and shall not exceed eighteen by eighteen (18 X 18) inches.
- E. Political signs provided that such signs must be removed no later than ten (10) days after the election to which such sign pertains. Sign area of any one political sign shall not exceed thirty-two (32) square feet. Signs proposing to be larger than thirty-two (32) square feet shall require approval of a Conditional Use.
3. Temporary Sign Regulations - The following shall be observed in all districts.
- A. Temporary signs include signs larger than six (6) square feet in area advertising land or premises available for purchase, development, or occupancy, or other signs announcing special events, or the temporary sale of products and goods, such as Christmas trees, shall be permitted providing that:
 1. Permits shall run for a period of up to six (6) months as applicant chooses.
 2. Signs shall not exceed twenty-four (24) square feet in area.
 3. Any free-standing sign shall be located at least ten feet (10') distant from any lot lines.
 4. Signs shall be removed immediately upon expiration of permit.
 5. The site or building on which the sign was erected shall be restored to its original condition upon removal of sign.
 6. A permit must be obtained before erecting any temporary sign.
4. Business Signs (On-Premises Signs) - Business signs accessory to permitted commercial uses that are permitted, provided that:
- A. Signs for home occupations permitted under Section 8.09 of this Ordinance shall not exceed four (4) square feet in area. Signs for recreational uses permitted under Section 8.08 shall not be greater than eight (8) square feet in size. No more than one (1) such sign shall be permitted on any lot.

- B. Signs mounted on the front of a building shall not exceed ten (10) square feet in area for each five (5) lineal feet of front building wall and in no case shall exceed thirty feet (30') in width or eight feet (8') in height at the minimum allowable building setback. For each additional two feet (2') of setback, the maximum height of the sign may be increased by one foot (1'), provided that no sign shall exceed twenty feet (20') in height and shall not exceed twenty percent (20%) of face of building.
- C. Signs mounted on a side wall exposed to public view from either a street or parking area shall not exceed ten (10) square feet of area for each lineal foot of such side building wall and in no case shall exceed thirty feet (30') in width.
- D. Mounted signs shall be installed parallel to the supporting wall and project not more than ten inches (10") from the face of such wall.
- E. Free-standing business signs shall not exceed fifty (50) square feet in area, except that free-standing business signs located in the Commercial-Industrial District may be up to 100 square feet in size.
- F. Free-standing business signs shall not exceed 35 feet in height above the average grade of the proposed site, except that free-standing business signs located in the Commercial-Industrial District extend to a maximum height of 70 feet above the average grade of the proposed site.
- G. Free-standing signs shall be erected only within the limits of the front yard of the property to which they pertain.
- H. Signs shall not be placed closer to each other than a distance equal to ten (10) times the largest dimension (height or width) of the sign having the largest dimension.

5. Billboards or Advertising Sign Boards (Off-Premises Signs) -

- A. Billboards or advertising sign boards may be situated within an area measuring 200 feet parallel to the right-of-way of I-80, in both directions, in a Commercial-Industrial District. Such uses shall be considered a Permitted Use in the Commercial-Industrial District.
- B. Billboards or advertising sign boards shall be located no closer than 1,000 feet (measured on the same side of the street) to any other advertising sign board, and no closer than 150 feet to any residence.
- C. Billboards or advertising sign boards shall not exceed 300 square feet in area.

- D. Billboards or advertising sign boards may have two (2) parallel faces, but may not be vertically or horizontally doubled or multiplied further in any fashion.
- E. Billboards or advertising sign boards shall not exceed 50 feet in height above the average grade of the proposed site.

6. Sign Permit -

- A. Applications for sign permits shall be filed with the Zoning Officer in duplicate and on forms furnished by the Township and shall be accompanied by detailed plans and specifications.
- B. Permit Fees - No permit to erect shall be issued until a fee, as established by the Board, has been paid.

Section 8.12 Conversion of Single-Family Dwellings

Subject to the requirements of Article X of this Chapter the Zoning Hearing Board may allow as a special exception, the conversion of a single-family dwelling into a dwelling for a greater number of families, subject to the following requirements:

1. No dwelling unit shall have less than six hundred (600) square feet of floor area.
2. The lot area per family must meet the requirements for the district in which the lot is located.
3. There is no external alteration of the building except as may be necessary for reasons of safety. Fire escapes and outside stairways shall, where practicable, be located to the rear of the building.
4. The Zoning Hearing Board shall specify the maximum number of families permitted to occupy such building, and may prescribe such further conditions and restrictions as the Zoning Hearing Board may consider appropriate within the intent and purpose of this ordinance.
5. The off-street parking requirements of this Chapter or any other arrangements as required appropriate by the Zoning Hearing are met.

Section 8.13 Mobile Homes

Unless otherwise provided by this Chapter, all mobile homes shall be set upon a permanent foundation as provided herein; and any mobile home which has been or is to be set upon such a foundation shall be considered a dwelling and be subject to any and all sections of this Chapter regulating and affecting dwellings.

1. Mobile homes shall at a minimum be placed upon piers at each of the four (4) corners of the frame of the mobile home, with two (2) additional piers per side at intermediate locations. Mobile homes less than fifty (50') long shall require only one (1) additional pier per side.
2. The piers upon which a mobile home is placed shall be mortared and shall be on concrete footers extending below the frost level.
3. Mobile homes shall be securely anchored to each pier either by bolts or by over-the-top ties.
4. Every mobile home placed upon piers shall within thirty (30) days of placement, be skirted with acceptable building material in a manner which will eliminate open access to the area underneath the mobile home.
5. This section shall not be construed to prohibit the placement of mobile homes upon enclosed foundations.

Section 8.14 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 all the requirements pertaining to major land development, unless otherwise excepted.

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 Township Planning Commission in accordance with Articles III & IV of the Porter Township Subdivision Ordinance. In addition, all design standards as contained in Article V of the Porter Township Subdivision 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 section 816 of this 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 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 a sufficiently dense hedgerow is utilized as the buffer.

- E. Screening shall be in conformance with Section 803 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 large 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 Subdivision and Land Development Ordinance in effect for Porter Township except that street widths 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 satisfactory 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 Board of Supervisors 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 Board of Supervisors 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.

2. Garbage and trash shall be placed in appropriate receptacles.
3. 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 the Supplementary Regulations of this Ordinance.

Section 8.15 Junk Yards

All junk yards existing at the effective date of this Part, within one (1) year thereafter, and all new junk yards, where permitted, shall comply with the following provisions:

1. No junk material, appurtenant structure, or other enclosure shall be stored or placed within one hundred feet (100') of any adjoining property or public right-of-way and such setback area shall be kept free of weeds and scrub-growth unless the adjoining property is wooded.
2. Any junk yard shall be completely enclosed with a fence six (6) feet high and a visual screen of evergreen or evergreen type hedge or tree-row or a variety and size at the time of planting that such will attain a height of eight feet (8') within three (3) years thereafter and maintained in a sound and attractive manner.
3. All junk shall be stored or arranged so as to permit access by firefighting equipment and to prevent the accumulation of water, and with no junk piled to a height of more than six feet (6').
4. No oil, grease, tires, gasoline or other similar material shall be burned at any time, and all other burning shall be attended and controlled at all times.
5. Any junk yard shall be maintained in such a manner as to cause no public or private nuisance, nor to cause any offensive or noxious sounds or odors, nor to cause the breeding or harboring of rats, flies or other vectors.

Section 8.16 Erosion and Sedimentation Control and Storm Water Management Plan Requirements

Porter Township has determined that a comprehensive program of stormwater management, including reasonable regulation of development activities causing accelerated erosion, is fundamental to the public health, safety, and welfare, and the protection of the citizens of Porter Township and all of the people of the

commonwealth, their resources and the environment. The Porter Township supervisors adopted on September 2, 1996, a comprehensive stormwater management program for the Township of Porter to promote health, safety, and welfare within the Fishing Creek Watershed.

All activities that create impervious surfaces within the Fishing Creek Watershed in Porter Township, shall comply with the Porter Township Fishing Creek Act 167 Stormwater management Ordinance, except those activities specifically listed as exempt in Table 11-2 of the Ordinance.

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

1. Storm water management controls are intended to reduce the impact of storms, enhance groundwater recharge, prevent erosion, sedimentation and flooding and maintain natural drainage ways. The specific intent of these controls is that storm water runoff from any site during and after site disturbance be no greater than that which existed prior to development.
2. The Erosion and Sedimentation Control Plan shall be designed to adequately control, collect and dispose of storm water drainage from the site including, if necessary, storm sewers, culverts, ditched, swales, retention ponds or and other related storm water control facilities.

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

1. The narrative must include the following:
 - A. General description of the project.
 - B. General description of storm water handling.
 - C. General description of accelerated erosion control.
 - D. General description of sedimentation control.
 - E. Date project is to begin and expected date final stabilization will be completed.
 - F. Training and experience of person preparing the plan.
2. A map of the project area must show the following topographic features:
 - A. The location of the project relative to highways, municipalities or other

identifiable landmarks.

- B. Contours at an interval that will adequately describe the topography.
- C. Boundary lines of the project area.
- D. Acreage of the project.
- E. Streams, lakes, ponds or other bodies of water within the project area and/or in the vicinity of the project.
- F. Types, depth, slope and aerial extent of soils must be shown. Type may be specified as in a soil survey.
- G. Other physical features including scale of map and north arrow.

3. The proposed alterations to the area must be shown on an additional map.
 - A. Changes to land surfaces and vegetative cover.
 - B. Areas of cut and fills.
 - C. Structures, roads, paved areas, buildings.
 - D. Storm water control facilities.
 - E. Contours of finished area at an interval that will adequately describe the final topography.
4. The amount of stormwater runoff from the project area and the upstream water shed area must be described in narrative form. Methods of calculation, factors considered and provisions for safe storm water handling and disposal must be included.
5. Temporary control measures and facilities for use during earthmoving activities must be shown on a map and described in a narrative. Types, locations, and dimensions of control measures and facilities must be included along with design considerations and calculations. A schedule of staging, installation and operations of the measures and facilities must be outlined in the narrative.
6. Permanent control measures and facilities for site restoration and long term protection must be shown on a map and described in a narrative.
7. A maintenance program for the control facilities must be described in a narrative. The methods, frequency and ultimate disposal site for solid waste material must be considered. The facilities must be maintained for their designated operations to insure adequate performance.

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

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

Section 8.17 Communication Towers

COMMUNICATION TOWERS AND ANTENNAS

Regulations Governing Communications Antennas and Communications Equipment Buildings.

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

Building mounted Communications Antennas shall be permitted to exceed the height limitations of the applicable Zoning District by no more than twenty (20) feet.

Omnidirectional or whip Communications Antennas shall not exceed twenty (20) feet in height and seven (7) inches in diameter.

Directional or panel Communications Antennas shall not exceed five (5) feet in height and three (3) feet in width.

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.

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 Porter Township Planning Commission for compliance with the Porter Township Zoning Ordinance.

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.

Communications Antennas shall comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.

Communications Antennas shall not cause radio frequency interference with other communications facilities located in the Township.

A Communications Equipment Building shall be subject to the height and setback requirements of the Porter Township Zoning Ordinance for an accessory structure.

The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a Communications Tower, if applicable, and Communications Antennas.

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.

Communications Towers shall comply with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation and applicable Airport Zoning Regulations.

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.

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.

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.

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.

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

The base of a Communications Tower shall be landscaped so as to screen the foundation and base and Communications Equipment Building from abutting properties.

The Communications Equipment Building shall comply with the required yards and height requirements of the applicable Zoning District for an accessory structure.

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 Porter Township Zoning Ordinance.

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.

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.

The site of a Communications Tower shall be secured by a fence with a maximum height of eight (8) feet to limit accessibility by the general public.

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.

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.

One off street parking space shall be provided within the fenced area.

Section 8.18 Keeping of Animals

1. The keeping of all animals, including household pets, shall be subject to the requirements of Chapter 2, Part 1 of the Township Code of Ordinances. In addition, the keeping of horses as pets shall meet the standards contained in Sub-Section 8.18-2 below.
2. The keeping of horses as pets is permitted in any district provided:
 - A. The lot contains at least one acre of pasture per horses.
 - B. The manure is not stored within 150 feet of any property line.
 - C. The pasture is completely enclosed with a fence at least four (4) feet in height.

Section 8.19 Adult Entertainment Establishments

Adult Entertainment Establishments or facilities as defined herein may only be

permitted as a Conditional Use in those districts specified in § 1106 and shall meet the following standards.

1. For the further promotion and protection of the public health, safety, morals and general welfare of the Township, certain uses as hereinafter specified and recognized as having a detrimental and deleterious effect when allowed to concentrate in one area or when allowed to locate within close proximity to other uses shall be permitted as a Conditional Use in those districts specified in this Ordinance and in §1106. The regulations which follow are designed to prevent such adverse effects. Adult entertainment facilities shall not be located within:
 - A. 500 feet of any Rural District, residential structure, or rooming unit;
 - B. 1,000 feet of any church, school, theater, park, playground, public school, billiard hall, amusement arcade, club or lodge; or other area where minors congregate.
 - C. 1,000 feet of any establishment licensed by the PA Liquor Control Board to dispense alcoholic beverages;
 - D. 1,000 feet of restaurant, eating establishment or grocery store; nor within
 - E. 1,000 feet of any other adult entertainment establishment;
 - F. For the purposes of this Section, spacing distances shall be measured from all property lines of any of the uses specified or mentioned in Subsection A above.
2. Advertisement, displays, or other promotional materials for adult entertainment facilities shall not be shown or exhibited so as to be visible to the public from any street, sidewalk or other public place.
3. All building openings, entries, exits or windows for adult entertainment establishments shall be located, covered or screened in such a manner as to prevent a view into the interior from any street, sidewalk or other public place. In the case if an adult drive-in or motion picture theater, viewing screens shall be situated so as to prevent observation from any street, sidewalk or other public area or nearby pre-existing residential area.
4. No person shall engage in business as an Adult Entertainment Establishment without first obtaining a license from the Township Board of Supervisors. Such license shall be an annual license for the calendar year or the remaining part thereof. The licenses fee shall be established and reviewed annually by

the Board of Supervisors as part of the zoning fee resolution. Such license shall be obtained annually on or before the February meeting of the Board of Supervisors of each calendar year.

5. The license required herein shall be issued only after a complete application has been filed with the Township Zoning Officer. No person granted a license under this Ordinance shall, by virtue of holding one licenses keep more than one (1) place of business as an adult entertainment establishment in Porter Township. Such license shall be posted conspicuously upon the premises licensed thereunder. No license issued hereunder shall be transferable, except when the owner applies for a transfer and pays the required transfer fee.

6. An application for a license under this Ordinance shall be submitted to the Zoning Officer on the form supplied by the Zoning Officer setting forth the following:
 - A. The name and address of the applicant;
 - B. Premises from which licensed business, operation or activity is to be conducted;
 - C. Nature of proposed business, operation or activity;
 - D. Any previous criminal record of applicant, applicant's employees and applicant's employer, principal or agent ;
 - E. If applicable, names and addresses of person(s) by whom applicant is employed, organization on whose behalf applicant is engaging in business, operation or activity or principals or agents of applicant; and
 - F. Names and addresses of employees.
7. Upon receipt of a complete license application form and payment of the required fee, the Township may cause an investigation to be made of the nature of the proposed business, operation or activity, the condition of the premises, the character and reputation of the applicant, and any other factors which shall be deemed necessary for ascertaining whether the same can be conducted lawfully and without endangering the lives or health of prospective patrons.
8. When upon said investigation the Township determines that the proposed business, operation or activity may be conducted lawfully and without endangering the health or safety of proposed patrons and if its found that the information set forth on the application is true and correct, the applicant to be of good character and reputation and that no license previously issued to the applicant hereunder was ever revoked and that the applicant is not indebted to the Township for taxes or for license fees of any kind or nature whatsoever, then a license shall issue no later than thirty (30) days after application has been made. In the event the Zoning Officer denies said permit, the applicant may appeal said denial to the Zoning Hearing Board which appeal must be filed within twenty (20) days of said denial. Every license issued hereunder shall be posted conspicuously upon the premises.

It is hereby declared that the sale of adult entertainment materials, periodicals, devices or services by any person or the allowance of admission to such an establishment of any person under eighteen (18) years of age is prohibited as a nuisance, offensive to the general

public, and inimitable to the peace, health and welfare of the Township.

Section 8.20 Mineral Resource Extraction and Processing

Mineral extraction and processing operations such as asphalt and cement plants, gas wells, quarries, strip mines, borrow pits or other commercial extraction or processing of sand, oil, gas, rock, gravel, earth, clay or similar materials may be permitted only as outlined in this Article. Such operations shall comply with Department of Environmental Protection' permit requirements and evidence of such compliance must be submitted with any application for an extractive operation. In addition, the following standards shall be met.

1. **Buffer.** A buffer strip of at least forty (40) feet shall be provided along the perimeter of the excavation site. Such buffer area will include an effective natural or man-made screening.
2. **Access.** The applicant shall indicate to the Zoning Officer the proposed means of accessing the property i.e. the roads that will be used to transport the excavated material to and from the site. The Zoning Officer shall review the suitability of the proposed routes and determine if any problems exist that could be rectified through such things as re-routing the trucks onto more satisfactory roads.
3. No excavation, quarry wall, storage or area in which processing is conducted shall be located within 100 feet of any lot line or street line nor within 200 feet of any V or CS District boundary line.
4. All excavations, except stone quarries subject to Subsection (G) herein, shall be graded in such a way to provide an area which is harmonious with the surrounding terrain and not dangerous to human or animal life.
5. Truck access to any excavation shall be arranged to minimize danger to traffic, nuisance to surrounding properties, and detrimental effects on local roads (if otherwise avoidable by alternative routes).
6. A rock crusher, cement plant or other crushing, grinding, polishing or cutting machinery or other physical or chemical process for treating such products shall be subject to such conditions and safeguards as deemed necessary by the Zoning Hearing Board.
7. Quarries whose ultimate depth shall be more than 25 feet shall provide the following:

- A. A chain link (or equivalent) fence at least ten (10) feet high with a slanted section on top strung with barbed wire placed around the perimeter of active and inactive quarries, and;
- B. Warning signs placed on the fence at intervals of not more than 100 feet, completely surrounding the area.

Section 8.21 **Campgrounds or Recreational Vehicle Parks**

Campgrounds or recreational vehicle parks may be permitted only as specified in the District Regulations. Every proposed campground or recreational vehicle park must also meet the requirements set forth in the Subdivision and Land Development Ordinance in effect in Porter Township as well as the standards outlined below.

1. General Requirements - Campgrounds or recreational vehicle parks shall be designed for intermittent recreational use. No year-round residential occupancy of any unit in a campground shall be permitted. (See Sub-Section 8.21-4 below regarding campgrounds in Flood-prone Areas.)
2. Design Standards
 - A. Minimum Campground Area. A campground shall have a gross area equal to the minimum lot size required for the district in which it is to be located.
 - B. Campsite Requirements.
 - 1) Gross Density. The maximum number of campsites within each campground shall be no more than 15 per acre of gross area of the campground.
 - 2) Minimum Campsite Sizes. Each campsite shall contain a minimum of 2,000 square feet. The minimum width shall be not less than 40 feet.
 - 3) Campsite Pads. Each campsite shall be provided with a stabilized pad of gravel, crushed stone or other suitable material to be used for the placement of the camping unit. (Tent sites shall not be governed by this requirement.)
 - 4) Camping Units. No more than one (1) camping unit (recreational vehicle, truck camper, or other similar unit) shall be

located on each campsite. (Tents shall not be governed by this limitation.)

- 5) Accessory Structures. No accessory structures, including sheds, storage buildings, porches, privies, etc. shall be placed on campsites located in floodplain areas. (See also Sub-Section 8.21-4 below.)

C. Setbacks, Buffer Yards and Screening Requirements.

- 1) Park Perimeter Buffer Yard. All campsites and auxiliary park structures shall be located at least 50 feet from the campground boundary lines, including public road rights-of-way. Where a screen of natural plantings is provided along the perimeter, this minimum buffer may be reduced to 25 feet.
- 2) Minimum Distance Between Structures and Campsites. All campsites shall be located at least 30 feet from any auxiliary building.
- 3) Minimum Distance Between Camping Units. No part of an individual camping unit shall be closer than 10 feet to a campsite boundary, including awnings and similar projections. (Tents shall not be governed by this limitation.)

D. Campsite Access. All campsites shall abut and have frontage on a street of the campground internal street system. (See also Sub-Part E below.) In addition, at the entrance intersection of the campground, a 50-foot wide cartway shall be provided for a distance of 100 feet to accommodate the safe movement of vehicles or units into and out of the facility.

E. Campground Internal Street System Requirements. The internal street system shall be designed and constructed by the campground owner in accordance with the applicable street standards outlined in the Subdivision and Land Development Ordinance in effect in Porter Township, and shall be of sufficient length, width, and material to support the weight of all proposed camping units as well as emergency vehicles. It shall be the responsibility of the campground owner to maintain all such streets within the campground.

F. Off-Street Parking Requirements. A minimum of one (1) vehicle off-street parking space shall be provided for each campsite, plus one (1) additional off-street parking space for every five (5) campsites shall be provided within the campground. A common parking area shall be provided for tent campers within 250 feet of campsites set aside for tent campers.

- G. Grading and Ground Cover (Soil Erosion and Sedimentation Control Plans). All grading, soil erosion and sedimentation control requirements set forth in the Subdivision and Land Development Ordinance in effect in Porter Township shall be met. In addition, the standards established in Section 8.16 of this Ordinance shall be met for all campgrounds to be located in the Fishing Creek Watershed.
- H. Drainage Facilities. All drainage and/or storm water management standards set forth in the Subdivision and Land Development Ordinance in effect in Porter Township shall be met. In addition, the standards established in Section 8.16 of this Ordinance shall be met for all campgrounds to be located in the Fishing Creek Watershed.
- I. Common Open Space Requirements. A minimum of 20% of the gross area of the campground shall be reserved by the developer/owner as common open space for the use of all occupants of the park. Such open space may include areas of land and water, but shall exclude all roads, parking areas, structures or service lanes. At least a portion of the open space shall be set aside for recreational use. Such recreation area shall be suitable for outdoor recreation activities and shall be easily accessible to all campsites. Applications for campgrounds or recreational vehicle parks shall include a proposal indicating the ultimate ownership and maintenance responsibilities for such common open space and recreation areas. Copies of such arrangements shall be included in the lease for each campsite.

3. Utilities and Park Facilities

- A. Sewage and Water Facilities. The standards of the PA Department of Environmental Protection (DEP) for the provision of sewer and water facilities shall be met. Documents and approvals indicating that these standards have been met along with notations on the campground plan showing the location of water sources and restrooms shall be presented to the Township by the applicant. (No Zoning Permit shall be issued for the campground until the sewage and water supply systems have been approved by DEP.) Where individual sewer hook-ups are not provided for each campsite, a DEP-approved community dump station must be provided by the developer for sewage disposal within the campground. It shall be the responsibility of the campground developer/owner to maintain all such facilities and comply with all local sewage regulations.

- B. Other Utility Systems. Where electric or other utilities are to be provided, plans shall be provided by the developer/owner and approved by the Township and the utility company.
 - C. Solid Waste Collection, Storage and Disposal. Arrangements for the collection, storage, and disposal of solid wastes generated by the users of the proposed campground shall be made by the developer/owner and submitted to the Township for approval as a part of the development plan evaluation process.
 - D. Service and Other Campground Buildings. Service, maintenance and management buildings and commercial sales buildings required for the management, servicing and maintenance of the campground may be allowed provided that such buildings are used exclusively for said purposes. Structures may be located within a Flood Fringe or General Floodplain area as long as they are adequately floodproofed, but no structures may be located within a designated Floodway area. (See Section 8.10 for floodproofing standards.)
 - E. Campground Management. During times of operation, each campground owner shall designate a resident manager who shall be responsible for maintaining the facility in accordance with the requirements of this Ordinance and the terms and conditions of the campground's approval.
4. Campgrounds in Flood-prone Areas
- A. Permit Requirements. Each campground proposed to be located within a designated Floodplain Area, shall be required to obtain an annual, Seasonal Zoning Permit. Such Permits will only be valid from April 15 through October 15 of each year. All units must be removed from the floodplain during the remainder of the year.
 - B. Evacuation Plans. Where campgrounds are proposed to be located within any designated Floodplain Area, a workable evacuation plan must be submitted as a part of each application for a Seasonal Zoning Permit. Said plan must insure that all units will be removed from the floodplain during flood events.
 - C. Anchoring. Camping units being placed in campgrounds located within any designated Floodplain Area must remain on wheels and be capable of being towed or transported from the site at all times. Such units may not be placed on blocks or similar supports and no activity may take place on the site which would interfere with the

prompt and safe evacuation of the units in times of flood danger.

Section 8.22 Farm-Related Businesses

Farm-related businesses may be permitted as accessory uses in the Agricultural District, and shall be subject to the following requirements.

- A. For the purposes of this Ordinance, a farm-related business shall be defined as an accessory commercial enterprise conducted on a farm parcel which is related to and/or supportive of an on-going agricultural operation located on the same tract of ground. All such operations shall remain secondary to the principal agricultural use of the property.
- B. Farm-related businesses shall be conducted primarily within an enclosed building(s) typical of farm buildings, with the exception of approved storage, but may not be located within the farm residence. All buildings used for farm-related businesses shall be located in proximity to other farmstead buildings and must remain compatible with the character of the farm and the rural setting in which they are located.
- C. The farm-related business must be owned and operated by the individual who is the resident of the farm on which it is located. All applications for businesses to be operated by someone other than the owner of the farm shall include written consent of the landowner. There shall be no more than two (2) non-resident employees engaged in the business.
- D. The area devoted to production, storage and sales associated with the farm-related business shall be limited to a total of 5,000 square feet of gross floor area.
- E. No outdoor, unenclosed storage associated with a farm-related business shall become a nuisance or create a safety hazard. All such storage shall meet the requirements set forth in Sub-Section 8.03-2 of this Ordinance.
- F. All signs used to advertise such facilities shall meet the requirements of Section 8.11 of this Ordinance.
- G. Off-street parking spaces shall be provided for each farm-related business as set forth in Section 8.05 of this Ordinance.
- H. Farm-related businesses may include the following agricultural activities:
 - 1. Processing, storage, and/or sale of products raised or produced on the premises;
 - 2. Dairy stores;

3. Custom butcher shops;
4. Horticultural nurseries, greenhouses, and/or garden shops; and
5. Livestock or animal grooming services.

I. Requests for other farm-related businesses not specified above may be submitted to the Zoning Hearing Board for consideration. Upon finding of the Board that such use complies with the criteria of this Section, other applicable codes and ordinances in effect in the Township, and that the proposed use would not be detrimental to the health, safety and welfare of the residents of the neighborhood where it is to be located, such use may be approved.

Article IX

Planned Residential Development

Section 9.01 Purpose

The board, acknowledging that the technology of land development and the demand for housing are undergoing substantial and rapid changes, and recognizing the applicability of the objectives set forth in Part 7 of the Pennsylvania Municipalities Planning Code, adopts the principle of Planned Residential Development and the requirements and procedures therefore for the purposes of:

1. Providing increased flexibility in the laws governing the development of certain areas in the Township which are now substantially open land and encouraging both the changes in design and technology in the building industry and the new demands in the housing markets.
2. Insuring that the uniform regulations appropriate to previously developed residential neighborhoods do not operate to discourage efficient land and imaginative development of said substantially open areas consistent with the reasonable enjoyment of neighboring properties.
3. Encouraging the more efficient allocation and maintenance by private initiative of Common Open Space ancillary to new residential areas.
4. Encouraging the more efficient use of those public facilities required in connection with new residential development.
5. Permitting in the public interest a greater population density in those undeveloped areas set aside for this purpose than that reflected by the zoning of the individual districts, provided proposals for development are not inconsistent with comprehensive plan and the developer can demonstrate that any increment or public cost clearly attributable to increased densities will be justified by the private amenities and public benefits to be achieved by the plan.

Section 9.02 Administration

The administration of the procedures for application for an approval of Planned Residential Developments shall be vested in the Board of Supervisors. The Board shall, however, refer all tentative and final development plans for such developments to Planning commission, and the Clinton County Planning

Commission, for their review and comment.

The Planning Commission shall act as the principal agent for the Board in reviewing and commenting on proposals for Planned Residential Development. As such, they shall receive and review the plans and documents, particularly with reference to the criteria for design as contained in §§ 903, 904, 905, 906 and 907 of this Chapter. In addition, they shall be concerned with the effect of the proposed development on the Comprehensive Plan for Porter Township and on other matters required for consideration by the Board in § 910 (2) of this Chapter. The Planning Commission may, in reviewing a Planned Residential Development, meet with the prospective developer and informally direct whatever changes are agreed upon to obtain compliance with the terms and spirit of this Chapter. The Planning Commission shall report to the Board in writing its findings and recommendations five (5) days prior to the public hearing scheduled for consideration of the tentative plan.

Final plans for Planned Residential Development shall be reviewed by the Planning Commission in accordance with the requirements of the Porter Township Subdivision Ordinance.

Section 9.03 Conditions for Planned Residential Development

The following are prerequisite conditions for consideration of a planned Residential Development.

1. Any tract of land so developed shall be in one ownership, or in case of multiple ownership of the tract, evidence shall be presented of a written agreement between the parties involved that development will be in accordance with a single plan with common authority and common responsibility.
2. In order to qualify as a Planned Residential Development, such development shall provide for a minimum of fifty (50) dwelling units, provided that a mobile home park, developed as a Planned Residential Development under the terms of this Part, may be permitted in the Residential District on a lot not less than twenty-five (25) acres in size.
3. A Planned Residential Development must be served by off-site water and off-site sewer systems.

Section 9.04 Use Regulations

The uses permitted in a Planned Residential Development shall be limited to:

1. Dwelling units in detached, semi-detached or townhouse arrangements
2. A mobile home park may be permitted as a Planned Residential Development.
3. In Planned Residential Developments on two hundred (200) acres or more, commercial or institutional facilities as are necessary to serve the residents of a Planned Residential Development in their daily needs may be provided. Buildings designed or intended to be used, in part or in whole, for commercial or institutional purposes shall not be constructed prior to the construction and completion of at least one hundred fifty (150) units.
4. Open space set aside under the provisions of this Part may be used in whole or in part in any of the following ways, or any manner similar there to:
 - A. Boating and fishing
 - B. Golf course
 - C. Hiking and horseback riding
 - D. Parks
 - E. Play fields
 - F. Playgrounds
 - G. Picnic areas
 - H. Skating rinks
 - I. Swimming pool
 - J. Tennis courts
 - K. Woodland
 - L. Lakes

The design standards contained in § 803, loading regulations in § 804, and off-street parking regulations in § 805, of this Chapter shall be used where applicable to provide guidelines for the control of access, parking, screening, noise, etc., associated with uses permitted in open space.

Section 9.05 **Density**

The following standards shall govern the density of dwelling units on the land within a Planned Residential Development:

1. A plan may provide for a greater number of dwelling units per acre than would be permitted by the Township zoning regulations otherwise applicable to the site. The maximum density on dwelling units, including mobile homes, computed over the entire Planned Residential Development shall be four (4) dwelling units per acre, excluding areas of open space required by Subparagraph (d) of this section and the net residential density of units in the remaining areas established by § 906 (2) of this Part shall also govern the number of mobile home spaces permitted in a Planned Residential Development but, in no case, shall the number of mobile homes be greater than set forth herein before. The Board in determining the reasonableness of the aforementioned increase in the authorized dwelling justified by additional private amenities and by increased efficiency in public services to be achieved by the amount, location, design and type of dwelling units. The Board shall, in its determination, also consider that the physical characteristics of the site may make the increased densities appropriate in the particular location.
2. Where permitted, commercial activities shall occupy no more than ten percent (10%) of the total land in the Planned Residential Development.
3. In all districts, at least thirty percent (30%) of the total land in the tract shall be set aside as open space for the use and benefit of the residents of the development or the Township as hereinafter provided.
4. In the case of a Planned Residential Development proposed to be developed over a period of years, a variation in each section to be developed from the density of use established for the entire Planned Residential Development may be permitted. A greater concentration of density of land use within some section or sections of development may be allowed whether it be earlier or later in the development than others. The approval of such greater concentration of density of land use for any section to be developed shall be offset by a smaller concentration in any completed prior stage or by an appropriate reservation of Common Open Space on the remaining land by a grant of easement or by covenant in favor of the Township, provided that such reservation shall, as far as practicable, defer the precise location of such Common Open Space until an application for final approval is filed, so that flexibility of development which is a prime objective of this Part can be maintained.

Section 9.06 Standards for Development

The following standards shall govern the design of Planned Residential Development:

1. Site Considerations -

- A. The finished topography of site shall adequately facilitate the proposed development without excessive earth moving, tree clearance, and destruction of natural amenities. Natural features such as lakes, streams, and wooded slopes shall be preserved and incorporated into the final landscaping of the development wherever possible and desirable. The applicant shall demonstrate the means whereby trees and other natural features shall be protected during construction. The location of such trees and other natural features must be considered when planning the open space, location of buildings, underground services, walks paved areas, and finished grade levels.
- B. Seeding, sodding, and other planting shall be applied to stabilize topsoil on steep slopes and to enhance the appearance of open areas.
- C. Where adequate surface drainage is not possible by grading alone, a supplementary drainage system approved by the Township Engineer will be required.

2. Housing Sites -

- A. Single-family houses, mobile homes, semi-detached houses and townhouses may be arranged so as to provide for individual lots for each unit, or may be arranged as rental units or condominiums. Sufficient yard areas shall be set aside and designated on the plan for each type of housing, so that on an average throughout the development:
 1. The maximum net residential density for townhouse use areas shall not exceed seven and one-half (7 ½) dwelling units per acre.
 2. The maximum net residential density for semi-detached housing areas shall not exceed (6) dwelling units per acre.
 3. The maximum net residential density single-family detached housing areas shall not exceed three and one-half (3 ½) units per acre. Mobile homes shall be considered as single-family dwellings in the computation of net residential densities.

- B. It is the intention of this Chapter that townhouses shall be arranged in groups or clusters and not in long rows parallel to street lines.
- C. The developer shall make adequate provision for the maintenance of buildings and land within yard areas set aside for condominium corporation with the responsibility for collection of sufficient levies of fees to pay the cost of such maintenance.
- D. All housing shall be designed with regard to topography and natural features of the site. The effects of prevailing winds, seasonal temperatures, and hours of sunlight on the physical layout and form of the proposed land use and buildings shall be taken into account.
- E. To create architectural interest in the layout and character of housing fronting streets, variations in setbacks shall be encouraged.
- F. All housing should be sited so as to provide privacy and to ensure natural light in all principal rooms.
- G. Routes for vehicular and pedestrian access and parking areas shall be convenient without creating nuisances or detracting privacy.
- H. The approximate location and arrangements of buildings and open spaces must be shown to the Board on tentative plans so that it may review the intensity of land use and serve the public interest by protecting neighboring land uses.
- I. The following requirements shall apply:
 - 1. No structure shall be within thirty feet (30') of the curb of access roads or parking areas.
 - 2. No structure shall be erected within thirty feet (30') of any other structure.
 - 3. There shall be a minimum of fifty feet (50') between any wall containing ten percent (10%) or more of principal windows in living areas and any other such wall.
- J. All structures shall be a minimum of fifty feet (50') from property lines of the development, or from zoning district boundaries within the limits of a property to be developed as a Planned Residential Development.
- K. It is the intention of this subparagraph to encourage good quality development by taking into consideration the appearance of all elevations and layouts of buildings and external spaces and materials

used therein.

3. Common Open Space -

- A. Consideration shall be given to the arrangement and location of open spaces to take advantage of physical characteristics of the site and to place open spaces within easy access and view of dwelling units, at the same time preserving and, where applicable, enhancing natural features.
- B. Areas set aside for open space shall be suitable for the designated purpose and in any event shall be consistent with the plan policy for future land use in the Township. Any such area shall contain no structure other than a structure related to the purpose of open spaces.
- C. Any land set aside as open space, of such a size as may be capable of future subdivision under the regulations of this Chapter, must be made subject to a deed restriction of agreement in form acceptable to the Board and duly recorded in the Office for the Recorder of Deeds in and for Clinton County eliminating the possibility of such further subdivision by transfer of development rights to the Township or by any method approved by the Board in approving the plan.

4. Streets and Parking -

- A. Streets within a Planned Residential Development shall be related to land uses and to adjacent street systems, and each street shall be designated as a major traffic street, collector street, or minor street, depending upon its service. Streets shall be designed in accordance with the terms of the Porter Township Subdivision Ordinance. Where private streets are proposed, provision for the maintenance of such private street shall be essential part of the plan for the development.
- B. Parking for all uses within the Planned Residential Development shall be in accordance with the requirements for off-street parking as set forth in § 805 of this Chapter. Parking lots shall be lighted and landscaped in accordance with the provisions of § 803.

5. Landscaping - Landscaping shall be regarded as an essential feature of every Planned Residential Development. In addition to the preservation of natural features, trees and slopes of the site, careful attention shall be given to landscaping of parking areas and provisions of street trees.

6. Supplementary Project Facilities -

- A. Commercial sites shall in all respects meet the Area and Bulk requirements of the Neighborhood Commercial District. Shopping area

within the Planned Residential Development shall be located so as not to interfere with residential character of nearby dwelling units parking and loading places must be carefully screened from view of adjacent residential development.

- B. Swimming pools, skating rinks and other recreation areas shall be located so as not to interfere with the residential character of adjacent dwelling units.
- C. Refuse stations must be designed with screening on all sides at least six (6) feet high and without openings so as to make the refuse station invisible when the gate is closed. Such refuse stations shall be in locations convenient for the collection and removal of refuse and not offensive to the occupants of adjacent dwelling units.
- D. Adequate lighting must be provided to the outdoor areas used by residents after dark. Appropriate lighting fixtures must be provided for walkways and to identify streets, steps, ramps, directional changes and signs. Lighting shall be located to avoid shining directly into habitable room windows in the project, or into private yard areas associated with dwelling units. The requirements for lighting may be waived by the Board where density of development may not justify its use.
- E. All utilities shall be underground within a Planned Residential Development.

7. Mobile Home Parks -

- A. In the development of a mobile home park, the Porter Township Subdivision ordinance shall apply to the design of all water, sewers, storm drainage and street facilities. Each mobile home site shall be considered a single-family dwelling site under the provisions of this Part and shall be sized accordingly, except that within a mobile home park permanent foundations for mobile homes shall not be required. Each mobile home space shall be provided with water, sewer and electric connections and shall have a minimum of two (2) parking places off-street.
- B. Each mobile home shall be skirted with acceptable building material in a manner which will eliminate open access to the area underneath the mobile home.
- C. Particular care shall be given to the design of recreational facilities, landscaping and drainage. All utilities shall be underground.

Section 9.07 Ownership and Maintenance of Common Open Space

An essential element of the tentative plan is a written description and plan for the disposition of ownership of Common Open Space land designating those areas to be offered for dedication or to be owned by the specific form of organization proposed.

1. The Board may, at any time and from time to time, accept the dedication of land or any interest therein for public use and maintenance, but the Board need not require, as a condition of the approval of a Planned Residential Development, that land proposed to be set aside for Common Open Space be dedicated, or made available for public use.
2. In the event that Common Open Space is not dedicated or made available to public use, the landowner shall provide for and establish an organization for the ownership and maintenance of the Common Open Space, and such organization shall not be dissolved nor shall it dispose of the Common Open Space, by sale or otherwise (except to an organization conceived and established to own and maintain the Common Open Space), except by dedication of the same to the public. In any case, the organization provided for the ownership to open space land, not dedicated for public use, shall be constructed of the property owners within the Planned Residential Development. The plan may provide that the property owner's association may lease back open space lands to the developer, his heirs or assigns, or to any other qualified person, or corporation, for operation and maintenance of open space lands, but such a lease agreement shall provide:
 - A. That the residents of the Planned Development shall at all times have access to the open space lands contained therein.
 - B. That the Common Open Space to be leased shall be maintained for the purposes set forth in this Chapter.
 - C. That the operation of open space facilities may be for the benefit of the residents only, or may be open to the general public.

The form of the lease shall be subject to the approval of the Board, and that any transfer or assignment of the lease shall be further subject to the approval of the Board. Lease agreements so entered upon shall be recorded with the Recorder of Deeds of Clinton County within thirty (30) days of their execution and a copy of the recorded lease shall be filed with the Secretary of the Township.

3. The plan to provide for the ownership and maintenance of Common Open Space

shall include:

- A. A complete description of the organization to be established for the ownership of open space, if any, and the methods by which this organization shall be established and maintained.
 - B. A method reasonably designed to give adequate notice to property owners within the Planned Residential Development in the event of the sale, or other disposition of Common Open Space lands, and in the event of assumption of the maintenance of Common Open Space lands by the Township as hereinafter provided.
4. In the event that the organization established to own and maintain Common Open Space, or any successor organization, shall at any time after established of the Planned Residential Development fail to maintain the Common Open Space in reasonable order and condition in accordance with the development, the Board may proceed as provided in the Act, Section 705, (D) 2, to demand that the deficiencies of maintenance be corrected or that the Township will enter upon and maintain Common Open Space. Notice to affected property owners in accordance with the provisions of the master plan as required in § 907 of this Chapter shall be deemed to be adequate notice by the Township. The cost of such maintenance by the Township shall be assessed ratably against the properties within the Planned Residential Development that have a right of enjoyment of the Common Open Space, and shall become a lien on said properties.

The Township at the time of entering upon said Common Open Space for the purpose of maintenance shall file a notice of lien in the office of the Prothonotary of the County upon the properties affected by the lien within the
Planned Residential Development.

Section 9.08 Application for Tentative Approval for Planned Residential Development

1. An application for tentative approval of a Planned Residential Development shall be filed by or on behalf of the owner or owners of the land. Such application is to be filed, along with the necessary fee, with the Zoning Officer of the Township on a form approved by the Township. A copy of this application shall also be submitted to the Clinton County Planning Commission for their review. The fee for review of application for tentative approval shall be as hereinafter provided in § 1104.

2. Plans for tentative approval shall be prepared to show the following:
 - A. The location, size, and topography of the site and the nature of the landowner's interest in the land proposed to be developed.
 - B. The density of land use to be allocated to parts of the site to be developed.
 - C. The location, size and uses of the Common Open Space and the form of organization proposed to own and maintain the Common Open Space.
 - D. The use and the approximate height, bulk and location of buildings and other structures.
 - E. The feasibility of proposals for the disposition of the sanitary waste and storm water and provision of public water supply as determine by a Professional Engineer, registered in the State of Pennsylvania.
 - F. The substance of covenants, grants of easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures including proposed easements or grants for public utilities.
 - G. The provisions for parking of vehicles and the location and width of proposed streets and public ways.
 - H. The required modifications in the land use regulations otherwise applicable to the subject property.
 - I. In the case of development plans which call for development over a period of years, the landowner shall designate geographic sections for development under the plan and file a schedule showing the proposed times within which applications for final approval of all sections of the Planned Residential Development are intended to be filed. This schedule must be updated annually, on the anniversary of its approval, until the development is completed and accepted.

The application for tentative approval of a Planned Residential Development shall include a written statement by the landowner setting forth the reasons why, in his opinion, a Planned Residential Development would be in the public interest and would be consistent with the comprehensive plan for the development of the Township.

Section 9.09 Public Hearings

1. Within sixty (60) days after the filing of an application for tentative approval of

a Planned Residential Development pursuant to this Part, a public hearing pursuant to public notice on said application shall be held by the Board, in a manner prescribed in § 1105 for the enactment of an amendment to this Chapter. The Chairman or, in his absence, the acting Chairman of the Board may administer oaths and compel the attendance of witnesses. All testimony by witnesses at any hearing shall be given under oath and every party of record at a hearing shall have the right to cross-examine adverse witnesses.

2. A verbatim record of the hearing shall be caused to be made by the Board whenever such records are requested by any party to the proceedings; but the cost of making and transcribing such a record shall be borne by the party requesting it and the expense of copies of such record shall be borne by those who wish to obtain such copies. All exhibits accepted in evidence shall be identified and duly preserved, or, if not accepted in evidence, shall be properly identified and the reason for the exclusion clearly noted in the record.
3. The Board may continue the hearing from time to time, and may refer the matter back to the Planning Commission for a further report, provided, however, that in any event, the public hearing or hearings shall be concluded within sixty (60) days after the date of the first public hearing.

Section 9.10 The Findings

1. The Board, within sixty (60) days following the conclusion of the public hearing provided for in this Part, shall, by official written communication to the landowner, either:
 - A. Grant tentative approval of the development plan as submitted.
 - B. Grant tentative approval subject to specified conditions not included in the development plan as submitted, or
 - C. Deny tentative approval to the development plan.

Failure to so act within said period shall be deemed to be a grant of tentative approval of the development plan as submitted. In the event, however, that tentative approval is granted subject to conditions, the landowner may, within thirty (30) days after receiving a copy of the official written communication of the Board, notify such governing body or agency of his refusal to accept all said conditions, in which case, the Board shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within said period, notify the Board of his refusal to accept all said conditions, tentative approval of the development plan, with all said conditions, shall stand as

granted.

2. The grant or denial of tentative approval by official written communication shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without conditions, or for the denial, and said communication shall set forth with particularity in what respects the development plan would or would not be in the public interest including but not limited to findings of fact and conclusions on the following:
 - A. In what respects the development plan is or is not consistent with comprehensive plan for the development of the Township.
 - B. The extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.
 - C. The purpose, location and amount of the Common Open Space in the Planned Residential Development, the reliability of the proposals for maintenance and conservation of the Common Open Space as related to the proposed density and type of residential development.
 - D. The physical design of the development plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.
 - E. The relationship, beneficial or adverse, of the proposed Planned Residential Development to the neighborhood in which it is proposed to be established.
 - F. In the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions of the Planned Residential Development in the integrity of the development plan.
3. In the event a development plan is granted tentative approval, with or without conditions, the Board may set forth in the official written communication the time within which an application for final approval of the development plan shall be filed or, in the case of a development plan which provides for development over a period of year, the period s of time within which applications for final approval of each part thereof shall be filed. Except upon the consent of the landowner, the time so established between grant of tentative approval and an application for final approval shall not be less than three (3) months and in the case of a development over a period of years, the time between applications for final approval of each part of a plan shall not be less than twelve (12) months.

Section 9.11 Status of Plan after Tentative Approval

1. The official written communication provided for in this Part shall be certified by the Secretary of the Township and shall be filed in his office, and a certified copy shall be mailed to the landowner where tentative approval has been granted, and the same shall be noted on the zoning map.
2. Tentative approval of a development plan shall not qualify a plan of the Planned Residential Development for recording nor authorize development or the issuance of any building permits. A development plan which has been given tentative approval as submitted, or which has been given tentative approval with conditions which have been accepted by the landowner (and provided that the landowner has not defaulted nor violated any of the conditions of the tentative approval), shall not be modified or revoked nor otherwise impaired by action of the Township pending an application or applications for final approval, without the consent of the landowner, provided an application for final approval is filed, or in the case of development over a period of years, provided applications are filed within the periods of time specified in the official written communication granting tentative approval.
3. In the event that a development plan is given tentative approval and thereafter, but prior to final approval, the landowner shall elect to abandon said development plan and shall so notify the Board in writing, or in the event the landowner shall fail to file application or applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to those ordinances otherwise applicable thereto as they may be amended from time to time, and the same shall be noted on the zoning map and in the records of the Secretary of the Township.

Section 9.12 Application for Final Approval

1. An application for final approval may be for all the land included in a development plan or, to the extent set forth in the tentative approval, for a section thereof. Said application shall be made to the Board and within the time or times specified by the official written communication granting tentative approval. The application shall include any drawings,

specifications, covenant, easements, performance bond, and such other requirements as may be specified by this Chapter, or by the Porter Township Subdivision Ordinance, as well as any conditions set forth in the official written communication at the time of tentative approval. A public hearing on an application for final approval of the development plan, or part thereof, shall not be required, provided the development plan, or the part thereof, submitted for final approval, is in compliance with the development plan therefore given tentative approval and with any specified conditions attached thereto.

2. Plans submitted for final approval of all or a portion of a Planned Residential Development shall be prepared in accordance with the requirements for final subdivision plans as specified in the Porter Township Subdivision Ordinance as amended, and the procedures established by that ordinance, relating to the content, review and approval of final plans shall govern the acceptance of final plans.
3. The design of streets, sewers, storm drainage, sidewalks, and all public improvements shall be in strict accordance with the design standards of the aforesaid ordinance.
4. The Porter Township Subdivision Ordinance as amended shall govern the construction and acceptance of all public improvements including the provisions for requirement of performance and maintenance bonds.
5. The fee for filing of final plans and for inspection, engineering, material tests, recording and legal matters shall be as provided by § 1104 of this Chapter.
6. In the event the application for final approval has been filed, together with all drawings, specifications and other documents in support thereof, as required by this Chapter and the official written communication of tentative approval, the Board shall, within forty-five (45) days of such filing, grant such development plan final approval.
7. In the event the development plan as submitted contains variations from the development plan given tentative approval, the Board may refuse to grant final approval and shall, within forty-five (45) days from the filing of the application for final approval, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more of said variations are not in the public interest. In the event of such refusal, the landowner may either:
 - A. Re-file his/her application for final approval without the variations objected;

or

- B. File a written request with the Board that it hold a public hearing on his application for final approval.

If the landowner wished to take either such alternate action, he may do so at any time within which he shall be entitled to apply for final approval, or within thirty (30) additional days if the time for applying for final approval shall have already passed at the time when the landowner was advised that the development plan was not in substantial compliance. In the event the landowner shall fail to take either of these alternate actions within said time, he shall be deemed to have abandoned the development plan. Any such public hearing shall be held pursuant to public notice within (30) days after request for the hearing is made by the landowner, and the hearing shall be conducted in the manner prescribed in this Part for public hearings on applications for tentative approval. Within thirty (30) days after the conclusion of the hearing, the Board shall by official written communication either grant final approval to the development plan or deny final approval. The grant or denial of final approval of the development plan shall, in cases arising under this section, be in the form and contain the findings required for an application for tentative approval set forth in this Part.

8. A development plan, or any part thereof, which has been given final approval shall be so certified without delay by the Board and shall be filed of record forthwith in the office of the Recorder of Deeds before any development shall take place in accordance therewith. Upon the filing of the record of the development plan, the zoning and subdivision regulations otherwise applicable to the land included in such plan, shall cease to apply thereto. Pending completion within a reasonable time of said Planned Residential Development or of that part thereof, as the case may be, that has been finally approved, no modification of the provisions of said development plan, or part thereof, as finally approved, shall be made except with the consent of the landowner.
9. In the event that a development plan, or section thereof, is given final approval and thereafter the landowner shall abandon such plan or the section thereof that has been finally approved and shall so notify the Board in writing, or, the landowner shall fail to commence and carry out the Planned Residential Development within twelve (12) months after final approval has been granted, no development shall take place on the property included in the development plan until after the said property is re-subdivided and is reclassified by enactment of an amendment to this Chapter in the manner prescribed for such amendments in § 1105.

Section 9.13 Enforcement and Modification of Provisions of the Plan

To further the mutual interest of the residents of the Planned Residential Development and of the public in the preservation of the integrity of the development plan, as finally approved, and to ensure that modifications, if any, in the development plan shall not impair the reasonable reliance of the said residents under the provisions of the development plan, nor result in changes that would adversely affect the public interest, the enforcement and modification of the development plan as finally approved, whether those are recorded by plat, covenant, easement or otherwise shall be subject to the provisions of the law as contained in Section 706 of the Act.

Article X

ZONING HEARING BOARD

Section 10.01 Establishment and Membership

There shall be a Zoning Hearing Board which shall consist of three (3) members who shall be appointed by the Board of Supervisors. The membership of the Zoning Hearing Board shall consist of residents of the Township. Their terms of office shall be three (3) years and shall be so fixed that the term of office of one member shall expire each year. The Zoning Hearing Board shall promptly notify the Board of Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Zoning Hearing Board shall hold no other office in the Township except that no more than one member of the Zoning Hearing Board may also be a citizen member of the Planning Commission. Any member of the Zoning Hearing Board may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors taken after the member has received fifteen (15) days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

Section 10.02 Organization of the Zoning Hearing Board

The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members. The Zoning Hearing Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action as provided in § 1004.

The Zoning Hearing Board may make, alter, and rescind rules and forms for its procedures, consistent with ordinances of the Township and laws of the Commonwealth. The Zoning Hearing Board shall keep full public records of its business and shall submit a report of its activities to the Board of Supervisors once a year.

Section 10.03 Expenditures for Services - Fees

1. Within the limits of funds appropriated by the Board of Supervisors, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Zoning Hearing Board may receive compensation for the performance of their duties as may be fixed by the Board of Supervisors, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Board of Supervisors.
2. The applicant before the Zoning Hearing Board shall deposit with the Treasures of the Township such a sum of money, as established by resolution of the Board of Supervisors, to pay expenses for the hearing. These costs may include, but are not limited to, cost of providing notice, and cost of such compensation as the Zoning Hearing Board may receive. Funds deposited in excess of the actual cost of the requested hearing shall be returned to the applicant upon completion of the proceedings, and, in the event that the costs of the hearing exceed the funds deposited, the applicant shall pay to the Treasurer of the Township funds equal to such excess cost.

Section 10.04 Hearings

The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements:

1. The Zoning Hearing Board shall fix a reasonable time and place for public hearings and shall give notice thereof as follows.
 - A. By giving public notice as defined in this Chapter.
 - B. By mailing a notice thereof to the parties in interest.
 - C. By mailing a notice thereof to the Zoning Officer, the Township Secretary, each member of the Board of Supervisors, each member of the Planning Commission, and to every person or organization who shall have registered with the Zoning Hearing Board for the purposes of receiving such notices.

- D. By conspicuously posting a notice on the affected tract of land. No less than 7 days prior to the date of the hearing.
- E. The notice herein required shall state the location of the lot or building and the general nature of the questions involved.
- F. The appellant shall, at least five (5) days prior to the time appointed for said hearing, give personal notice to all owners of property within two hundred (200) feet of the affected property by either handing a copy thereof to the said property owner(s) or by leaving a copy at their usual place of abode or by sending written notification by Certified Mail/Return Receipt Requested to the last known address of the property owner(s). Where the owner(s) are a partnership, service upon any partner as above shall be sufficient, and where the owner(s) are corporations, service upon any officer as above set forth, shall be sufficient.
 - 1. The hearings shall be conducted by the Zoning Hearing Board or the Zoning Hearing Board may appoint any member as a hearing officer. The decision or, where no decision is called for, the findings shall be made by Zoning Hearing Board, but the parties may waive decision or findings by the Zoning Hearing Board and accept the decision or findings of the hearing officer as final.
 - 2. Order Of Hearing.
 - A. Hearing called to order;
 - B. Chairman's statement of reason for hearing;
 - C. Chairman's statement of parties to hearing;
 - D. Identification of other parties wishing to heard;
 - E. Outline of procedures to be followed during hearing;
 - F. Applicant's presentation of their case,
 - 1. Objector's cross-examine applicant's witnesses;
 - 2. Board cross-examines applicant's witnesses;
 - G. Statement of the Zoning Officer,
 - 1. Applicant's cross-examination,
 - 2. Objector's cross-examination,

3. Board's cross-examination;

H. Objector's presentation of their case,

1. Applicant cross-examines objector's witnesses;

I. Other testimony and evidence;

J. Rebuttal by applicant;

K. Rebuttal by objectors;

L. Concluding remarks and notice of when decision is expected to be made;

M. Adjournment of hearing.

4. The parties to the hearing shall be the Township, and person affected by the application who has made timely appearance of record before the Zoning Hearing Board, any other person including civic or community organizations permitted to appear by the Zoning Hearing Board. The Zoning Hearing Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by Zoning Hearing Board for that purpose.
5. The Chairman or acting Chairman of the Zoning Hearing Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and documents requested by the parties.
6. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
7. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
8. The Zoning Hearing Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.
9. The Zoning Hearing Board or the hearing officer shall not communicate, directly or indirectly, with any party or his

representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials unless the parties are afforded an opportunity to contest the material so noticed, and shall not inspect the site or its surroundings after the commencement of the hearing with any party or his representative unless all parties are given an opportunity to be present.

10. The Zoning Hearing Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Zoning Hearing Board or the hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore. Conclusions based on any provisions of this Chapter or of any act, rule, or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by the hearing officer, and there has been no stipulation that his decision or findings are final, the Zoning Hearing Board shall make his report and recommendations available to the parties, and the parties shall be entitled to make written representations thereon to the Zoning Hearing Board prior to final decision or entry of findings, and the Zoning Hearing Board's decision shall be entered no later than forty-five (45) days' after the decision of the hearing officer. Where the Zoning Hearing Board fails to render the decision within the period required by this subsection, or fails to hold the required hearing within sixty (60) days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Zoning Hearing Board to meet or render a decision as hereinabove provided, the Township shall give public notice of said decision within ten days in the same manner as provided in § 1004 (1). Nothing in this subsection shall prejudice the right of any party opposing the application to urge that such decision is erroneous.
11. A copy of the final decision, or, where no decision is called for, shall be delivered to the applicant personally or mailed to him by certified mail not later than the day following its date. To all

other persons who have filed their name and address with the Zoning Hearing Board not later than the last day of the hearing, the Zoning Hearing Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

Section 10.05 Zoning Hearing Board Functions

1. Appeals from the Zoning Officer - The Zoning Hearing Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of a valid ordinance or map or any valid rule or regulation governing the action of the Zoning Officer.
2. Challenge to the Validity of the Zoning Ordinance or Map - The Zoning Hearing Board shall hear challenges to the validity of a zoning ordinance or map except as provided in the Act. In all such challenges, the Zoning Hearing Board shall take evidence and make a record thereon as provided in § 1004. At the conclusion of the hearing, the Zoning Hearing Board shall decide all contested questions and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.
3. Variances - The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the applicant. The Zoning Hearing Board may be rule to prescribe the form of application and may require preliminary application to the Zoning Officer. The Zoning Hearing Board may grant a variance, provided the following findings are made where relevant in a given case:
 - A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located;
 - B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provision of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;

- C. That such unnecessary hardship has not been created by the appellant;
- D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, will not substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and
- E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation at issue.

In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Chapter. The Zoning Hearing Board shall require that adequate on- or off-site water and sewage disposal facilities area available for the use intended.

- 4. Unified Appeals - Where the Zoning Hearing Board has jurisdiction over a zoning matter pursuant to § 1005, the Zoning Hearing Board shall also hear all appeals which an applicant may elect to bring before it with respect to any township ordinance or requirement pertaining to the same development plan or development. In any such case, the Zoning Hearing Board shall have no power to pass upon the non-zoning issues, but shall take evidence and make a record thereon as provided in § 1004. At the conclusion of hearing, the Zoning Hearing Board shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.

Section 10.06 Parties Appellant before Zoning Hearing Board

Appeals under § 1005 (1) and proceeding to challenge any ordinance under § 1005(2) may be filed with the Zoning Hearing Board in writing by the landowner affected by any officer or agency of the Township, or any person aggrieved. Request for a variance under § 1005 (3) and for special exception may be filed with the Zoning Hearing Board by any landowner or any tenant with the permission of such landowner.

Section 10.07 Time Limitations

No person shall be allowed to file any proceeding with the Zoning Hearing Board later than thirty (30) days after any application for development, preliminary or final,

has been approved by an appropriate Township officer, agency or body if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he has no notice, knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest.

The failure of anyone other than the landowner to appeal from an adverse decision on a tentative or preliminary plan pursuant to § 910 of this Chapter or from an adverse decision by a zoning officer on a challenge to the validity of an ordinance or map pursuant to the act shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative or preliminary approval.

Section 10.08 Stay of Proceedings

Upon filing of any proceeding referred to in § 1006 and during its pendency before the Zoning Hearing Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder, shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Zoning Hearing Board facts indicating that such stay would cause imminent peril to life or property, in which case, the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Zoning Hearing Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceeding designed to reverse or limit the approval the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Zoning Hearing Board. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court.

Article XI

Administration

Section 11.01 Administration and Enforcement

1. Administration -

A. Zoning Officer - The provision of this Chapter shall be enforced by an agent, to be appointed by the Board, who shall be known as the Porter Township Zoning Officer. The Zoning Officer, who shall not hold any elective office in the Township, shall be appointed at the first meeting of the Board following the adoption of this Chapter to serve until the first day of January next following, and shall thereafter be appointed annually to serve for a term of one year and/or until his successor is appointed. The Zoning Officer may succeed himself. He shall receive such fees or compensation as the Board may, by resolution, provide.

B. Duties - The duties of the Zoning Officer shall be:

1. To examine all applications for permits.
2. To issue permits only for construction and uses which are in accordance with the regulations of this Chapter and as may be subsequently amended.
3. To record and file all applications for permits and accompanying plans and documents and keep them for public record.
4. To issue permits for uses by conditional use only after such use and buildings are approved by the Township Supervisors in accordance with the regulations of this Chapter.
5. To issue permits for a property which requires access to a PA State Highway under the jurisdiction of the Department of Transportation only after a Highway Occupancy Permit is obtained from the State of Pennsylvania.
6. To identify, inspect and register non-conforming uses, buildings, and lots and to keep a filed record of such non-conforming uses and buildings as a public record and to examine them periodically, with the view of eliminating the non-conforming uses under the existing laws and regulations and to issue

certificates of occupancy for them.

7. Upon the request of the Zoning Hearing Board, present to such body facts, records, and any similar information on specific request to assist such body in reaching its decision.
 8. To be responsible for keeping up to date this Chapter and the Zoning Map, filed with the Township Secretary and to include any amendments thereto.
2. Enforcement - This Chapter shall be enforced by the Zoning Officer of the Township. No permit of any kind as provided in this Chapter shall be granted by him for any purpose except in compliance with the provisions of this Chapter.
 3. Violations - Failure to secure a permit prior to the erection, construction, or alteration of a building or failure to secure a certificate of occupancy shall be a violation of this Chapter. It shall also be a violation of this Chapter to undertake other deliberate actions which are contrary to the terms of this Chapter.
 4. Enforcement Notice -
 - A. If it appears to the zoning officer that a violation of the zoning ordinance enacted under this act or prior enabling laws has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this section.
 - B. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.
 - C. An enforcement notice shall state at least the following:
 - 1) The name of the owner of record and any other person against whom the municipality intends to take action.
 - 2) The location of the property in violation.
 - 3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the ordinance.
 - 4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.

- 5) That the recipient of the notice has the right to appeal to the zoning hearing board within a prescribed period of time in accordance with procedures set forth in the ordinance.
 - 6) That failure to comply with the notice within the time specified, unless extended by appeal to the zoning hearing board, constitutes a violation, with possible sanctions clearly described.
- D. In any appeal of an enforcement notice to the zoning hearing board, the township shall have the responsibility of presenting its evidence first.
- E. Any filing fees paid by a party to appeal an enforcement notice to the zoning hearing board shall be returned to the appealing party by the township if the zoning hearing board, or any court in a subsequent appeal, rules in the appealing party's favor.
5. Enforcement Penalties - Any person, partnership or corporation who or which shall violate the provisions of this Chapter shall be, upon conviction thereof in a civil enforcement proceeding, sentenced to pay a fine of not more than five hundred dollars (\$500.00). In default of payment of the fine, such person, the members of such partnership, or the officers of such corporation shall be liable. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation. All fines collected for the violation of this Chapter shall be paid over to the Township.
6. Remedies - In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure, or land is used, or any hedge, tree, shrub, or other growth is maintained in violation of this Chapter or of any regulations made pursuant hereto, in addition to other remedied provided by law, any appropriate action or proceedings may be instituted or taken to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said buildings, structure, or land, or to prevent any illegal act, conduct, business or use on or about such premises.

Section 11.02 Permits

1. General -

- A. A permit shall be required prior to; the opening of a business or a new owner of a business, a change in use of land or buildings, or the erection, construction or enlargement of any building, structure or any portion thereof.
- B. Application for permits shall be made in writing to the Zoning Officer designated by the Board and shall contain all information necessary for such officer to ascertain whether the proposed erection, construction, reconstruction, enlargement or use complies with the provisions of this Chapter.
- C. Such permits shall be granted or refused within thirty (30) days from the date of the completed application.
- D. No permit shall be issued except in conformity with the regulations of this Chapter, except after written order from the Zoning Hearing Board or the Courts.
- E. The Zoning Officer shall require all fees paid prior to the issuance of any permit that any and all other applicable permits or approvals of any governmental unit or regulatory body be obtained or, in the alternative, and for cause shown, the Zoning Officer may condition a permit upon the obtaining of such permits or approvals.
- F. The parcel or parcels shall be in a single and full ownership or proof of option shall be furnished at the time of application.

2. Site Plan Review -

- A. A site plan, as described below, shall accompany all applications for a zoning permit whenever such applications proposed the following:
 - 1. A proposed use or structure located in or within fifty feet (50') of a flood plain;
 - 2. A proposed use or structure required to have a parking lot as stipulated in § 805.
 - 3. 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, mobile home parks, shopping

centers, and industrial parks; and

4. Any commercial or industrial uses.
- B. Five (5) 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 (1' = less than 50') and contain the following written and graphic information:
1. The name of the proposed development, the identification by Clinton County Tax Map Parcel Number, and the name and address of the owner of the property and the individual or firm preparing the site plan;
 2. Date of the application for a zoning permit;
 3. Graphic scale;
 4. North point;
 5. Key map at a scale of 1" equals four hundred feet (400') showing streets and roads, buildings, and motor vehicle access within five hundred feet (500') from the exterior boundary of the lot;
 6. Total size of the property, and each lot and/or area to be leased;
 7. The proposed use of the property;
 8. Topographic contour lines for existing and design finish grades drawn at vertical intervals of five feet (5') including elevations of each ten foot (10') interval;
 9. The total tract boundary with distances marked to at least the nearest foot;
 10. Location of the front, side, and rear yard setback area as required by the applicable zoning district;
 11. All existing and proposed structures, showing location and statement of the ground floor area, and retail and service floor area, and height of each;
 12. All streams, springs, sink holes, flood plain boundaries, and slopes of twenty-five percent (25%) or more;
 13. Location of all existing and proposed utilities their easements, including those within fifty feet (50') of the boundaries of the site

plan;

14. All existing and proposed street right-of-way and cartways, including those abutting the property.
 15. All existing and proposed points or motor vehicle access to the property;
 16. All existing and proposed parking and loading spaces, parking lots, and a statement of the surfacing material to be used;
 17. The location of all outdoor lighting fixtures;
 18. The location and generic name of vegetation to be used for landscaping;
 19. The location of all buffer yards required by this Chapter;
 20. All storm water management controls required by the Porter Township Subdivision and Land Development Ordinance;
 21. Soil erosion and sedimentation control plan in accordance with 25 PA. Code Section 102, Erosion Control
 22. The location of all sidewalks and curbing required by the Porter Township Subdivision and Land Development Ordinance;
 23. The location of all existing and proposed signs as regulated by this Chapter; and
 24. Engineering and architectural plans for treatment and disposal of sewage and industrial waste, tailings or unusable by-products.
 25. Engineering and architectural plans for the handling of any excess traffic congestion, noise, glare, air pollution, water pollution, vibration, fire hazards, or safety hazards, smoke, or emission of any potentially harmful or obnoxious matter or radiation.
 26. Designation of the manner by which sanitary sewage shall be disposed and water supply obtained.
 27. A space labeled "Recommended to the Supervisors for approval by" for the signatures of the Planning Commission and, a space labeled "Approved by" for the signatures of the Board of Supervisors and a space for the date of each such approval.
- C. All applications for a zoning permit which include a site plan as herein

required shall be reviewed in the following manner:

1. Upon receipt of the application, the Zoning Officer shall forward one (1) copy each of the site plan to the staff of the Clinton County Planning Commission, the Township Planning Commission, and the Township Engineer for review and comment.
 2. The decision of the Board shall be made within sixty (60) days following the date of the regular meeting of the Planning Commission next following the date the application is filed, provided that should the next regular meeting occur more than thirty (30) days following the filing of the application, then approval shall be within ninety (90) days of the date the application has been filed, instead of approval by the Zoning Officer within thirty (30) days, and
 3. Upon approval of the application, the Zoning Officer shall sign two (2) copies of the site plan, return one (1) copy to the applicant along with the requested zoning permit and retain the other copy for his files.
3. Permit Applications Where Site Plan Review Not Required - Applications, When site plan review is not required, shall be accompanied by plans in duplicate, drawn to scale and showing the following:
- A. Actual dimensions and shape of lot to be built upon.
 - B. Exact size and locations on the lot of all buildings and other structures, if any, and the location and dimensions of proposed building and other structures or alternatives.
 - C. Existing and proposed uses, showing the number of families the building is designed to accommodate.
 - D. Any other lawful information that may be required by other sections of this Chapter or other ordinances.
 - E. Water and sewer system shall conform to the most recent applicable regulations adopted by the Pennsylvania Department of Environmental Resources.
4. Temporary Use Permit - A temporary permit may be authorized as a special exception by the Zoning Hearing Board, subject to the requirements of Part 10 of this Chapter, for the non-conforming structure or use which it deems beneficial to the public health or general welfare or which it deems necessary to promote the proper development of the community, provided that such non-conforming structure or use shall be completely removed upon

expiration of the permit without cost to the Township. Such a permit shall be issued for a specified period of time not exceeding one (1) year, and may be renewed annually for an aggregate period of not more than three (3) years.

5. Validity of Permits - When the Zoning Officer issues any permit for buildings, signs, temporary use, the applicant must commence the action for which the permit is issued within six (6) months of the date of issuance of the permit; otherwise, said permit shall be null and void.
6. Administration of Flood Plain District - This section should apply to the administration of uses in the Township Flood Plain Overlay District.
 - A. Zoning Permits Required - Zoning permits shall be required before any new development, construction substantial improvements, reconstruction, enlargement, alteration, or relocation of any building or structure is undertaken in a Flood Plain District. All permit requirements shall be governed by §§ 1101 and 1102, except for additional provisions contained herein.
 - B. Review by County Conservation District - A copy of all applications and plans for any proposed construction or development in any identified flood-prone areas to be considered for approval shall be submitted by the Zoning Officer to the County Conservation District for review and comment prior to the issuance of a building permit. The recommendations of the Conservation District shall be considered by the Zoning Officer for possible incorporation into the proposed plan.
 - C. Review of Application by Others - A copy of all plans and applications for any proposed construction or development in any identified flood-prone area to be considered for approval shall be submitted by the Zoning Officer to the Township Engineer, Planning Commission, and to any other appropriate agencies and/or individuals for review and comment. Final approval shall be required from the Board of Supervisors prior to issuance of any permits.
 - D. Other Permit Issuance Requirements - Prior to the issuance of any Zoning permit, the Zoning Officer shall review the application for permit to determine if all other necessary governmental permits such as those required by State and Federal laws have been obtained including those required by Act 537, the Pennsylvania Sewage Facilities Act; the Water Obstruction Act 1913; and the Federal Water Pollution Control Act Amendments of 1972, Section 404, 33, USC 1334, no permit shall be issued until this determination has been made.
 - E. Notices, Hearings, Appeals - All provisions relative to notices, hearings

and appeals are governed by Article X - Zoning Hearing Board.

- F. Variance Within Flood Plain Districts - Requests for variances shall be considered by the Zoning Hearing Board in accordance with the following, in addition to the provisions of Article X.
1. The board shall, at least thirty (30) days prior to holding a hearing on the variance, forward a copy of the variance request to the Township Supervisors and Township Planning Commission for review and comment. This review period may also be used to secure technical interpretations from the Federal Emergency Management Agency.
 2. Except for a possible modification of the freeboard requirements involved, no variance shall be granted for any of the other requirements pertaining specifically to development regulated by Special Permit or to Development Which May Endanger Human Life.
 3. If granted, a variance shall involve only the least modification necessary to provide relief.
 4. Whenever a variance is granted, the Zoning Hearing Board shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objective of this Chapter.
 5. Whenever a variance is granted, the Zoning Hearing Board shall notify the applicant in writing that:
 - A. The granting of the variance may result in increased premium rates for flood insurance.
 - B. Such variance may increase the risks to life and property.
 6. In reviewing any request for a variance, the Zoning Hearing Board shall consider, but not be limited to the following:
 - A. That there is good and sufficient cause.
 - B. That failure to grant the variance would result in exceptional hardship to the applicant.
 - C. That the granting of the variance will not result in an unacceptable or prohibited increase in flood heights, additional threats of public safety, extraordinary public expense, create nuisances, cause fraud on, or victimization of the public or conflict with any other applicable local or state

ordinance and regulations.

7. A complete record of all variance requests and related actions shall be maintained by the Zoning Hearing Board. In addition, a report of all variances granted during the year shall be included in the annual report to the Federal Insurance Administration.
8. Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one hundred year flood.
9. Administration of the Fishing Creek Storm Water Management Ordinance - This Section should apply to the administration of uses in the Township that are located within the fishing creek watershed overlay district. All proposed activities that require zoning permits shall be in compliance with the Townships Fishing Creek Storm Water Management Ordinance. In lieu of an adopted storm water management ordinance, applicants shall comply with the storm water management requirements in § 816.

Section 11.03 Certificate of Occupancy

1. Scope - A Certificate of Occupancy shall be required upon completion of the work contemplated in the permit. No building, structure, or free-standing sign shall be utilized in any manner until a Certificate of Occupancy is issued.
2. Application Procedures - Application shall be made in writing to the Zoning Officer on a form specified for such purposes.
3. Issuance -
 - A. Certificates of Occupancy shall be granted or refused within ten (10) days from the date of application. No application shall be granted or refused until the Zoning Officer has inspected the premises. Issuance of this Certificate shall be based on conformance of the work to the requirements of this Chapter.
 - B. In Commercial and Industrial Districts in which Performance Standards are imposed, no Certificate of Occupancy shall become permanent until thirty (30) days after the facility is fully operating, when upon registration by the Zoning Officer, it is determined that the facility is in

compliance with all Performance Standards.

Section 11.04 Fees

Determination - All fees shall be determined by the Board, and the schedule of such shall be made available to the general public. The Board shall be empowered to re-evaluate the fee schedule and make necessary alterations to it. Such alterations shall not be considered an amendment to this Chapter and may be adopted at any public meeting of the Board by resolution.

Section 11.05 Amendment

1. Power of Amendment - The Board may from time to time amend, supplement, change, modify or repeal this Chapter including the Zoning Map. The Board, by motion adopted at a stated or special meeting, shall fix the time and place of a public hearing on the proposed change, amendment, or repeal, and cause notice thereof to be given as follows:
 - A. By giving public notice of the time and place of the Hearing as defined herein
 - B. The notice shall also set forth the principal provisions of the proposed change, amendment, or repeal in reasonable detail and a reference to a place in the Township where copies of the proposed change, amendment, or repeal may be examined or purchased at a charge not exceeding the cost thereof. Full opportunity to be heard will be given to any citizen and all parties in interest attending such hearing.
2. Citizen's Petition - Whenever the owners of fifty percent (50%) or more of the area in any district shall present to the Board a petition, duly signed and acknowledge, requesting an amendment, supplement, change, modification, or repeal of any of the regulations or restrictions prescribed by this Chapter for their district, or a change or modification of the Zoning Map with reference to such district, it shall be the duty of the Board to hold a public hearing thereon and cause notice thereof to be given in the manner prescribe in § 1105 (1) above.
3. Planning Commission Referral - The Board shall refer each petition or proposal for change or amendment whether under this Part or under another

Part to the Planning Commission which shall consider whether or not such proposed change or amendment would be, in view of the Commission, consistent with and desirable in furtherance of the Comprehensive Plan upon which this Part is based, as the same may be modified from time to time. The Commission shall transmit its conclusion thereof, together with its reasons therefore, to the Board within thirty (30) days. The Board shall take such conclusion and reasons into consideration in reaching its decision, but shall not be bound thereby.

Section 11.06 **Conditional Uses**

1. Powers and Duties - The Board shall hear and decide all requests for Conditional Uses in those cases where this Chapter indicates a Conditional Use may be granted subject to compliance with the standards and criteria prescribed. In granting a Conditional Use, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purpose of this Chapter.
2. Procedures -
 - A. The landowner shall file a request for the granting of a Conditional Use along with all maps, plans, and text which may be necessary to explain the development proposed and its compliance with the standards and criteria of this Chapter with the Zoning Officer. Said request shall be accompanied by a fee specified by the Board and shall be filed in triplicate.
 - B. The Board shall transmit one (1) copy of the request as well as all documentation to the Planning Commission for recommendations at least thirty (30) days prior to the scheduled public hearing.
 - C. The Board shall schedule a public hearing with public notice within sixty (60) days of said request.
 - D. The Board shall render a written decision and inform the applicant of said decision within (30) days of the hearing date, unless upon mutual consent of the Board and applicant it is agreed to continue the proceedings.
3. Standards and Criteria -
 - A. The Board, before granting a Conditional Use, must find as follows:

1. That the proposed use and operations and development in connection with the use have been specifically authorized as a Conditional Use in the district within such particular site is located;
2. That the proposed use conforms to the lot and area requirements of that district;
3. That the proposed use conforms to any and all applicable provisions of Article VIII.

The applicant shall have the duty of presenting evidence supporting the required findings. The burden of persuasion shall be upon the applicant as to the requirements herein.

B. Parties before the Board who object to the Conditional Use application shall have the duty of presenting evidence on the general detrimental effect of a proposed Conditional Use if the objecting parties desire the Board to consider the following issues:

1. That the grant of the Conditional Use shall not materially increase traffic congestion in roads and highways, nor cause nor encourage commercial or industrial traffic to use residential streets, so as to pose a substantial threat to the health and safety of the community;
2. That adequate water, sewage, storm drainage, fire and police protection and other public requirements are or can be provided for the use;
3. That overcrowding of land or undue congestion of population will not result thereby;
4. That the use of adjacent land and buildings will not be discouraged and the value of the adjacent land and buildings will not be impaired by the location, nature and height of buildings, walls and fences.

Mere allegations by objecting parties of detrimental effect shall not be considered evidence. Objecting parties desiring findings to be made on any of the matters set forth in this subsection must present into evidence facts which support a finding of such detrimental effect. Upon the presentation of such evidence by objecting parties, the applicant shall have the opportunity to present rebutting evidence on these issues. In the event that objecting parties have properly raised any issue under this subsection, the burden of persuasion shall be upon the applicant.

C. Parties before the Board who object to the Conditional Use application shall have the duty of presenting evidence on the general policy concerns

arising from the proposed Conditional Use if the objecting parties desire the Zoning Hearing Board to consider the following issues:

1. That location of the use, including location with respect to the existing or future street giving access to it, is in harmony with the orderly and appropriate development of the zone in which the use is to be located;
2. That the nature and intensity of the operations involved are in harmony with the orderly and appropriate development of the zone in which the use is to be located;
3. That the overall effect thereof shall be in harmony with the Comprehensive Plan for the Township of Porter.

Mere allegations by objecting parties of an adverse impact on general policy concerns shall not be considered evidence. Objecting parties desiring findings to be made on any of the matters set forth in this subsection must present into evidence facts which support a findings of an adverse impact on general policy concerns. Upon presentation of such evidence by objecting parties, the applicant shall have the opportunity to present rebutting evidence on these issues. The burden of persuasion as to the matters set forth in this subsection shall be upon the objecting parties.

- D. The Board shall make findings in writing within the time period allowed hereunder on all matters under Subsection A hereof and these matters at issue under subsections B and C hereof.

Article XII

Repealer and Effective Date

Section 12.01 Repealer

The existing Zoning Ordinance, enacted in 1964, and entitled Porter Township 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 1964, together with its supplements and amendments, would necessarily remain in full force and effect.

Section 12.02 Effective Date

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

Section 12.03 Enactment

Enacted and ordained into an Ordinance this Second day of June, 2003.

Porter Township Board of Supervisors

Larry Dotterer, Chairman

Charles Zimmerman

Robert Brungard

ATTEST:

Elaine Miller, Secretary

Section 12.04 **Recommendation For Approval By Porter Township
Planning Commission.**

Recommended for approval to the Porter Township Board of Supervisors by the Porter
Township Planning Commission on the _____ day of _____,

PORTER TOWNSHIP PLANNING COMMISSION

Ralph Funk, Chairman

ATTEST:

Elaine Miller, Secretary

PORTER TOWNSHIP ZONING ORDINANCE

TABLE OF USES

USES	DISTRICTS					
	<u>A</u>	<u>Con</u>	<u>R</u>	<u>VR</u>	<u>N-C</u>	<u>C-Ind</u>
<u>Residential Uses</u>						
Apartments	-	-	-	C	-	-
Bed & breakfast establishments	P	-	-	CC	-	-
Conversion apartments	-	-	-	P	-	-
Farm residence	P	P	-	-	-	P
Mobile home parks	C	-	-	-	-	-
Planned residential developments	-	-	C	-	-	-
Residential cluster developments	C	-	-	-	-	-
Single-family detached dwellings	P	P	P	P	P	-
Townhouses	-	-	-	CC	-	-
Two-family dwellings	-	-	C	P	-	-
<u>Institutional Uses</u>						
Animal hospitals	-	-	-	-	-	P
Boarding houses	-	-	-	C	-	-
Cemeteries &/or mausoleums	P	-	-	-	-	-
Churches or places of worship	C	-	C	CC	-	-
Clubs or lodges	-	-	-	P	-	-
Crematoriums	C	-	-	-	-	C
Day care centers or nursery schools	C	-	-	CC	-	-
Government or public service buildings	-	-	-	CC	-	-
Group homes	P	-	-	P	-	-
Institutional residences	C	-	-	-	-	-
Medical clinics	-	-	-	-	-	P
Personal care or nursing homes	C	-	-	CC	-	-
Public or private schools	C	-	C	CC	-	-
Veterinary clinics	-	-	-	-	-	P
<u>Commercial Uses</u>						
Adult business or entertainment	-	C	-	-	-	-
Automobile service stations &/or repair shops	-	-	-	-	P	P
Banks	-	-	-	-	P	-
Barber or beauty shops	-	-	-	-	P	-
Billboards or advertising sign boards	C	-	-	-	-	P
Business & professional offices	-	-	-	-	P	P
Communications antennas	P	P	C	C	CC	CC
Communications towers & equipmt. bldgs.	C	P	-	-	-	CC
Dry cleaning & laundromat establishments	-	-	-	-	P	-
Drug stores	-	-	-	-	P	-
Funeral homes	-	-	-	P	-	-

(Continued on Next Page)

TABLE OF USES

Page 2

USES	DISTRICTS					
	<u>A</u>	<u>Con</u>	<u>R</u>	<u>VR</u>	<u>N-C</u>	<u>C-Ind</u>
<u>Commercial Uses</u> (Continued)						
Grocery stores or supermarket	-	-	-	-	P	-
Highway-oriented retail & service establishments	-	-	-	-	-	P
Job printing establishments	-	-	-	-	P	-
Kennels	P	P	-	-	-	-
Motels	-	-	-	-	-	P
Multi-service convenience plazas	-	-	-	-	-	C
Personal service establishments	-	-	-	-	P	-
Personal storage warehouses	-	-	-	-	P	P
Public entertainment establishments	-	-	-	-	P	P
Restaurants	-	-	-	-	P	P
Retail outlets	-	-	-	-	P	-
Shopping centers	-	-	-	-	C	-
<u>Industrial Uses</u>						
Creameries or milk bottling plants	P	-	-	-	-	-
Junk yards	-	C	-	-	-	-
Light industrial uses	-	-	-	-	-	C
Mining, quarrying & extractive operations	-	C	-	-	-	-
Research or testing laboratories	-	-	-	-	-	P
Trucking terminals or freight transfer stations	-	-	-	-	-	P
Wholesale, storage, or distribution uses	-	-	-	-	-	P
<u>Agricultural Uses</u>						
Agri-businesses	C	-	-	-	-	-
Agriculture	P	P	-	-	-	P
Concentrated animal feeding operations	C	-	-	-	-	-
Farm-related businesses	P	-	-	-	-	-
Fish hatcheries	P	P	-	-	-	-
Forest industries	P	P	-	-	-	-
Greenhouses or nurseries	P	P	-	-	-	-
Sawmills	P	P	-	-	-	-
Stables, commercial	P	-	-	-	-	-
<u>Recreational/Open Space Uses</u>						
Airports & landing fields	P	-	-	-	-	-
Campgrounds or RV parks	-	P	-	-	-	-
Camps, cabins or vacation homes	P	P	-	-	-	-
Outdoor recreation, public or private	P	P	P	P	-	P

(Continued on Next Page)

TABLE OF USES
Page 3

USES	DISTRICTS					
	<u>A</u>	<u>Con</u>	<u>R</u>	<u>VR</u>	<u>N-C</u>	<u>C-Ind</u>
<u>Accessory Uses</u>						
Accessory residential uses	-	-	-	-	PA	-
Agricultural product processing	PA	-	-	-	-	-
Billboards	C	-	-	-	-	C
Customarily incidental uses & structures	PA	PA	PA	PA	PA	PA
Essential services	PA	PA	PA	PA	PA	PA
Farm produce stands	PA	-	-	-	-	-
Home occupations	PA	PA	PA	PA	PA	-
Incidental restaurants	PA	-	-	-	-	-
Signs (other than billboards)	PA	PA	PA	PA	PA	PA

P - Permitted Use
PA - Permitted Accessory Use
C- Conditional Use

TABLE OF GENERAL DIMENSIONAL REQUIREMENTS *

Zone	Minimum Lot Area	Minimum Lot Width ^{1,2}	---- Minimum Yard Setbacks ----			Maximum Height	Max. Lot Coverage ²
			Front ²	Side (each) ²	Rear ²		
A	30,000 sq.ft. (SF)	75/75 ft.	50/50 ft	10/50 ft. ³	20/50 ft.	40 ft.	15%/15%
Cons	5 acres	50 ft.	75 ft.	50 ft.	50 ft.	40 ft.	5%/10% ⁴
R	On-Lot S - 30,000 sq.ft. (SF) Public S & On-Lot W - 22,000 sq.ft.(SF) Public S & W - 18,000 sq.ft. (SF)	75/75 ft.	40/40 ft.	15/25/50 ft ⁵	25/50 ft.	40 ft.	20%/15%
VR	On-Lot S & Public W - 30,000 sq.ft.(SF) Public S & W - 14,000 sq.ft. (SF)	75/75 ft.	40/40 ft	15/25 ft. ²	25/50 ft.	40 ft.	20%/15%
N-C	30,000 sq.ft.	100 ft.	40 ft.	20 ft.	50 ft.	40 ft.	30%/60% ⁴
C-I	2 acres	150 ft.	100 ft.	50 ft.	50 ft.	40 ft.	40%/60% ⁴

* **NOTE:** See also Area & Bulk Regulations for each zoning district in Articles 2-7 and the Use Regulations in Article 8 for dimensional standards for specific uses.

¹ Measured at street line.

² Residential uses/All other uses.

³ General side yard /side yard for agricultural buildings.

⁴ Lot coverage/Paved area.

⁵ General side yard/All other uses/side yard for agricultural bldgs.

SF - Single Family

S - Sewer, W - Water

PORTER TOWNSHIP, CLINTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 62-3/11

AN ORDINANCE AMENDING PORTER TOWNSHIP'S ZONING
ORDINANCE BY AMENDING PORTIONS OF THE ZONING MAP.

The Township of Porter, Clinton County, Pennsylvania, hereby enacts and ordains
as follows:

Section 1: The Zoning Map of the Township of Porter, Clinton County,
Pennsylvania is hereby amended in accordance with the information set forth on the
spreadsheet attached hereto as Exhibit "A" and the maps attached as Exhibit "B", so that all
parcels are zoned as listed under the "New Zoning" designation on the spreadsheet.

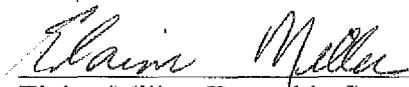
Section 2: All Ordinances or part of Ordinances inconsistent herewith shall be and
the same are hereby repealed.

Section 3: This Ordinance shall be effective immediately.

ENACTED AND ORDAINED as an Ordinance of the Township of Porter, this
7 day of March, 2011.

ATTEST:

PORTER TOWNSHIP SUPERVISORS:


Elaine Miller, Township Secretary


Nevin L. Courter, Chairman


Larry P. Dotterer, Supervisor


Michael Champion, Supervisor

Physical Location	PLATE#	SHEET#	PROPERTY#	Physical Location	Current or Prior Owner	CURRENT ZONING (from)	New Zoning Designation (to)
R64/Bletz Rd (behind Fire Hall)	1	1	79 30-015413	79 Bletz Rd	Alice M. Bletz et al PO Box 443, Lamar, PA 16848	Neigh Comm	Residential
R64/ Bletz Rd(behind Fire Hall)	1	1	214 30-015413	79 Bletz Rd	Alice Bletz et al PO Box 443, Lamar PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	79A 30-015414	29 Bletz Rd	Robert L. (Sr) & Sarah E. Boone PO Box 442, Lamar, PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	79B 30-015415	34 Strawberry Ln	Shirley M. Koch PO Box 396, Lamar, PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	79C 30-015416	00 Strawberry Ln	Shirley M. Koch PO Box 396, Lamar, PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	79D 30-015417	00 Strawberry Ln	Jeffrey A. Meyer PO Box 502, Lamar, PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	79E 30-015418	00 Strawberry Ln	Lisa A. Bletz PO Box 443, Lamar, PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	80 30-015419	00 Bletz Lane	Jeffrey A. and Colleen M. Meyer PO Box 502, , Lamar, PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	81 30-015420	41 Bletz Rd	Brett A. Meyer PO Box 200, Lamar, PA 16848	Neigh Comm	Residential
R64/ Bletz Rd (behind Fire Hall)	1	1	80A	41 Bletz Rd	Brett A. Meyer PO Box 200, Lamar, PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	82 30-015421	19 Bletz Rd	Drew G & Jamie A. Gentzyel PO Box 440, 19 Bletz Rd, Lamar, PA	Neigh Comm	Residential
R64/Cherry Run Rd/Narrows Rd	1	1	163 30-015533	18 Cherry Run Rd	Larry Lohr (Jr) & Kelly J. Powell 18 Cherry Run Rd, Howard, PA 16841	Agricultural	Village Res

Exhibit A

Physical Location	PLATE#	SHEET#	PROPERTY#	Physical Location	Current or Prior Owner	CURRENT ZONING (from)	New Zoning Designation (to)
R64/Cherry Run Rd/Narrows Rd	1	1	163A 30-015534	211 Pine St	Martha E. Lansberry PO Box 219, Lamar, PA 16848	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	163C 30-015536	4616 Nittany Valley Dr	Jonathan J. & Martha E. Glick 375 Zeigler Rd, Howard, PA 16841	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	163D 30-015537	221 Pine St	David E. White, et al 221 Pine St, Howard, PA 16841	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	163E 30-15559	212 Pine St	Janice Glossner 95 Cedar Heights, Mill Hall, PA 17751	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	163F 30-15538	206 Pine St	Jane Haagan 102 Cross Street, Bellefonte, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	163G 30-15538	156 Pine St	Jane Haagan 102 Cross Street, Bellefonte, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	163H 30-021369	42 Cherry Run Rd	1900 Red Barn Partnership 652 Island Route, Lock Haven, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	163J 30-021369	42 Cherry Run Rd	1900 Red Barn Partnership 652 Island Route, Lock Haven, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	176 30-015556	22 Cherry Run Rd	Donald L. Newberry, Jr. 22 Cherry Run Rd, Howard, PA 16841	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	177 30-015557	28 Cherry Run Rd	James L. Stein 28 Cherry Run Rd, Howard, PA 16841	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	177A 30-020461	228 Pine St	James H. Haines, Jr. PO Box 270, Lamar, PA 16848	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	178 30-015558	220 Pine St	Earl E. Rhine 220 Pine St, Howard, PA 16841	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	179 30-15559-179	212 Pine St	Janice D. Glossner 95 Cedar Heights, Mill Hall, PA 17751	Agricultural	Village Res

Porter Township

Proposed Zoning Changes

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Physical Location	PLATE#	SHEET#	PROPERTY#	Physical Location	Current or Prior Owner	CURRENT ZONING (from)	New Zoning Designation (to)
R64/Cherry Run Rd/Narrows Rd	1	1	180 30-015560	110 Cherry Run Rd	1900 Red Barn Partnership 652 Island Route, Lock Haven, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	181 30-015561	181 Cherry Run Rd	Mickey J Knarr & Jody L. Lingle 182 Cherry Run Rd, Howard, PA 16841	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	182 30-015562	60 Narrows Rd	Kimberly A. (Kinisley) & Kurt Getz PO Box 409, Lamar, PA 16848	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	183 30-015563	90 Narrows Rd	Doris G. Yearick PO Box 464, Lamar, PA 16848	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	183A 30-023525	76 Narrows Rd	Douglas W. & Shelly A. Yearick 14508 William Carr Lane, Centerville, VA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	184 30-015565	144 Narrows Rd	Jane E. Boone and Mary Boone PO Box 373, Lamar, PA 16848	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	185 30-015566	174 Narrows Rd	Barbara A. & Dimitrios Fikaris 41 Vine Ln, Levittown, PA 19054	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	185A 30-015565	144 Narrows Rd	Jane E. Boone PO Box 373, Lamar, PA 16848	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	188 30-015585	00 Cherry Run Rd	1900 Red Barn Partnership 652 Island Route, Lock Haven, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	189 30-015586	00 Cherry Run Rd	Joyce Lockard Brower 102 N. Cameron St, Sterling, VA 20164	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	190 30-015587	170 Cherry Run Rd	William C. McClain 547 McClain Rogers Rd, Howard, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	190A 30-015588	146 Cherry Run Rd	Daniel L. & Angela Hardy 146 Cherry Run Rd, Howard, PA 16841	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	190B 30-015589	Cherry Run	William C. McClain 547 McClain Rogers Rd, Howard, PA 16841	Agricultural	Village Res

Physical Location	PLATE#	SHEET#	PROPERTY#	Physical Location	Current or Prior Owner	CURRENT ZONING (from)	New Zoning Designation (to)
R64/Cherry Run Rd/Narrows Rd	1	1	190C 30-026062	140 Cherry Run Rd	Carolyn Fisher 140 Cherry Run Rd, Howard, PA 16841	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	193 30-015594	00 Narrows Rd	Mary Elizabeth Herlinger 2203 Larkdale Dr, Glenview, IL 60025	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	193A 30-015595	08 Narrows Rd	William K & Amber R. Smith PO Box 453, Lamar, PA 16848	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	193B 30-015596	44 Narrows Rd	Sandra E. Rimmey 309 E. Emaus St, Middletown, PA 17057	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	194 30-021426	206 Cherry Run Rd	Suzanna & Larry K. Hall, PO Box 89 22 Water St, Washingtonville, PA 17884	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	194A 30-015598	00 McClain Rogers road	Timothy R. McGarry Jr. et. Ux. 577 McClain Rogers Rd, Howard, PA 16841	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	194B 30-015599	621 McClain Rogers Rd	Nevin R. & Meriam Slack PO Box 468, 621 McClain Rogers Rd, Lamar, PA 16848	Agricultural	Village Res

Physical Location	PLATE#	SHEET#	PROPERTY#	Physical Location	Current or Prior Owner	CURRENT ZONING (from)	New Zoning Designation (to)
R64/Cherry Run Rd/Narrows Rd	1	1	194C 30-015600	577 McClain Rogers Rd	Timothy R. McGarry Jr., et. Ux. 577 McClain Rogers Rd, Howard, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	194E 30-015601	603 McClain Rogers Rd	David W. Nihart, et ux 603 McClain Rogers Rd, Howard, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	194F 30-015602	00 Narrows Rd.	Donna Smith 644 S. Heckman Gap Rd, Mill Hall PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	194G 30-015604	00 Narrows Rd.	Jane E. Boone and Mary Boone PO Box 373, Lamar, PA 16848	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	194G-1 30-015566	174 Narrows Rd	Barbara A & Dimitrios Fikaris 41 Vine Ln, Levittown, PA 19054	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	194G-2 30-028907	00 Narrows Rd.	Derrick L & Vicki M Weaver 111 Allison St, Lock Haven, PA 17745	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	194H 30-015602	00 Narrows Rd.	Donna Smith 644 S. Heckman gap Rd., Mill Hall PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	195 30-015605	616 McClain Rogers Rd.	Larry L. & Emma Butler 616 McClain Rogers Rd	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	195A 30-015606	527 Mc Clain Rogers Road	Palmira R. Frederick, 50 Springdale Ct Mechanicsburg, PA 17050.	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	195B 30-015607	234 Narrows Rd	Donald R. & Artis Wetzel 32 Narrows Rd, Howard, PA 16841	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	195C 30-015606	572 McClain Rogers Rd	Palmira R. Frederick, 50 Springdale Ct Mechanicsburg, PA 17050	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	196 30-015597	418 Narrows road 01-01-0196	Stephen R & Ruth E. Grieb 410 McClain Rogers Rd, Howard, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	196A 30-015608	00 Narrows Rd	David C. & Denise Stevenson PO Box 477, Lamar, PA 16848	Agricultural	Village Res

Porter Township

Proposed Zoning Changes

2/8/2011

Physical Location	PLATE#	SHEET#	PROPERTY#	Physical Location	Current or Prior Owner	CURRENT ZONING (from)	New Zoning Designation (to)
R64/Cherry Run Rd/Narrows Rd	1	1	196B 30-015608	00 Narrows Rd	David C. & Denise Stevenson PO Box 477, Lamar, PA 16848	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	196C 30-015609	360 Narrows Rd	Sean C. McVeigh, PO Box 300 360 Narrows Rd, Lamar, PA 16848	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	216 30-15653	206 Pine St	Jane Haagan 102 Cross Street, Bellefonte, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	216A	156 Pine St	Jane Haagan 102 Cross Street, Bellefonte, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	221 30-021065	562 McClain Rogers Rd	Michael W & Charlene J. Strouse 562 McClain Rogers Rd, Howard, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	222 30-021346	561 McClain Rogers Rd	Lisa McClain 2016 Pikes Peak Rd, Allenwood, PA 17810	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	223 30-023922	537 McClain Rogers Rd	Donald F. McClain 547 McClain Rogers Rd, Howard, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	224 30-027420	525 McClain Rogers Rd	Jeffrey L. & Charlotte Flick 525 McClain Rogers Rd, Howard, PA	Agricultural	Village Res
R64/Cherry Run Rd/Narrows Rd	1	1	225	xxx McClain Rogers Rd	Rusty Strouse 525 McClain Rogers Rd, Howard, PA	Agricultural	Village Res
R64/Bletz Rd (behind Fire Hall)	1	1	77 30-015411	00 Nittany Valley Dr	James T & Nancy E. Long PO Box 37, Lamar, PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	78 30-015412	60 Bletz Rd	James T & Nancy E. Long PO Box 37, Lamar, PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	203 30-015613	18 Bletz Rd	Andy Dotterer PO Box 486, Lamar, PA 16848	Neigh Comm	Residential
R64/Bletz Rd (behind Fire Hall)	1	1	203A	36 Bletz Rd	Kieth Briggs PO Box 163, Lamar, PA 16848	Neigh Comm	Residential

Porter Township

Proposed Zoning Changes

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Physical Location	PLATE#	SHEET#	PROPERTY#	Physical Location	Current or Prior Owner	CURRENT ZONING (from)	New Zoning Designation (to)
R64/Clintondale Hill	1	1	9 30-015327	216 Clintondale Hill Rd	ENVJMA 216 Spring Run Road, Mill Hall PA	Comm/Indus	Residential
R64/Clintondale Hill	1	1	9A 30-015327	216 Clintondale Hill Rd	ENVJMA 216 Spring Run Road, Mill Hall, PA	Comm/Indus	Residential
R64/Clintondale Hill	1	1	10 30-015328	230 Clintondale Hill Rd	Peggy Heller 230 Clintondale Hill Rd, Mill Hall, PA	Comm/Indus	Residential
R64/Clintondale Hill	1	1	20 30-015342	12 Funk Farm Lane	Snavely Family Limited Partnership 333 Snavely Mill Rd, Lititz, PA 17543	Residential	Agricultural
R64/Clintondale Hill	1	1	204 30-015615	00 Spring Run Rd	Snavely Family Limited Partnership 333 Snavely Mill Rd, Lititz, PA 17543	Residential	Agricultural
R64/Clintondale Hill	1	1	205B 30-023296	00 Clintondale Hill Rd	ENVJMA 216 Spring Run Road, Mill Hall PA	Comm/Indus	Residential
R64/Clintondale Hill	1	1	205C 30-23296-205C	00 Clintondale Hill Rd	ENVJMA 216 Spring Run Road, Mill Hall PA	Comm/Indus	Residential
R64/Clintondale Hill	1	1	205F 30-028701	00 Funk Farm Ln	Snavely Family Limited Partnership 333 Snavely Mill Rd, Lititz, PA 17543	Residential	Agricultural
Dotterer's Rd	2	1	3 30-015661	1235 Dotterers Rd	Gerald O. Miller 1235 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	4 30-015662	1253 Dotterers Rd	Roger A & Donna G Weaver 1253 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24	38 Bairs Ln	Dale E & Mary A. Bair	Comm/Indus	Agricultural

Physical Location	PLATE#	SHEET#	PROPERTY#	Physical Location	Current or Prior Owner	CURRENT ZONING (from)	New Zoning Designation (to)
			30-015699		38 Bairs Ln, Mill Hall, PA 17751		
Dotterer's Rd	2	1	24N	xx Panda Lane	Linda M. & Robert Shirk 1133 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24A 30-015696	1221 Dotterers Rd	Jennifer Holdren 1221 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24B 30-015661	1235 Dotterers Rd	Gerald O. Miller 1235 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24D 30-015698	00 Dotterers Rd	Jennifer Holdren 1221 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24E 30-015661	1235 Dotterers Rd	Gerald O. Miller 1235 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24F 30-015695	1267 Dotterers Rd	Ruth Yearick 1267 Dotterer Road, Mill Hall PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24F-1	1267 Dotterers Rd	Ruth Yearick 1267 Dottere road, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24G 30-015700	1191 Dotterers Rd	Daryl G. & Lorraine K. Yearick 1191 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24H 30-015701	1191 Dotterers Rd	Daryl G. & Lorraine K. Yearick 1191 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24I 30-015700	1191 Dotterers Rd	Daryl G. & Lorraine K. Yearick 1191 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24I-A	1191 Dotterers Rd	Daryl G. & Lorraine K. Yearick	Comm/Indus	Agricultural
Dotterer's Rd	2	1	30-015700 24J	1191 Dotterers Rd	1191 Dotterers Rd, Mill Hall, PA 17751 Daryl G. & Lorraine K. Yearick	Comm/Indus	Agricultural
			30-015700		1191 Dotterers Rd, Mill Hall, PA 17751		

Porter Township

Proposed Zoning Changes

2/8/2011

Physical Location	PLATE#	SHEET#	PROPERTY#	Physical Location	Current or Prior Owner	CURRENT ZONING (from)	New Zoning Designation (to)
Dotterer's Rd	2	1	24K 30-027977	1133 Dotterers Rd	Linda M. & Robert Shirk 1133 Dotterers Rd, Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24L	94 Panda Lane	Michael Stover 94 Panda Lane Mill Hall, PA 17751	Comm/Indus	Agricultural
Dotterer's Rd	2	1	24M 30-027978	80 Panda Lane	Larry & Luann Bair 107 Cedar Hts, Mill Hall, PA 17751	Comm/Indus	Agricultural
R64/Cons. District office	3	1	61 30-015870	6495 Nittany Valley Dr.	KCKM LLC 6583 Nittany Valley Dr, Mill Hall, PA	Comm/Indus	Agricultural
Nittany Valley Drive	3	1	62 A 1	6547 Nittany Valley Dr.	Kari and Cynthia Walizer 6583 Nittany Valley Dr., Mill Hall PA	Comm/Indus	Agricultural
Nittany Valley Drive	3	1	62	6597 Nittany Valley	Karl and Cynthia Walizer 6583 Nittany Valley Drive, Mill Hall PA	Comm/Indus	Agricultural
Nittany Valley Drive	3	1	62 A	Nittany Valley Drive	Larry P. Dotterer, John R. Dotterer 408 Kryder Road, Mill Hall PA	Comm/Indus	Agricultural
Heltman Road	3	1	42	Heltman Road	Larry P. Dotterer, et. Al. 408 Krider Road, Mill Hall PA	Agri & Res	Agricultural
Nittany Valley Drive	3	1	42 A	6632 Nittany Valley Drive	Four D Land Company 410 Kryder road, Mill Hall PA	Residential	Agricultural

Porter Township

Proposed Zoning Changes

2/8/2011

Physical Location	PLATE#	SHEET#	PROPERTY#	Physical Location	Current or Prior Owner	CURRENT ZONING (from)	New Zoning Designation (to)
R64/past church	3	1	21 30-015803	5977 Nittany Valley Dr	Harold M. Felding 5977 Nittany Valley Dr, Mill Hall, PA	Comm/Indus	Agricultural
R64/past church	3	1	21A 30-015804	5999 Nittany Valley Dr	Joyce A. Bower PO Box 462, Lamar, PA 16848	Comm/Indus	Agricultural
R64/past church	3	1	51 30-015848	6120 Nittany Valley Dr	John M. (Jr) & Miriam Glick 6104 Nittany Valley Dr, Mill Hall, PA	Ag & Com/Ind	Agricultural
Route 64	3	1	51-1	6194 Nittany Valley Dr	John and Miriam Glick 6104 Nittany Valley Drive, Mill Hall Pa	Ag & Com/ind	Agricultural

PORTER TOWNSHIP, CLINTON COUNTY, PENNSYLVANIA
ORDINANCE NUMBER 9-2013-1

AN ORDINANCE AMENDING PORTER TOWNSHIP'S ZONING ORDINANCE
BY AMENDING PORTIONS OF THE TOWNSHIP'S ZONING MAP.

The Township of Porter, Clinton County, Pennsylvania, hereby enacts and ordains
as follows:

Section 1. The zoning map of the Township of Porter is hereby amended as follows:

That parcel of property in Porter Township, Clinton County, Pennsylvania,
known as Clinton County Tax Parcel No. 03-01-0048 (Control Number
15842), now or formerly owned by ~~K~~Carl J. Walizer, Sr. and Cynthia L.
Walizer, and as is more particularly described in Clinton County Instrument
No. 2011-4262 is hereby changed in classification from part Commercial-
Industrial and part Agricultural to all Commercial-Industrial. The property
hereby affected consists of approximately 48.39 acres.

Section 2. All ordinances or parts of ordinances inconsistent herewith shall be and the
same are hereby repealed.

Section 3. This ordinance shall be effective immediately.

ENACTED AND ORDAINED as an ordinance of the Township of Porter, this
16 day of September, 2013.

ATTEST:

Carol Colucci
Carol Colucci, Secretary

PORTER TOWNSHIP SUPERVISORS:

Kevin R. Frank
Kevin Frank, Chairman

Nevin Courter, Supervisor

Karl Walizer, Jr.
Karl Walizer, Jr., Supervisor