R. Electromagnetic Radiation

No activities shall be permitted which emit electromagnetic radiation at any point beyond the property line or which produces emissions injurious to humans, animals, or vegetation, or be of an intensity which interferes with the use of any other property. It shall be unlawful to operate, or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure, for any other use directly or indirectly associated with these purposes which does not comply with the current regulations of the Federal Communications Commission regarding such sources of electromagnetic radiation, except that for all governmental communications facilities, governmental agencies and government-owned plants, the regulations of the Interdepartment Radio Advisory committee shall take precedence over the regulations of the Federal Communications Commission, regarding such sources of electromagnetic radiation. Further, said operation in compliance with the Federal Communications Commission or the Interdepartment Radio Advisory Committee regulations shall be unlawful if such radiation causes an abnormal degradation in performance of other electromagnetic radiators or electromagnetic receptors of quality and proper design because of proximity, primary field, blanketing, spurious-radiation, harmonic content, modulation, or energy conducted by power or telephone lines. The determination of "abnormal degradation in performance" and "of quality and proper design" shall be made in accordance with good engineering practices as defined in the latest principles and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers, and the Electronic Industries Association. In case of any conflict between the latest standards and principles of the above groups, the following precedence in the interpretation of the standards and principles shall apply: (1) American Institute of Electrical Engineers, (2) Institute of Radio Engineers, and (3) Electronic Industries Association.

S. Screening

1. Screening requirements shall be provided in accordance with the related regulations of this Ordinance.

T. Landscaping

1. Landscaping requirements shall be provided in accordance with the related regulations of this Ordinance.

U. Access and Traffic Control

1. All accessways from any industrial or commercial development to any public street or highway shall be located at least two hundred (200) feet from the centerlines of any public street intersection and shall be designed in a manner conducive to safe ingress and egress.

2. Where possible, exists 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 or deceleration lanes required for egress or ingress.

V. Interior Drives and Parking Facilities

1. Interior drives within an industrial or commercial land develoment shall be designed to prevent blockage of vehicles entering or leaving the site.

2. Areas provided for loading and unloading of delivery trucks and other vehicles, and for the servicing of facilities by refuse collection, 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.

3. Interior drives shall be clearly marked by adequate painting markings, (curbing and signs) so that vehicular movements within parking areas and access drives do not impede the general traffic circulation.

ARTICLE IX
FLOODPLAIN DISTRICT (FP)
(AN OVERLAY DISTRICT)

SECTION 900. PURPOSE OF THE FLOODPLAIN DISTRICT

The Floodplain District is provided to conform with the requirements of the federal flood insurance program and the Pennsylvania Flood Plain Management Act, and to restrict development in flood prone areas to those uses that will not be damaged by periodic inundation or that will not increase flood heights by reducing the floodway cross-sectional area.

SECTION 901. STATEMENT OF LEGISLATIVE INTENT

A. To protect individuals from investing in lands and structures which are unsuitable for use because of flood hazards.

B. To regulate development which will cause unacceptable increases in flood heights, velocities, and frequencies.

C. To restrict or prohibit certain uses susceptible to flood damage.

D. To require all uses which do occur in floodplains to be protected against flooding and to be provided with all necessary access and utilities, which shall also be protected from flood damage.

E. To control development which, acting alone or in combination with similar development will create and impose additional unjustified burdens on the community, its governmental units, and its individuals for the costs of flood control works, rescue, relief, emergency preparedness measures, sandbagging, pumping, and temporary dikes or levees, as well as business interruptions, factory closings, disruptions of transportation routes, and interference with utility services, as well as other factors that result in loss of wages, sales, and production and generally adversely affect the economic well-being of the community.

F. To maintain a stable tax base through the preservation or enhancement of property values adjacent to the floodplain, as well as by preventing the creation of future flood blighted areas on floodplains.

G. To provide sufficient unimpeded drainage courses and prohibit the restriction of their carrying capacities so as to safely carry abnormal flows of storm water from periods of heavy precipitation.

H. To encourage the utilization of appropriate construction practices which will minimize flood damage in the future.

I. To prevent the placement of materials which might be swept by floods onto other lands or downstream to the injury of others.

J. To provide for public awareness of flooding potential and to discourage and protect unwary individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

K. To regulate uses, activities, development, and structures which, acting alone or in combination with existing or future uses, activities, development, or structures, will cause increases in flood heights, velocities, and frequencies.

SECTION 902. ABROGATION AND GREATER RESTRICTIONS

This Article supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, the existing provisions of any other applicable ordinance shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Ordinance, the more restrictive shall apply.

SECTION 903. RELATIONSHIP TO OTHER ARTICLES

The provisions of this Article create an overlay zoning district which is applicable within floodplains in all other zoning districts established in this Ordinance. To the extent the provisions of this Article are applicable and more restrictive, they shall supersede conflicting provisions within all other Articles of this Ordinance and all other ordinances of Huntington Township. However, all other provisions of all other Articles of this Ordinance and all other ordinances of the Township shall remain in full force.

SECTION 904. LANDS IN DISTRICT DEFINED

The Floodplain District shall include all of the following lands within Huntington Township:

A. One hundred (100) year flood boundaries as identified in the FEMA Flood Insurance Study prepared for Huntington Township by the Federal Insurance Administration, dated October 15, 1980, or the most recent revision.

B. One hundred (100) year flood boundaries of lands identified by the United States Geological Survey or the United States Army Corps of Engineers.

C. All land which has been flooded by floods of record.

D. All additional land delineated where the Zoning Officer may require an on-site study or survey which determines the precise boundaries of the Floodplain District as specified in the following paragraph: Where the complete and definitive information necessary to delineate the boundary of the Floodplain District is not available to the Zoning Officer in his consideration of an application for a permit, he shall require such on-site studies and/or surveys to be made as are necessary to fix the precise boundaries of the floodplain as defined above.

SECTION 905. BOUNDARY DISPUTES

Should a dispute concerning any boundary of the Floodplain District arise, the initial determination of the Zoning Officer may be appealed to the Zoning Hearing Board. The applicant shall bear the burden of proof and be responsible for all fees as may be set forth in this Zoning Ordinance.

Any changes to the boundaries of the Floodplain District are subject to the review and approval of the Federal Insurance Administration for compliance with the Rules and Regulations of the National Flood Insurance Program.

SECTION 906. PERMITTED USES

The following uses are permitted in the Floodplain District only if done under and in accordance with the provisions of the Clean Streams Law of Pennsylvania, Act 394 of 1937, as amended, the Rules and Regulations of the Pennsylvania Department of Environmental Protection, and all other applicable provisions of this Zoning Ordinance, and any other applicable, local, state or federal regulations.

A. Agricultural, horticultural, and forestry uses, excluding any structures, and excluding any grading or filling which would cause any increase in flood heights or freqency.

B. Public and private parks and recreation areas, excluding swimming pools, campsites, and any structures. Picnic tables, park benches, fireplaces, grills and playground equipment shall be permitted, if anchored to prevent flotation.

C. Activities related to the preservation and conservation of natural resources and amenities, excluding any structures.

D. Stream improvements, fish and farm ponds, dams, or stream relocations, as approved by the Pennsylvania of Environmental Protection.

E. Erosion and sedimentation control measures, facilities, and structures, provided no increase in flood heights or frequency, unhealthful ponding, or other unsanitary conditions shall occur.

F. Yards and open space areas.

G. One (1) and two (2) strand fences.

H. Grading and filling which would not increase the base flood elevation.

I. Harvesting of any wild crop, such as marsh hay, ferns, moss, berries, tree fruits and seeds, or wild rice, excluding any plants appearing on the latest edition of the United States List of Endangered and Threatened Plant Species maintained by the United States Fish and Wildlife Service.

J. Floodproofing and flood hazard reduction structures to protect only lawfully existing and registered non-conforming structures and lawfully existing and registered non-conforming uses within structures.

K. Any use permitted within the underlying district is permitted in the Flood Plain District provided the following conditions are met:

   1. The use is not a use designated as a special hazard in the regulations promulgated under the Pennsylvania Flood Plain Management Act.

   2. The use will not reduce the cross-sectional area of the floodway.

   3. The use is floodproofed or elevated in a manner such that the use and structure will not be damaged by flood waters.

   4. All structures and equipment are anchored to prevent flotation.

5. The site will be developed such that installations which have the potential of polluting the stream, i.e., on-lot sewage systems and fuel storage installations, are located in the floodway fringe at an elevation above the 100 year flood elevation.

SECTION 907. CONDITIONAL USES

Special hazard uses as listed in the regulations promulgated under the Pennsylvania Flood Plain Management Act are conditionally permitted provided they meet all applicable provisions of this Ordinance, are permitted or conditionally permitted in the underlying district, and a Special Use Permit is issued by the Department of Community Affairs or its successor agency.

SECTION 908. PROHIBITED USES

The following uses are prohibited in the Floodplain District:

A. All uses prohibited either expressly or implicitly in the underlying zoning district for the land in question.

B. All structures, with the exception of those specifically allowed in Sections of this Article.

C. Sanitary landfills, waste processing facilities, recycling centers, quarries, dumps, junk and salvage yards, and outdoor storage or treatment of vehicles and/or materials; racing tracts and drag strips of all types.

D. The placing or stripping of topsoil or fill material of any kind, exclusive of grading or filling necessary for the construction of structures for which a zoning permit has been issued.

E. Private on-site sewage disposal systems.

F. Swimming pools.

G. Cemeteries.

H. Hospitals.

I. Nursing Homes.

J. Jails or prisons.

K. Mobile home park or mobile home subdivision, or substantial improvement to an existing mobile home park or mobile home subdivision.

L. Feedlots.

M. Wild, domestic, or farm animal closures which will not allow all animals to escape flood waters without human assistance.

N. Any development, structure, or use which may, whether alone or in combination with others, and except where specifically authorized elsewhere in this Article.

1. Endanger human life.

2. Obstruct, impede, retard, change, or increase the velocity, direction, or flow of flood waters.

3. Increase the surface elevation of floods, or the frequency of floods.

4. Catch or collect debris carried by flood waters.

5. Be placed where the natural flow of the stream or flood waters would carry it downstream to the damage or detriment of property within or adjacent to the Floodplain District.

6. Degrade the water carrying capacity of any watercourse, channel, or floodplain.

7. Increase the rate of local runoff, erosion, or sedimentation.

8. Degrade the quality of surface water or the quality or quantity of ground water.

9. Be susceptible to flotation and subsequent movement which would cause damage to other property.

10. Create unhealthful ponding or other unsanitary condition.

O. Any new or substantially improved structure which will be used for the production or storage of any of the following dangerous 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 dangerous materials or substances, shall be prohibited within any Floodplain District:

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. Sulphur and sulphur products
17. Pesticides (including insecticides, fungicides and rodenticides)
18. Radioactive substances, insofar as such substances are not otherwise regulated.
19. Other potentially dangerous materials or substances.

P. Emergency facilities such as fire stations, ambulance services and emergency management offices.

Q. Airports, heliports and shooting ranges.

R. Shopping malls and areas.

SECTION 909. NON-CONFORMING USES AND STRUCTURES

A. Continuation

All uses or structures lawfully existing in the Floodplain District on the effective date of this Zoning Ordinance which are not in conformity with the provisions of this Article shall be deemed non-conforming uses or structures. Such non-conforming uses or structures may be continued, maintained, repaired, and flood-proofed, except as otherwise provided for in this Article. However, such non-conforming uses or structures may at any time be improved to comply with existing Pennsylvania or Huntington Township health, sanitary, or safety code specifications which are necessary solely to assure safe living conditions.

B. Abandonment

Non-conforming uses or structures within the Floodplain District shall be subject to Article XII of this Zoning Ordinance. Additionally, the Board of Supervisors may required the removal of any abandoned non-conforming use or structure upon proper notice to the owner of the property on which an abandoned non-conforming use or structure exists.

C. Expansion and Modification

A non-conforming use or structure may not be expanded or modified in any manner which would increase or aggravate flooding or flood hazards. Nothing shall be done which would otherwise violate any of the provisions of this Article. No non-conforming use or structure shall be expanded, enlarged or altered in any way which causes it to occupy more space within the Floodplain District than was occupied by it on the effective date of this Zoning Ordinance.

D. Replacement and Rebuilding

1. A non-conforming use or structure in the Floodplain District may be replaced, repaired, or rebuilt if it is damaged or destroyed by any means, including floods, to the extent of less than fifty (50) percent of its fair market value at the time of its damage or destruction. In such a case, however, the non-conformity of the new use or structure with respect to requirements as