expressed in provisions of this Zoning Ordinance shall not exceed that of the original use or structure which was damaged or destroyed. Nothing shall be done which would otherwise violate any of the provisions of this Article.

2. A non-conforming use or structure in the Floodplain District which has been damaged or destroyed by any means, including floods, to the extent of fifty (50) percent or more of its fair market value at the time of its damage or destruction may not be replaced, restored, repaired, reconstructed, improved, or rebuilt in any way other than in complete conformity and full compliance with the provisions of this Article, all other provisions of this Zoning Ordinance, and all other Ordinances of Huntington Township. The Zoning Hearing Board may, as a special exception, waive the requirements of this paragraph where it is demonstrated that such requirements could not be met on land owned by the appellant or where such requirements would impose undue hardship to the appellant in the efficient operation of the premises. In such a case, the Zoning Hearing Board shall be authorized to grant only the minimum relief necessary and the least modification possible of the provisions of this Article.

3. The Zoning Officer shall have the initial responsibility of determining the percent of damage or destruction and the fair market value of the damaged or destroyed use or structure at the time of its damage or destruction, and may call upon experts or authorities as he may deem necessary to assist in determining a fair and impartial determination. Such costs accrued in this determination shall be paid by the appellant.

E. Historic Structures

The Zoning Hearing Board shall have the right to waive, as a special exception, any of the requirements of this section for any structure listed on the National Register of Historic Places or the Pennsylvania Register of Historic Sites and Landmarks.

F. Special Floodway Requirement

No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the one hundred-(100) year flood.

SECTION 910. ZONING PERMITS

The applicant shall provide the following information with any permit application for all structures within the Floodplain District.

A. The elevation (in relation to mean sea level) of the lowest floor, including basement.

B. Whether or not the structure includes a basement.

C. If the structure has been flood-proofed, the elevation (in relation to mean sea level) to which the structure was flood-proofed.

D. A document certified by a professional engineer or architect, registered in the Commonwealth of Pennsylvania, certifying that the flood-proofing methods are adequate to withstand the flood depths, pressures, velocities, impact, uplift forces, and other factors associated with the determined flood height, and indicating the specific elevation (in relation to mean sea level) to which such structure is flood-proofed.

E. Elevation of the one hundred (100) year flood.

The Zoning Officer may submit a copy of all plans and applications for proposed construction or other improvements within the Floodplain District to the Township Engineer, other appropriate agencies, and/or other individuals for review and comment.

SECTION 911. MUNICIPAL LIABILITY

The granting of a permit or the making of any other administrative decision shall not constitute a representation, guarantee, or warranty of any kind by Huntington Township, or by any official, agent, or employee thereof, of the practicability or safety of any structure, use, or other plan proposed with respect to damage from flood or otherwise, and shall create no liability upon, or a cause of action against, such public body, official, agent, or employee for any flood damage that may result pursuant thereto or as a result of reliance on this Article. There is also no assurance that lands not included in the Floodplain District are now or ever will be free from flooding or flood damage.

ARTICLE X
GENERAL REGULATIONS

SECTION 1001. GENERAL INTENT AND APPLICATION

Unless otherwise stated, the regulations and restrictions established in this Article are intended to apply to all districts in Huntington Township.

SECTION 1002. ACCESSORY BUILDINGS

Accessory buildings shall be permitted in any zoning district provided the following requirements are met:

A. Minimum distance between buildings - ten (10) feet.

B. No structure shall be within ten (10) feet of any property line, except as follows:

1. Detached accessory buildings not exceeding a maximum gross floor area of one hundred (100) square feet are permitted on lots containing semi-detached dwellings, attached dwellings, and apartment houses provided that:

   a. they are located no closer to the front lot line than the rear wall of the principal building.

   b. they are located a minimum of three (3) feet from any side property line formed by a building party wall, and

   c. they conform with all other applicable setbacks.

2. Detached accessory buildings not exceeding a maximum gross floor area of one hundred (100) square feet are permitted on lots containing mobile homes provided that:

   a. they are located no closer to the front lot line than the rear wall of the principal building, and

   b. they are located a minimum of three (3) feet from any side or rear property line.

C. No structure shall be permitted between the front building setback line and the street right-of-way.

D. A zoning permit is not required for an accessory building having a floor area of one hundred twenty (120) square feet or less.

SECTION 1003. ALTERNATIVE ENERGY SOURCES

A. Wind assisted energy conversion facilities shall not be permitted in the front yard area of any property. Height regulations do not apply to these facilities provided the height of the structure is not greater than the shortest horizontal distance to any lot line or adjacent building. All transmission lines to and from any free-standing unit or any supporting building or structure shall be buried underground.

B. Solar energy units shall be permitted on any residential lot and are subject to the requirements of the respective zoning district.

SECTION 1004. ARCHITECTURAL PROJECTIONS

A. Open structures such as porches, canopies, balconies, platforms, carports, covered patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard.

B. However, a roof overhang may project no more than one (1) foot into a yard area.

SECTION 1005. BUFFERING, LANDSCAPING, AND SCREENING

A. Buffering

1. In general, buffering, either in the form of yard space or screening, is required in commercial, office, industrial and high density residential areas where they border low density residential areas; around existing residential properties within certain areas; and where specifically called for in this Ordinance.

2. Where streets, highways, railroads or rivers serve as district boundaries, no buffering may be required along such boundary. Screening may be required by the Zoning Hearing Board if it determines screening is necessary for the safety or welfare of adjoining residents.

3. Where streams or other bodies of water serve as district boundaries, such streams or river may serve to meet the buffering requirements, provided such is approved by special exception.

4. Any part or portion of a site which is not used for building or other structures, loading, parking spaces and aisles, sidewalks, and designated storage areas shall be planted with an all season ground cover. It shall be maintained to provide an attractive appearance and all non-surviving plants shall be promptly replaced.

B. Landscaping

1. Any part or portion of a non-agricultural site where landscaping is required and which is not used for buildings or other structures, loading and parking spaces and aisles, sidewalks and designated storage areas shall be planted and maintained with landscaping.

2. Except for agricultural uses and single-family detached, single-family semi-detached, two-family detached dwellings and two-family semi-detached dwellings, any part or portion of site which is not used for buildings or other structures, loading and parking spaces and aisles, sidewalks and designated storage areas shall be landscaped according to an overall plan, prepared and approved as part of a Land Development Plan required under the applicable Subdivision and Land Development Ordinance.

C. Planting Strip

All commercial, industrial and nonresidential uses, but excluding agricultural uses, shall be separated from all side and rear property lines and all street right-of-way lines by a planting strip. The planting strip may be included in the required yard space and shall be based on the following criteria:

1. The planting strip shall be a minimum of ten (10) feet wide, measured from the property line or street right-of-way line.

2. Said planting strip shall be planted in grass, shrubbery, trees, or other plant material, but in no case shall these areas be paved or covered by an impervious surface.

3. Said planting strip shall only be broken by approved entrances or exits.

4. Accessory buildings or structures shall be permitted within a planting strip provided they conform with the specific District requirements of this Ordinance.

5. Exceptions:

a. No planting strip is required along a rear property line when the rear property line abuts a public alley.

b. No planting strip is required along a side and/or rear property line where the adjacent owners have a written agreement, suitable to the Board of Supervisors, waiving the side and/or rear yard setbacks relating to parking facilities along their abutting property line(s).

c. No planting strips are required on lands in agricultural production.

D. Screening

1. Screening requirements shall be applicable under the following circumstances:

   a. Where a proposed commercial, industrial, or institutional use abuts an existing residential use or residential district.

   b. Where any proposed multi-family residential use abuts an existing single-family detached, single-family semi-detached, two-family detached or two-family semi-detached dwelling.

   c. Any other instance where screening is required by this Ordinance or by the Township.

   d. Any existing industrial or commercial facility shall not be required to comply with the screening requirements except in case of enlargement or major alteration of same.

2. Screening shall comply with the following requirements:

   a. Trees and shrubs used for screening shall consist of at least seventy-five (75) percent evergreen trees and shrubs and shall be so arranged as to provide an immediate visual screen of fifty (50) percent.

   b. Plant materials used in the screen planting shall be at least four (4) feet in height when planted and be of a species which will produce a complete visual screen of at least six (6) feet in height at maturity.

   c. All trees shall have a minimum trunk diameter of two (2) inches at a height of six (6) inches above finished grade.

   d. No plantings shall be placed with their center closer than five (5) feet from the property line of the tract.

e. All existinig trees within the required planting strip above three (3) inches in caliper and/or eight (8) feet in height shall be preserved wherever possible.

f. When additional height is deemed necessary, an additional row of deciduous trees with calipers of not less than two (2) inches shall be planted within the screening area at intervals of not more than forty (40) feet on center.

g. Vegetative screening shall incorporate earthen mounds or berms, wherever possible, to improve sound as well as visual buffering, and shall be broken at points of vehicular or pedestrian access.

h. Screening design, including the type of plant materials used, spacing of plant materials, and the use and location of earthen berms, shall be subject to review and approval by the appropriate reviewing agency.

i. Vegetative screens shall be perpetually maintained during the period the principal use causing the need for screeniing is in operation. Any plant material which does not survive shall be replaced within six (6) months.

j. Walls, ornamental structures, fences and berms, or a combination of these, not less than four (4) feet in height may be used in combination with appropriate plant material subject to the specific land use areas involved and as approved by the appropriate reviewing agency.

k. Innovative means of screening are encouraged; however, as a guideline to quantity of materials required, there shall be a minimum of one (1) tree for each twelve (12) lineal feet of property line.

l. Screening shall be designated so as to not obstruct the clear-sight triangles at intersections.

3. Exceptions

a. No screening along a rear property line is required when the rear property line abuts a public alley.

b. No screening is required along a side and/or rear property line where the adjacent owners have a written agreement, suitable to the Board of Supervisors, waiving the side and/or rear yard setbacks relating to parking facilities along their abutting property line(s).

E. Off-Street Parking Areas

Except as modified elsewhere in this Ordinance, the following shall apply to the landscaping and screening of off-street parking areas:

1. Any off-street parking lot perpendicular to and within one hundred (100) feet of a public street or intersection shall be screened with a hedge, berm or other measure to prevent distraction or confusion from parking cars headlights.

2. No parking lot shall be located closer to a building than ten (10) feet to allow adequate room for landscaping.

3. No more than twenty-five (25) parking spaces shall be placed in a continuous row without an intervening planting island of at least ten (10) feet in width and the length of the parking stall.

4. A minimum of five (5) percent of any parking lot facility over 2,000 square feet in gross area (measured from the outside edge of paving to outside edge of paving) shall be devoted to landscaping. This landscaping shall include a minimum of one tree per twenty (20) parking spaces and all planting beds within a parking lot shall be surfaced in lawn or ground cover.

5. For any land use where the total number of parking spaces exceeds 100 stalls, the parking area shall be divided by continuous islands perpendicular to the spaces every 130 feet (130 feet assumes four (4) rows of parking at 20' length and two (2) aisles at 25' width). These divider islands shall be a minimum of ten (10) feet wide.

6. Wherever a parking area of over five (5) spaces abuts or is within fifteen (15) feet of the side or rear lot line of a lot in any Residential District, the said parking lot shall be screened from such adjoining lot by a wall, fence, or hedge. Such screening shall be not less than four (4) feet in height.

7. Whenever a parking area of over five (5) spaces is located across the street from other land in any Residential District, it shall be screened from the view of such land by a hedge, wall, or fence located along a line drawn parallel to the street and a distance of twenty (20) feet therefrom; such screening to be interrupted only at points of ingress and egress. Such screening shall be not less than four (4) feet nor more than eight (8) feet in height. The open area between such screening and the street shall be landscaped in harmony with the landscaping prevailing on neighboring properties fronting on the same street.

F. Service, Loading, and Trash Disposal Areas

1. All service, delivery, loading and outdoor storage and trash disposal areas shall be screened from all residential districts, public streets, parking lots and pedestrian walkways.

2. These areas shall be totally screened from the above-listed placed by the use of fences, walls, berms, evergreen material, or a combination of these, not less than six (6) feet in height.

G. All mechanical equipment not enclosed in a structure shall be fully and completely screened in a matter compatible with the architectural and landscaping style of the remainder of the lot.

SECTION 1006. CONVERSION OF DWELLINGS TO MORE UNITS

A residence may not be converted to accommodate an increased number of dwelling units unless:

A. The yard dimensions shall meet the yard dimensions required by the zoning regulations for new structures in that district;

B. The lot area per family equals the lot area requirements for new structures in that district;

C. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district;

D. The conversion is in compliance with all other relevant codes and ordinances.

E. Parking will have to comply with all regulations.

SECTION 1007. CORNER LOTS AND VISIBILITY

A. A front yard, as provided in the area and lot requirements for the various Districts, shall be required along each street on which a corner lot abuts.

B. On any lot, no wall, fence, or other structure shall be erected, altered, or maintained, and no hedge, tree, or other growth shall be planted or maintained which may cause danger to traffic on a street by obscuring the view. On corner lots, no structure, or obstructing growth shall be permitted within an area which is formed by a triangle where the two legs of the triangle extended to one hundred (100) feet from the centerline intersection of the two intersecting streets.

SECTION 1008. DETACHED ACCESSORY BUILDINGS ON NONCONFORMING LOTS

On existing lots of record where the existing lot width is less than the minimum lot width required in the prevailing zoning district, the minimum distance between a detached accessory building and the side property line may be reduced by the same ratio as the existing lot width is to the minimum required lot width. (Example: on an existing fifty (50) foot wide lot located in a zoning district with a one hundred (100) foot minimum width, the minimum side setback would be 50/100, or fifty (50) percent of the normal minimum side yard). In no case, however, shall this minimum distance be less than five (5) feet, unless otherwise provided for in this section.

SECTION 1009. DRAINAGE REGULATIONS

A. All erosion and sedimentation controls set forth in the existing or hereafter enacted Subdivision and Land Development Ordinance and the following regulations shall apply to structures hereafter erected adjacent, or near, to streams and drainage channels. Should a conflict in regulaitons arise the Planning Commission shall determine which one shall apply.

   1. In all districts, no permanent structure shall be permitted within fifty (50) feet of the edge of any stream or existing natural drainage channel or such additional space as may be required by the Zoning Hearing Board, because of existing conditions, or by flood plain regulations.

   2. If normal agricutural operations require a fence to cross a stream or drainage channel, such fence shall be permitted only if it does not restrict the natural flow of water.

B. All stormwater management plans and stormwater facilities shall be designed, altered, proposed and erected according to the regulations as set forth in the Huntington Township Subdivision and Land Development Ordinance and the rules and regulations of Department of Environmental Protection.

SECTION 1010. DRIVEWAYS AND ACCESS

A. Every building hereafter erected or moved shall be on a lot adjacent to a public road or with access to a public road. It is the purpose of the following regulations to maintain that all structures be located on lots so as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

B. Driveway Requirements for a Single-Family Dwelling.