PART THIRTEEN: PLANNING AND ZONING CODE

TITLE ONE: PLANNING
Art. 1301: Planning Commission.
Art. 1303: Additions; Acceptance of Streets.

TITLE THREE: ZONING ADMINISTRATION
Art. 1311: Definitions.
Art. 1312: Title; Purpose; Community Development Objectives.
Art. 1313: Enforcement.
Art. 1317: Permits and Procedures.
Art. 1319: Zoning Hearing Board.
Art. 1320: Conditional Uses.
Art. 1321: Amendments.
Art. 1323: Non-Conforming Uses and Buildings.

TITLE FIVE: ZONING DISTRICTS AND MAP; USE REGULATIONS
Art. 1331: Districts and Zoning Map.
Art. 1332: Flood Damage Control.
Art. 1333: Use Regulations.

TITLE SEVEN: SUPPLEMENTARY ZONING REGULATIONS
Art. 1341: Special Provisions and Exceptions.
Art. 1343: Height, Area and Bulk Regulations.
Art. 1344: Performance Standards.
Art. 1345: Off-Street Parking and Loading Requirements.
Art. 1346: Sign Regulations.

TITLE NINE: SUBDIVISION AND LAND DEVELOPMENT REGULATIONS
Art. 1371: Definitions.
Art. 1373: Administration, Enforcement and Penalty.
Art. 1375: Plan Processing Procedures.
Art. 1377: Plan Requirements.
Art. 1379: Design Standards.
Art. 1381: Improvements and Installation Requirements.
Art. 1383: Landscaping.

TITLE ELEVEN: STORM WATER MANAGEMENT
Art. 1391: General Provisions.
Art. 1392: Definitions.
Art. 1393: Storm Water Management Standards.
Art. 1394: Storm Water Management (SWM) Site Plan Requirements.
TITLE ELEVEN: STORM WATER MANAGEMENT (Cont’d)
  Art. 1395: Operation and Maintenance.
  Art. 1396: Fees and Expenses.
  Art. 1397: Prohibitions.
  Art. 1398: Enforcement and Penalties.
  Art. 1399: References.
  Appendices
§ 1301.01  CREATION.

The Williamsport Planning Commission is hereby created.
(Ord. 4512, approved 2-17-1972)

§ 1301.02  MEMBERSHIP.

The Planning Commission shall have nine members appointed by the Mayor with the advice and consent of Council, who shall serve without compensation, but may be reimbursed for necessary and reasonable expenses. All members shall be residents of the city. Six shall be citizen members and three may be officers and employees of the city. It shall be a goal of the membership of the Commission and the Mayor during the decision making process of the appointments that at least one of the six citizen
members should have an architectural design background or expertise and at least one of the six citizen members should have a background or expertise in real estate.
(Ord. 4512, approved 2-17-1972; Ord. 6132, approved 4-30-2009)

§ 1301.03 TERMS OF MEMBERS.

The term of each member of the Planning Commission shall be four years, or until his successor is appointed and qualified, except that the terms of the members first appointed pursuant to the Pennsylvania Municipalities Planning Code, known as Act 247 (53 P.S. §§ 10101 et seq.) shall be so fixed that no more than three shall be reappointed or replaced during any future calendar year.
(Ord. 4512, approved 2-17-1972)

§ 1301.04 VACANCY.

The Chairperson of the Planning Commission shall promptly notify the Mayor concerning vacancies in the Commission, and such vacancy shall be filled by the Mayor with the advice and consent of Council.
(Ord. 4512, approved 2-17-1972)

§ 1301.05 CONTINUANCE OF MEMBERS APPOINTED PRIOR TO 1-1-1969.

All members of the former Planning Commission appointed prior to 1-1-1969, the effective date of the Pennsylvania Municipalities Planning Code, shall continue to serve until their terms expire or until a vacancy occurs in their positions.
(Ord. 4512, approved 2-17-1972)

§ 1301.06 REMOVAL.

Any member of the Planning Commission once qualified and appointed may be removed from office for malfeasance, misfeasance or non-feasance in office or for other just cause by a majority vote of Council, taken after the member has received 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. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.
(Ord. 4512, approved 2-17-1972)

§ 1301.07 CONDUCT OF BUSINESS.

The Planning Commission shall elect its own Chairperson and Vice Chairperson and create and fill such other offices as it may determine. Officers shall serve annual terms and may succeed themselves. The Commission may make or alter by-laws and rules and regulations to govern its procedures consistent with the city ordinances and the laws of the Commonwealth. The Commission shall keep a full record of its business and shall annually by March 1 of each year make a written report of its activities to Council. Interim reports may be made as often as may be necessary or as requested by Council.
(Ord. 4512, approved 2-17-1972)
§ 1301.08 POWERS AND DUTIES.

(a) General. The Planning Commission shall:

(1) Prepare and present for consideration to Council, and, after resolution, maintain for Council an official map, and make recommendations to Council on the proposed changes to such map as set forth in the Pennsylvania Municipalities Planning Code;

(2) Prepare and present to Council a zoning ordinance, as such ordinance may be needed, and make recommendations to Council of proposed amendments to it as set forth in the Pennsylvania Municipalities Planning Code;

(3) Prepare and administer subdivision and land development regulations as needed and as prescribed in the Pennsylvania Municipalities Planning Code;

(4) Prepare and administer planned residential development regulations as may be needed from time to time and in a manner set forth in the Pennsylvania Municipalities Planning Code;

(5) Prepare and present to Council a building code and make recommendations to Council of any proposed amendments thereto;

(6) Prepare and present Council a housing code and make recommendations to Council of proposed amendments thereto;

(7) Submit to the Mayor a recommended capital improvements program in accordance with the laws of Pennsylvania and in accordance with the Administrative Code;

(8) Promote public interest in and understanding of the Comprehensive Plan and planning;

(9) Make recommendations to governmental, civic and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals;

(10) Hold public hearings and meetings;

(11) Require from other departments and agencies of the municipality such available information as relates to the work of the Planning Commission;

(12) In the performance of its functions, enter upon any land to make examinations and surveys either after permission has been obtained from the owner or after public notice;

(13) Do such other act or make such other study as may be necessary to fulfill the duties and obligations of the Planning Commission as provided by any law of Pennsylvania or city ordinance;

(14) Jointly certify with the Vacant Property Review Committee that a property is blighted property as defined in § 195.02 of the codified ordinances if the Commission so finds. The Commission shall also review and recommend to the Redevelopment Authority an appropriate reuse of any property acquired in accordance with Art. 195 of the codified ordinances, as such review and recommendation is requested by the Redevelopment Authority;

(15) The Planning Commission shall provide advice and guidance to business and property owners within the Central Business District that are planning changes in signage, new or replacement awnings or exterior building alterations, painting and facade changes or new construction and streetscape;

(16) The Building Code Official shall not approve the final issuance of a permit until after the Planning Commission has had an opportunity to provide a review or until 30 or more days have passed from the submission of the application to the Planning Commission in relation to the Central Business District facade, signs and awning; and

(17) It shall be a function and responsibility of the Planning Commission as a whole to review in total §§ 1379.11 and 1346.06(i) within the CBD District beginning in the year 2012 and every three years thereafter. The Planning Commission shall report to City Council on the applicability of the
standards to the central business district as it develops and transforms over time. The report shall include any recommended changes.

(b) Permit application procedures. Upon receipt of an application for a building permit for any exterior building alteration, including new construction, signs, awnings and the like to be done in the Central Business District, the Building Code Official shall act in accordance with the procedures presently being followed in that office, except as those procedures are necessarily modified by the following requirements.

(1) He or she shall forward to the Chairperson of the Planning Commission a copy of the application for a building permit, together with a copy of the plot plan and the building plans and specifications filed by the applicant.

(2) He or she shall maintain in his or her office a record of all such applications and of his or her handling and final disposition of the same, which shall be in addition to and appropriately crossed referenced to his or her other records.

(3) He or she shall require applicants to submit the appropriate material, which is necessary to make an informed review and provide a sufficient number of copies to be attached to an application for a building permit to permit compliance with the foregoing.

(4) In the event a variance from the Zoning Code is required, a copy of the Planning Commission’s report shall be submitted to the Zoning Hearing Board within the 30-day period. Failure to submit a timely report shall be deemed an approval of the application.

§ 1301.09 ADMINISTRATIVE AND TECHNICAL ASSISTANCE.

The Mayor may employ administrative and technical services to aid in carrying out the provisions of the Pennsylvania Municipalities Planning Act either as consultants on particular matters or as regular employees of the city. A county planning agency, with the consent of Council, may perform planning services for the city if Council requests such assistance. The Planning Commission may, with the consent of Council, accept and utilize any funds, personnel or other assistance made available by Lycoming County, the Commonwealth of Pennsylvania, the Federal Government or any of its agencies or from private sources including, but not limited to, a citizens advisory committee as required by law. Council may enter into agreements or contracts regarding the acceptance or utilization of the funds or assistance in accordance with any city governmental procedures.

(Ord. 4512, approved 2-17-1972)
TITLE ONE: PLANNING
ARTICLE 1303: ADDITIONS; ACCEPTANCE OF STREETS

Section

1303.01 Requirements for streets and alleys in additions.
1303.02 Streets and alleys; dedication; compliance.

Cross-reference:
Sidewalk construction and curbing, see Part Nine, Art. 905
Street access, see Part Thirteen, §§ 1341.01, 1379.03
Subdivision street design standards, see Part Thirteen, § 1379.02

§ 1303.01 REQUIREMENTS FOR STREETS AND ALLEYS IN ADDITIONS.
All streets and alleys in existing additions or in additions hereinafter to be added to the city, shall be required to have curbs and sidewalks constructed if such shall be deemed necessary for the welfare and safety of the residents of the city and storm water sewers adequate to carry off storm and surface waters. Streets to be accepted shall be graded and paved in accordance with specifications prepared by the Engineering Department.
(Ord. 5020, approved 1-31-1980)

§ 1303.02 STREETS AND ALLEYS; DEDICATION; COMPLIANCE.
All streets and alleys complying with the regulations of this article shall be plotted and dedicated by deed of dedication duly recorded in the Recorder’s office of Lycoming County. All improvements specifically set out in this article must be made in a manner acceptable to the Engineering Department. No maintenance work of any nature will be afforded any street or alley unless they fully comply with the regulations set forth herein.
(Ord. 5020, approved 1-31-1980)
TITLE THREE: ZONING ADMINISTRATION
ARTICLE 1311: DEFINITIONS

Section

1311.01 Definitions generally.
1311.02 Abandonment.
1311.03 Abused person shelter.
1311.030 Accessory uses.
1311.031 Accessory building or structure.
1311.032 Accessory off-street parking.
1311.04 Non-accessory parking.
1311.05 Adult day care center.
1311.06 Adult use.
1311.07 After hours club.
1311.08 Alley.
1311.09 Alteration.
1311.10 Automotive car wash.
1311.11 Automotive service station.
1311.111 Base flood.
1311.112 Base flood discharge.
1311.113 Base flood elevation (BFE).
1311.12 Basement.
1311.13 Bed and breakfast inn.
1311.131 Block face.
1311.14 Building.
1311.15 Building, principal.
1311.16 Building area.
1311.17 Reserved.
1311.18 Building height.
1311.19 Building line.
1311.20 Commercial communications antennas.
1311.201 Completely dry flood-proofing.
1311.21 Comprehensive plan.
1311.22 Conditional use.
1311.221 Criminal housing facility.
1311.23 Day care, child.
1311.24 Development.
1311.25 Dormitory.
1311.26 Drive-in restaurant.
1311.27 Dwelling.
1311.28 Dwelling unit.
1311.29 Easement.
1311.291 Expressway.
1311.292 Essentially dry flood-proofing.
1311.293 Elevation certificate.
1311.294 Existing manufactured home park or subdivision.
1311.295 Expansion to an existing mobile home park or subdivision.
1311.30 Family.
1311.31 Flood.
1311.32 Flood fringe.
1311.321 Flood insurance rate map (FIRM).
1311.322 Flood insurance study (FIS).
1311.323 Flood-proofing.
1311.33 Floodplain.
1311.34 Floodway.
1311.35 Floor area or gross floor area.
1311.36 Floor area, habitable.
1311.37 Floor area ratio.
1311.38 Fraternity or sorority.
1311.39 Garage, private.
1311.40 Garage, repair.
1311.41 Garage or lot, commercial parking.
1311.42 Garage sale.
1311.43 Glare.
1311.44 Group home.
1311.441 Historic structure.
1311.45 Home occupation.
1311.46 Hospital.
1311.47 Hotel or motel.
1311.48 Junk.
1311.49 Junk vehicle.
1311.50 Kennel.
1311.51 Lodges, fraternal and social organizations.
1311.52 Lot or zoning lot.
1311.53 Lot area.
1311.54 Lot depth.
1311.55 Lot line.
1311.56 Lot width.
1311.57 Lot, corner.
1311.58 Lot, interior.
1311.59 Lot, through.
1311.591 Lowest floor.
1311.60 Mobile/manufactured home.
1311.601 Manufactured home park or subdivision.
1311.61 Motel or hotel.
1311.62 Municipalities Planning Code or State Planning Code.
1311.621 New construction.
1311.622 New mobile home park or subdivision.
1311.63 Non-conforming lot.
1311.64 Non-conforming structure.
1311.65 Non-conforming use.
1311.66 Nursing home.
1311.67 Occupancy permit.
1311.68 One-hundred year flood.
1311.69 Ordinance, this.
1311.70 Owner.
1311.701 Person.
1311.71 Personal care home or center.
1311.72 Places of worship or church.
1311.73 Planned residential development.
1311.74 Planning Commission.
1311.741 Post-firm structure.
1311.742 Pre-firm structure.
1311.75 Principal use.
1311.76 Professional office.
1311.77 Public notice.
1311.78 Recreation.
1311.781 Recreational vehicle.
1311.782 Regulatory flood elevation.
1311.79 Related or relative.
1311.80 Repair.
1311.801 Repetitive loss.
1311.81 Residential district.
1311.82 Right-of-way.
1311.83 Rooming or boarding house.
1311.84 Scrap processing, auto wrecking or junkyard.
1311.85 Sign.
1311.86 Solid waste transfer facility.
1311.87 Special exception.
1311.871 Special flood hazard area (SFHA).
1311.872 Special permit.
1311.88 Specified sexual activities.
1311.881 Start of construction.
§ 1311.01 DEFINITIONS GENERALLY.
In this Zoning Ordinance, unless the context otherwise requires, the following expressions have the meanings herein indicated. Words used in the present tense include the future. The singular number includes the plural and vice versa. The word “shall” is mandatory, not directory. The word “may” is permissive. The words “used” or “occupied” include the words “intended, designed or arranged to be used or occupied”. The word “person” includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.
(Ord. 5745, approved 4-16-1998)

§ 1311.02 ABANDONMENT.
ABANDONMENT means the visible or otherwise apparent intention of an owner to discontinue a non-conforming use of a building or premises or the removal of the characteristic equipment or furnishings used in the performance of a non-conforming use without their replacement by similar
equipment or furnishings or the replacement of the non-conforming use or structure or the change of a non-conforming use of a building or premises by the Zoning Hearing Board.
(Ord. 5745, approved 4-16-1998)

§ 1311.03 ABUSED PERSON SHELTER.
A non-profit residential use in which rooms are provided to serve as a temporary safe and supportive environment for persons who, because of actual or threatened physical or mental abuse, are forced to leave their previous living arrangement. Such facilities shall be designed to provide in-house living for persons only until a safe, permanent living arrangement can be obtained.
(Ord. 5745, approved 4-16-1998)

§ 1311.030 ACCESSORY USES.
ACCESSORY USE means a use on the same lot as the principal use serving a purpose incidental to such principal use.
(Ord. 5745, approved 4-16-1998)

§ 1311.031 ACCESSORY BUILDING OR STRUCTURE.
ACCESSORY BUILDING OR STRUCTURE means a subordinate structure, the use of which is that of a principal structure on the same lot.
(Ord. 5745, approved 4-16-1998)

§ 1311.032 ACCESSORY OFF-STREET PARKING.
ACCESSORY OFF-STREET PARKING means off-street parking (parking lots, parking decks and/or parking garages) incidental to permitted uses on the same lot or within 300 feet for multi-family residences and 500 feet for non-residential uses; provided that, such parking is within the same zoning district as the principal use.
(Ord. 5745, approved 4-16-1998)

§ 1311.04 NON-ACCESSORY PARKING.
NON-ACCESSORY PARKING means parking areas that do not meet the definition of accessory off-street parking.
(Ord. 5745, approved 4-16-1998)

§ 1311.05 ADULT DAY CARE CENTER.
(a) A use providing state-licensed supervised care to persons:
   (1) Who are primarily over age 60; and
   (2) Who need daily assistance because of their physical health, Alzheimer disease, developmental handicap and/or physical handicap.
(b) (1) This use shall not include persons who need oversight because of behavior that is criminal or violent.

(2) This use may involve occasional overnight stays, but shall not primarily be a residential use.

(3) The use shall involve typical stays of less than a total of 60 hours per week per person.

(Ord. 5745, approved 4-16-1998)

§ 1311.06 ADULT USE.

This term shall only include the following uses: adult store; adult theater; massage parlor; or adult live entertainment use. The term ADULT USE shall be considered a distinct and separate use, and shall not be permitted as any other use (including, but not limited to, retail sales, personal services or a club).

(a) ADULT STORE. A commercial use or club with a total of more than 50 square feet of floor area used for the display, sale or rent of books, films, magazines or videotapes and/or for showing of coin- or token-operated films or video tapes which are distinguished or characterized by a clear emphasis on manner depicting or describing uncovered male or female genitals or “specified sexual activities”.

(b) ADULT LIVE ENTERTAINMENT FACILITY. A use including live entertainment involving persons displaying uncovered male or female genitals or nude or almost nude female breasts that is related to some form of monetary compensation paid to a person, business or organization operating the use or to persons involved in such activity.

(c) ADULT THEATER. A use involving the presentation to five or more persons at one time in a room of films, videotapes or images distinguished or characterized by an emphasis on depiction of “specified sexual activities” for observation by patrons therein and that is related to some form of monetary compensation by the persons viewing such matter.

(d) MASSAGE PARLOR. An establishment that meets all of the following standards:

(1) Manipulative exercises are conducted in return for monetary compensation on one person by another person who is not a “relative” or a state-licensed health care professional or a person certified by the state or a national association as a massage therapist;

(2) Massages are not conducted within a licensed hospital, nursing home, personal care center or office of a state-licensed health care professional;

(3) Massages are conducted within private rooms; and

(4) The use is not clearly a customary accessory use to a permitted exercise club or to a high school or college athletic program.

(Ord. 5745, approved 4-16-1998)

§ 1311.07 AFTER HOURS CLUB.

A commercial use or membership club that permits the consumption of alcohol and is routinely open between the hours of 2:00 a.m. to 4:00 a.m., in addition to any other hours. See 18 Pa.C.S. § 7327 which generally prohibits this use.

(Ord. 5745, approved 4-16-1998)
§ 1311.08 ALLEY.

ALLEY means a minor right-of-way used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.
(Ord. 5745, approved 4-16-1998)

§ 1311.09 ALTERATION.

ALTERATION means any construction resulting in a change in the structural parts or in the height, number of stories, size or location of a building or structure.
(Ord. 5745, approved 4-16-1998)

§ 1311.10 AUTOMOTIVE CAR WASH.

AUTOMOTIVE CAR WASH means a structure or premises used primarily for washing vehicles using automatic and/or mechanical equipment of any type including, but not limited to, coin-actuated apparatus.
(Ord. 5745, approved 4-16-1998)

§ 1311.11 AUTOMOTIVE SERVICE STATION.

AUTOMOTIVE SERVICE STATION means a premises used primarily for: the retail sale of motor fuel and supplying incidental services such as minor maintenance, lubrication and washing of vehicles; the sale, installation or minor repair of tires, batteries or other vehicle accessories; and the supplying of incidental motorists needs.
(Ord. 5745, approved 4-16-1998)

§ 1311.111 BASE FLOOD.

BASE FLOOD means a flood which has a 1% chance of being equaled or exceeded in any given year. (Also called the 100-YEAR FLOOD or 1% ANNUAL CHANCE FLOOD.)
(Ord. 6253, approved 2-6-2014)

§ 1311.112 BASE FLOOD DISCHARGE.

BASE FLOOD DISCHARGE means the volume of water resulting from a base flood as it passes a given location within a given time, usually expressed in cubic feet per second (cfs).
(Ord. 6253, approved 2-6-2014)

§ 1311.113 BASE FLOOD ELEVATION (BFE).

BASE FLOOD ELEVATION (BFE) means the elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30 that indicates the water surface elevation resulting from a flood that has a 1% or greater chance of being equaled or exceeded in any given year.
(Ord. 6253, approved 2-6-2014)
§ 1311.12 BASEMENT.

BASEMENT means any floor level below the first story in a building; except that, a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story herein.
(Ord. 5745, approved 4-16-1998; Ord. 6253, approved 2-6-2014)

§ 1311.13 BED AND BREAKFAST INN.

The use of an existing detached building and/or accessory building for the rental of overnight sleeping accommodations to transient visitors to the area, and the provision of one or more meals a day to overnight guests, and which meets all of the requirements for such use stated in Art. 1333.
(Ord. 5745, approved 4-16-1998)

§ 1311.131 BLOCK FACE.

BLOCK FACE means the properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets; or nearest intersecting or intercepting street and any of the following: railroad right-of-way; unimproved land; watercourse; or city boundary.
(Ord. 5910, approved 2-6-2003)

§ 1311.14 BUILDING.

BUILDING means any structure enclosed and isolated by exterior walls and roof, constructed or used for residential, business, industrial or other public or private purposes or accessory thereto. Where the context allows, the word BUILDING shall be construed as though followed by the words “or part or parts thereof”.
(Ord. 5745, approved 4-16-1998)

§ 1311.15 BUILDING, PRINCIPAL.

PRINCIPAL BUILDING means a building in which is conducted the principal use of the lot on which it is situated. In any residential district, any structure containing a dwelling unit shall be deemed to be the principal building on the lot on which such building is situated.
(Ord. 5745, approved 4-16-1998)

§ 1311.16 BUILDING AREA.

BUILDING AREA means the total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces and steps.
(Ord. 5745, approved 4-16-1998)

§ 1311.17 RESERVED.
(Ord. 5745, approved 4-16-1998)
§ 1311.18 BUILDING HEIGHT.

BUILDING HEIGHT means the vertical distance measured from the average level of the highest and lowest portion of the building site covered by the building to the highest point of the roof adjacent to the front wall for flat roofs, or to the deck line of mansard roofs, or to the mean height between eaves and ridge for gabled, hipped or gambrel roofs.
(Ord. 5745, approved 4-16-1998)

§ 1311.19 BUILDING LINE.

BUILDING LINE means the line across a lot establishing the minimum open space to be provided between the street line and the rear line of the minimum front yard.
(Ord. 5745, approved 4-16-1998)

§ 1311.20 COMMERCIAL COMMUNICATIONS ANTENNAS.

A structure, partially or wholly exterior to a building, used for transmitting or retransmitting electronic signals. COMMERCIAL COMMUNICATIONS TOWERS include, but are not limited to, antenna used for transmitting commercial radio or television signals or cellular telephone communications, but shall be distinct from the use entitled ANTENNA.
(Ord. 5745, approved 4-16-1998)

§ 1311.201 COMPLETELY DRY FLOOD-PROOFING.

COMPLETELY DRY FLOOD-PROOFING means a space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.
(Ord. 5946, approved 3-11-2004)

§ 1311.21 COMPREHENSIVE PLAN.

COMPREHENSIVE PLAN means the complete plan for the continuing development and redevelopment of the City of Williamsport as recommended by the Planning Commission and currently adopted by Council.
(Ord. 5745, approved 4-16-1998)

§ 1311.22 CONDITIONAL USE.

CONDITIONAL USE means a use which may be permitted in one or more zoning districts upon the recommendation of the Planning Commission to Council who may grant approval pursuant to applicable standards and criteria expressed in this Zoning Ordinance, the City Subdivision and Land Development Regulations (Art. 1371 et seq.) and other applicable regulations.
(Ord. 5745, approved 4-16-1998)
§ 1311.221 CRIMINAL HOUSING FACILITY.
(a) **CRIMINAL HOUSING FACILITY** means a use (other than a “prison” or a “treatment center” as otherwise defined in this part) providing housing facilities for persons who require restricted or specialized housing because of their status as:
   (1) Inmates under sentence;
   (2) Inmates in pre-release status;
   (3) Parolees; and
   (4) Court-adjudicated juveniles.
(b) Such restricted or specialized housing shall include such uses as criminal rehabilitation facilities, criminal half-way houses, criminal transitional living facilities, criminal pre-release centers, community corrections housing facilities and juvenile facilities, but this definition excludes any uses otherwise specifically defined in this part, including housing facilities for persons convicted of driving under the influence of alcohol as defined under “treatment center”.
(Ord. 5825, approved 8-3-2000)

§ 1311.23 DAY CARE, CHILD.
A use involving the state-licensed supervised care of children under age 16 outside of the children’s own home primarily for periods of less than 18 hours during the average day. This use may also include educational programs that are supplementary to state required education, including a “nursery school”.
(Ord. 5745, approved 4-16-1998)

§ 1311.24 DEVELOPMENT.
**DEVELOPMENT** means any human-made change to improved or unimproved real estate, including, but not limited to, the construction, reconstruction, renovation, repair, expansion or alteration of buildings or other structures; the placement of manufactured homes; streets and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.
(Ord. 5946, approved 3-11-2004)

§ 1311.25 DORMITORY.
Residential facilities that are only inhabited by teaching faculty and/or bona fide full-time students of an accredited college, university or medical training facility or state-licensed teaching hospital, or to an accredited public or private primary or secondary school, and which are owned and operated by such principal use to which the dormitory serves. Lawful dwelling units may be regulated as dwelling units instead of as **DORMITORIES**.
(Ord. 5745, approved 4-16-1998)
§ 1311.26 DRIVE-IN RESTAURANT.

DRIVE-IN RESTAURANT means a retail establishment offering prepared foods packaged in a manner providing a choice of consuming such food either on or off the premises and whose primary style of service is stand-up counter, window or in car.
(Ord. 5745, approved 4-16-1998)

§ 1311.27 DWELLING.

DWELLING means a building which is designed or used as the living quarters for one or more families or individuals.
(Ord. 5745, approved 4-16-1998)

§ 1311.28 DWELLING UNIT.

(a) DWELLING UNIT.

(1) A single habitable living unit occupied by only one “family”. (See definition of “family”.)
Each dwelling unit shall have:
   (A) Its own toilet, bath or shower, sink, sleeping and cooking facilities; and
   (B) Separate access to the outside or to a common hallway or balcony that connects to outside access at ground level.

(2) No dwelling unit shall include a separate living area that is completely separated by interior walls so as to prevent interior access from the remainder of the living area.

(b) DWELLING, MULTI-FAMILY. A building containing three or more dwelling units and occupied or designed for occupancy by three or more families living independently of each other with their own cooking, sanitary and sleeping facilities.

(c) DWELLING, ONE-FAMILY DETACHED. A wholly detached building containing one dwelling unit only and occupied or intended to be occupied exclusively for residence purposes by one family.

(d) DWELLING, ONE-FAMILY ATTACHED.

(1) A building containing one dwelling unit only, occupied or intended to be occupied exclusively for residence purposes by one family, and having a portion of one or two walls in common with adjoining dwellings.

(2) Each dwelling unit may have one or more stories, but nothing in this definition shall be construed to allow one dwelling unit over the other.

(e) DWELLING, TWO-FAMILY. A building containing two dwelling units only and intended for residential occupancy by two families each living independently of each other and each with its own separate sleeping, cooking and sanitary facilities.
(Ord. 5745, approved 4-16-1998)

§ 1311.29 EASEMENT.

EASEMENT means a grant of the right to use a portion of a parcel of land for specified purposes to the public, a corporation, a utility or persons.
(Ord. 5745, approved 4-16-1998)
§ 1311.291 EXPRESSWAY.

EXPRESSWAY means a high speed four-lane divided highway.
(Ord. 5802, approved 3-2-2000)

§ 1311.292 ESSENTIALLY DRY FLOOD-PROOFING.

ESSENTIALLY DRY FLOOD-PROOFING means a space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.
(Ord. 5946, approved 3-11-2004)

§ 1311.293 ELEVATION CERTIFICATE.

ELEVATION CERTIFICATE means a certificate prepared by a registered professional engineer, land surveyor or architect that certifies the precise elevation of the first floor, including basement, of a building or enclosed structure situated within an identified floodplain area, used for the purpose of determining compliance with the terms of this part and the appropriate rate to apply to an application for flood insurance.
(Ord. 6253, approved 2-6-2014)

§ 1311.294 EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
(Ord. 6253, approved 2-6-2014)

§ 1311.295 EXPANSION TO AN EXISTING MOBILE HOME PARK OR SUBDIVISION.

EXPANSION TO AN EXISTING MOBILE HOME PARK OR SUBDIVISION means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).
(Ord. 6253, approved 2-6-2014)

§ 1311.30 FAMILY.

One or more persons living in a single dwelling unit and functioning as a common household unit sharing household expenses and sharing joint use of the entire dwelling unit. A FAMILY shall not include more than three persons who are not “related” to each other (see definition). See “group home”
provisions which may allow a higher number of unrelated persons. A “treatment center” shall not be considered a FAMILY or a “group home”. See also the definition of a “dwelling unit”.
(Ord. 5745, approved 4-16-1998)

§ 1311.31 FLOOD.
See BASE FLOOD.
(Ord. 5745, approved 4-16-1998; Ord. 6253, approved 2-6-2014)

§ 1311.32 FLOOD FRINGE.
FLOOD FRINGE means that portion of the floodplain outside the floodway where 100-year flood elevations are delineated.
(Ord. 5745, approved 4-16-1998)

§ 1311.321 FLOOD INSURANCE RATE MAP (FIRM).
FLOOD INSURANCE RATE MAP (FIRM) means the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
(Ord. 6253, approved 2-6-2014)

§ 1311.322 FLOOD INSURANCE STUDY (FIS).
FLOOD INSURANCE STUDY (FIS) means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map and the water surface elevation of the base flood.
(Ord. 6253, approved 2-6-2014)

§ 1311.323 FLOOD-PROOFING.
FLOOD-PROOFING means any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
(Ord. 6253, approved 2-6-2014)

§ 1311.33 FLOODPLAIN.
FLOODPLAIN means a relatively flat or low land area adjoining a river, stream or water course which is subject to partial or complete inundation; or an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.
(Ord. 5745, approved 4-16-1998)
§ 1311.34 FLOODWAY.

FLOODWAY means the channel of a river or watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point.
(Ord. 5745, approved 4-16-1998; Ord. 6253, approved 2-6-2014)

§ 1311.35 FLOOR AREA OR GROSS FLOOR AREA.

FLOOR AREA or GROSS FLOOR AREA means the sum of the areas of the several floors of a building, including areas used for human occupancy in basements, attics and penthouses, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches or attics not used for human occupancy or any floor area in accessory buildings or in the principal building intended and designed for the parking of motor vehicles to meet the requirements of this Zoning Ordinance or any floor area intended and designed for accessory heating and ventilating equipment.
(Ord. 5745, approved 4-16-1998)

§ 1311.36 FLOOR AREA, HABITABLE.

HABITABLE FLOOR AREA means enclosed floor space arranged for living, eating and sleeping purposes, but does not include bath or toilet rooms, laundries, pantries, closets, storage spaces, foyers or communicating corridors.
(Ord. 5745, approved 4-16-1998)

§ 1311.37 FLOOR AREA RATIO.

FLOOR AREA RATIO means the ratio of the gross floor area of the principal building(s) to the total lot area.
(Ord. 5745, approved 4-16-1998)

§ 1311.38 FRATERNITY OR SORORITY.

A type of boarding house used and occupied by a formal, legally incorporated cooperative organization (with each full member having a vote in the operations of the organization) of full-time college or university students. Such use may contain residential facilities for members and social and eating facilities for members and occasional guests.
(Ord. 5745, approved 4-16-1998)

§ 1311.39 GARAGE, PRIVATE.

PRIVATE GARAGE means a detached building or a portion of a principal building permitted as an accessory to a permitted use for the private use of an owner or tenant for the storage of automobiles.
(Ord. 5745, approved 4-16-1998)
§ 1311.40 GARAGE, REPAIR.

REPAIR GARAGE means a building used primarily for making major repairs to motor vehicles, including overhauling, body work, refinishing and upholstering, as well as incidental servicing.
(Ord. 5745, approved 4-16-1998)

§ 1311.41 GARAGE OR LOT, COMMERCIAL PARKING.

COMMERCIAL PARKING GARAGE OR LOT means an open-air lot or a structure used principally for parking or storing motor vehicles for specified time periods or on a rental basis, including minor repairing incidental to parking, but not including the parking of commercial or public utility vehicles or the dead storage of motor vehicles.
(Ord. 5745, approved 4-16-1998)

§ 1311.42 GARAGE SALE.

The accessory use of a non-commercial lot for the occasional sale or auction of only common household goods and furniture and items of a closely similar character.
(Ord. 5745, approved 4-16-1998)

§ 1311.43 GLARE.

A sensation of brightness within the visual field which causes annoyance, discomfort or loss in visual performance, visibility and/or ability to focus.
(Ord. 5745, approved 4-16-1998)

§ 1311.44 GROUP HOME.

The use of any lawful dwelling unit which meets all of the following criteria:
(a) Involves the care of the maximum number of persons permitted by the “group home” standards of Art. 1341, and meets all other standards of such section;
(b) Involves persons functioning as a common household;
(c) Involves providing non-routine support services and oversight to persons who need such assistance to properly function in society primarily because of physical disability, old age, mental retardation or another condition that the applicant proves meets the applicable definition of “handicap” or “disability” as defined by the Federal Fair Housing Act amendments and the Americans With Disabilities Act, as amended; and
(d) Does not meet the definition of a “treatment center”.
(Ord. 5745, approved 4-16-1998)
§ 1311.441  HISTORIC STRUCTURE.

HISTORIC STRUCTURE means any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(1) By an approved state program as determined by the Secretary of the Interior; or

(2) Directly by the Secretary of the Interior in states without approved programs.

(Ord. 5946, approved 3-11-2004)

§ 1311.45  HOME OCCUPATION.

HOME OCCUPATION means a customary accessory use which is carried on by a member(s) of the resident family clearly incidental to the principal residential use; provided, no external alterations or structural changes not customary to a dwelling area are required; the occupation does not produce offensive noise, vibration, heat, dust or other objectionable conditions; no outside storage is required; and there is little contact with the general public.

(a) A home occupation shall include, among other activities: fine arts and crafts studios; dressmaking; tutoring not more than two pupils at a time or, in the case of music instruction, only one pupil at a time; and haircutting/styling providing only one chair is utilized and the only employees are those residing on the premises.

(b) No goods shall be publicly displayed. The only outdoor display or sign shall be a home occupation sign permitted by § 1333.05. The only retail sales that shall be permitted on the premises shall be products primarily produced on the premises. Commercial stables and kennels shall not be considered home occupations.

(c) See regulations in § 1333.05 under “accessory uses”.

(d) If a dwelling is only utilized by the residents of the dwelling for routine, customary and accessory office type uses (such as clerical and computer work), with no outside employees working on-site, and without the need for truck deliveries to the site on a routine basis, and with a maximum of one commercial truck being based at the dwelling and without the need for persons to routinely visit the site for business purposes, such activity shall be permitted by right in any dwelling, and shall not need to meet the requirements for a HOME OCCUPATION. However, the operators of such activity shall still obtain a city business license, if applicable.

(e) The Zoning Hearing Board shall have the authority to determine if a proposal would be an acceptable home occupation.

(Ord. 5745, approved 4-16-1998)
§ 1311.46 HOSPITAL.
A use involving the diagnosis, treatment or other medical or hospice care of humans that includes, but is not limited to, care requiring stays overnight. A HOSPITAL may involve care and rehabilitation for medical, dental or mental health, but shall not primarily include housing or treatment of the criminally insane or persons actively serving an official sentence after being convicted of a felony. A HOSPITAL may also involve medical research and training for health care professions.
(Ord. 5745, approved 4-16-1998)

§ 1311.47 HOTEL OR MOTEL.
A building or buildings including rooms rented out to persons as clearly transient and temporary living quarters. Any such use that customarily involves the housing of persons for periods of time longer than 30 days shall be considered a “boarding house” and shall meet the requirements of that use. A HOTEL or MOTEL may be combined with other commercial uses if the requirements for such uses are also met.
(Ord. 5745, approved 4-16-1998)

§ 1311.48 JUNK.
Discarded, unusable, scrap or abandoned manmade materials, such as metals, furniture, pipes, appliances, motor vehicle parts, machinery, containers and building materials. JUNK shall not include solid waste that is stored in an appropriate container while awaiting imminent collection, disposal or recycling.
(Ord. 5745, approved 4-16-1998)

§ 1311.49 JUNK VEHICLE.
A motor vehicle or trailer located outside of an enclosed building that meets any of the following conditions:
(a) Does not display a license plate with a current registration sticker and does not have a valid state safety inspection sticker (except for licensed antique cars not required to have an inspection sticker), (licenses or inspection stickers that expired less than 90 days ago shall be considered current for the purposes of this section);
(b) Has been demolished beyond repair; and/or
(c) Involves axles, body and/or chassis that have been separated.
(Ord. 5745, approved 4-16-1998)

§ 1311.50 KENNEL.
The keeping of 20 or more total dogs or cats over three months of age on a lot or within a dwelling unit, other than within a permitted retail pet store.
(Ord. 5745, approved 4-16-1998)
§ 1311.51 LODGES, FRATERNAL AND SOCIAL ORGANIZATIONS.
A facility that meets the following standards:
(a) Is used by a recreational, civic, social, fraternal, religious, political or labor union association for meetings and routine recreation that are limited to bona fide members and their occasional guests and persons specifically invited to special celebrations;
(b) Is not routinely open to members of the general public;
(c) Is not operated as a for profit business;
(d) Shall not include a target range for outdoor shooting, boarding house, a tavern or a restaurant unless the requirements for such use are also met. See also “After Hours Club” in this article.
(Ord. 5745, approved 4-16-1998)

§ 1311.52 LOT OR ZONING LOT.
A separate parcel of land that is recorded or that will be recorded after city final subdivision approval in the office of the County Recorder of Deeds. A parcel under common ownership that is completely separated into two parts by a public street shall be considered to be one tract, but two lots.
(Ord. 5745, approved 4-16-1998)

§ 1311.53 LOT AREA.
LOT AREA means the computed area contained within the lot lines, excluding space within existing street and alley rights-of-way, but including the area of all easements.
(Ord. 5745, approved 4-16-1998)

§ 1311.54 LOT DEPTH.
LOT DEPTH means the mean horizontal distance between the front and rear lot lines.
(Ord. 5745, approved 4-16-1998)

§ 1311.55 LOT LINE.
LOT LINE means the line separating the lot in the front, rear or on either side from an adjacent street, alley or lot. The STREET LOT LINE may be referred to as the STREET LINE.
(Ord. 5745, approved 4-16-1998)

§ 1311.56 LOT WIDTH.
LOT WIDTH means the distance measured between the side lot lines at the required building setback line.
(Ord. 5745, approved 4-16-1998)
§ 1311.57 LOT, CORNER.

CORNER LOT means a lot which occupies the interior angle at the intersection of two street lines which make an angle of less than 135 degrees. The street line forming the least frontage shall be deemed the front of the plot, except where the two street lines are equal, in which case the owner shall be required to specify the front when requesting a building permit.

(Ord. 5745, approved 4-16-1998)

§ 1311.58 LOT, INTERIOR.

INTERIOR LOT means a lot other than a corner lot, with only one frontage on a street other than an alley.

(Ord. 5745, approved 4-16-1998)

§ 1311.59 LOT, THROUGH.

THROUGH LOT means a lot other than a corner lot, with frontage on more than one street other than an alley.

(Ord. 5745, approved 4-16-1998)

§ 1311.591 LOWEST FLOOR.

LOWEST FLOOR means the lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access and incidental storage, in an area other than a basement area is not considered the LOWEST FLOOR of a building; provided that, such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this ordinance.

(Ord. 5946, approved 3-11-2004)

§ 1311.60 MOBILE/MANUFACTURED HOME.

MOBILE/MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.

(Ord. 5745, approved 4-16-1998; Ord. 6253, approved 2-6-2014)

§ 1311.601 MANUFACTURED HOME PARK OR SUBDIVISION.

MANUFACTURED HOME PARK OR SUBDIVISION means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

(Ord. 5745, approved 4-16-1998; Ord. 6253, approved 2-6-2014)
§ 1311.61 MOTEL OR HOTEL.
See HOTEL OR MOTEL in this chapter.
(Ord. 5745, approved 4-16-1998)

§ 1311.62 MUNICIPALITIES PLANNING CODE OR STATE PLANNING CODE.
(Ord. 5745, approved 4-16-1998)

§ 1311.621 NEW CONSTRUCTION.
NEW CONSTRUCTION means structures for which the start of construction commenced on or after the effective start date of this floodplain management ordinance and includes any subsequent improvements to such structures. Any construction started after 12-1-1977, and before the effective start date of this floodplain management ordinance is subject to the ordinance in effect at the time the permit was issued; provided, the start of construction was within 180 days of permit issuance.
(Ord. 5946, approved 3-11-2004; Ord. 6253, approved 2-6-2014)

§ 1311.622 NEW MOBILE HOME PARK OR SUBDIVISION.
NEW MOBILE HOME PARK OR SUBDIVISION means a mobile home park or subdivision for which the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, either final site grading or the pouring of concrete pads) was completed on or after the effective date of these floodplain management regulations adopted by a community, 5-10-1977, the effective date of the city’s first Floodplain Management Ordinance.
(Ord. 6253, approved 2-6-2014)

§ 1311.63 NON-CONFORMING LOT.
NON-CONFORMING LOT means a lot that does not conform in lot width or lot area, but which lot was in existence at the time such width or area regulation became effective and was lawful at the time it was established.
(Ord. 5745, approved 4-16-1998)

§ 1311.64 NON-CONFORMING STRUCTURE.
NON-CONFORMING STRUCTURE means a legally existing structure, including any sign, that does not conform to a dimensional regulation prescribed by this Zoning Ordinance for the district in which it is located, but was in existence at the time the regulation became effective or was a variance properly granted by the Zoning Hearing Board.
(Ord. 5745, approved 4-16-1998)
§ 1311.65 NON-CONFORMING USE.

NON-CONFORMING USE means a legally existing use of a lot or structure, including accessory
uses, which would not be permitted in the applicable district under the current provisions of this Zoning
Ordinance, as amended.
(Ord. 5745, approved 4-16-1998)

§ 1311.66 NURSING HOME.

NURSING HOME means a licensed establishment which provides full-time convalescent or chronic
care or both for three or more individuals who are not related by blood or marriage to the operator and
who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely
ill, nor surgical, nor obstetrical services shall be provided in a NURSING HOME. A hospital or
sanitarium shall not be considered to be included in this definition.
(Ord. 5745, approved 4-16-1998)

§ 1311.67 OCCUPANCY PERMIT.

OCCUPANCY PERMIT means a permit stating that all work indicated on the zoning permit and/or
building permit has been satisfactorily completed and the building or lot may be occupied.
(Ord. 5745, approved 4-16-1998)

§ 1311.68 ONE-HUNDRED YEAR FLOOD.

ONE-HUNDRED YEAR FLOOD means a flood that, on the average, is likely to occur once every
100 years (i.e., that has a 1% chance of occurring each year, although the flood may occur in any year).
(Ord. 5745, approved 4-16-1998)

§ 1311.69 ORDINANCE, THIS.

The City of Williamsport Zoning Ordinance, including the Official Zoning Map, as amended.
(Ord. 5745, approved 4-16-1998)

§ 1311.70 OWNER.

OWNER means the owner of record of real property as shown on the latest tax records of Lycoming
County or any individual, firm, trust, partnership, corporation, cooperative association or any other legal
entity having sufficient proprietary interest in the lot upon which a zoning permit is sought on the land
to be subdivided or otherwise developed.
(Ord. 5745, approved 4-16-1998)
§ 1311.701 PERSON.

_PERSON_ means an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

(Ord. 6253, approved 2-6-2014)

§ 1311.71 PERSONAL CARE HOME OR CENTER.

A residential use providing residential and support services primarily to persons who are over age 60, physically handicapped and/or the developmentally disabled and that is licensed as a _PERSONAL CARE CENTER_ by the Commonwealth of Pennsylvania and that does not meet the definition of a “treatment center”. Unless otherwise stated, a _PERSONAL CARE CENTER_ shall be regulated and permitted by this ordinance in the same manner as a nursing home.

(Ord. 5745, approved 4-16-1998)

§ 1311.72 PLACES OF WORSHIP OR CHURCH.

Buildings, synagogues, churches, religious retreats, monasteries, seminaries and shrines used primarily for religious and/or spiritual worship and that are operated for non-profit and non-commercial purposes. A _PLACE OF WORSHIP_ may include one dwelling unit as an accessory use to house full-time religious leaders and their immediate families. If a religious use is primarily residential in nature, it shall be regulated under the appropriate “dwelling type”.

(Ord. 5745, approved 4-16-1998)

§ 1311.73 PLANNED RESIDENTIAL DEVELOPMENT.

_PLANNED RESIDENTIAL DEVELOPMENT_ means an area of land controlled by a landowner, to be developed as a single entity for a specified number of dwelling units, the development plan for which does not correspond in lot size, bulk or type of dwelling, lot coverage and required open space to the regulations established in any one residential district.

(Ord. 5745, approved 4-16-1998)

§ 1311.74 PLANNING COMMISSION.

_PLANNING COMMISSION_ means the Planning Commission of the City of Williamsport.

(Ord. 5745, approved 4-16-1998)

§ 1311.741 POST-FIRM STRUCTURE.

_POST-FIRM STRUCTURE_ means a structure for which construction or substantial improvements occurred after 12-1-1977, the effective date of the city’s initial Flood Insurance Rate Map (FIRM), and, as such, is required to be compliant with the regulations of the National Flood Insurance Program.

(Ord. 6253, approved 2-6-2014)
§ 1311.742 PRE-FIRM STRUCTURE.

PRE-FIRM STRUCTURE means a structure for which construction or substantial improvements occurred on or after 12-1-1977, the effective date of the city’s first floodplain management ordinance, and, as such, is not required to be compliant with the regulations of the National Flood Insurance Program.

(Ord. 6253, approved 2-6-2014)

§ 1311.75 PRINCIPAL USE.

PRINCIPAL USE means one of the uses listed in the table of use regulations other than accessory uses. Separate zoning permits are required for each principal use.

(a) See § 1311.75 concerning a new principal building that will result in two or more principal uses on a lot.

(b) See § 1323.02 concerning an existing lot with two or more existing principal buildings.

(Ord. 5745, approved 4-16-1998)

§ 1311.76 PROFESSIONAL OFFICE.

PROFESSIONAL OFFICE means the office of a member of a recognized profession, conducted by a member of the resident family, which shall be clearly incidental to the primary residential use entirely within the principal building, and including only the offices of physicians, dentists, ministers, architects, authors, musicians and such other professional occupations which may be so designated by the Zoning Hearing Board upon its finding that such occupation is truly professional in character by virtue of the need for similar training or experience as a condition of the practice thereof, and that the practice of such occupation shall in no way adversely affect the safety and amenity of surrounding property to a greater extent than for the professional activities listed herein. The issuance of a state or local license for regulation of any gainful occupation need not be deemed indicative of professional standing.

(Ord. 5745, approved 4-16-1998)

§ 1311.77 PUBLIC NOTICE.

(a) Notice published once a week for two successive weeks in a newspaper of general circulation in the municipality.

(b) Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing.

(c) The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

(Ord. 5745, approved 4-16-1998)

§ 1311.78 RECREATION.

(a) COMMERCIAL RECREATION means recreation facilities operated as a business and open to the general public for a fee.
(b) **NON-COMMERCIAL PRIVATE RECREATION** means clubs or recreation facilities operated by non-profit organizations and open only to their members and gratuitous guests.

(c) **PUBLIC RECREATION** means recreation facilities operated as a non-profit enterprise by a governmental entity or a non-profit organization and open to the public.

(Ord. 5745, approved 4-16-1998)

§ 1311.781 RECREATIONAL VEHICLE.

**RECREATIONAL VEHICLE** means a vehicle which is:

(a) Built on a single chassis;

(b) Not more than 400 square feet, measured at the largest horizontal projections;

(c) Designed to be self-propelled or permanently towable by a light-duty truck; or

(d) Not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonable use.

(Ord. 5946, approved 3-11-2004)

§ 1311.782 REGULATORY FLOOD ELEVATION.

**REGULATORY FLOOD ELEVATION** means the base flood elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor and one and one-half feet.

(Ord. 5946, approved 3-11-2004; Ord. 6253, approved 2-6-2014)

§ 1311.79 RELATED OR RELATIVE.

Persons who are related by blood, marriage, adoption or formal foster relationship to result in one of the following relationships: brother; sister; parent; child; grandparent; great-grandparent; grandchild; great-grandchild; uncle; aunt; nephew; niece; sister-in-law; brother-in-law; father-in-law; mother-in-law; or first cousin.

(Ord. 5745, approved 4-16-1998)

§ 1311.80 REPAIR.

**REPAIR** means any construction which replaces materials, but does not change the height, number of stories, size or location of a building or other structure.

(Ord. 5745, approved 4-16-1998)

§ 1311.801 REPETITIVE LOSS.

**REPETITIVE LOSS** means flood related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25% of the market value of the structure before the damages occurred.

(Ord. 6253, approved 2-6-2014)
§ 1311.81 RESIDENTIAL DISTRICT.
The R1A, R1B, R2, R3 and RU Zoning Districts.
(Ord. 5745, approved 4-16-1998)

§ 1311.82 RIGHT-OF-WAY.
RIGHT-OF-WAY means land set aside for use as a street or alley as established by the
Commonwealth, Lycoming County or the City of Williamsport, and currently in existence.
(Ord. 5745, approved 4-16-1998)

§ 1311.83 ROOMING OR BOARDING HOUSE.
A residential use in which rooms are rented for habitation that do not meet the definition of a
“dwelling unit” either because of a lack of certain facilities or occupancy by a greater number of persons
than are allowed within a “dwelling unit”. A ROOMING OR BOARDING HOUSE shall involve
overnight accommodations for three or more persons for typical periods of five or more consecutive
days. A ROOMING OR BOARDING HOUSE shall not include uses meeting definitions of the following
terms: abused person shelter; hotel; dormitory; personal care center; bed and breakfast inn; group home;
or nursing home. A ROOMING OR BOARDING HOUSE may either involve or not involve providing
meals to residents.
(Ord. 5745, approved 4-16-1998)

§ 1311.84 SCRAP PROCESSING, AUTO WRECKING OR JUNKYARD.
SCRAP PROCESSING, AUTO WRECKING OR JUNKYARD means a place where waste,
discarded, sorted, processed or salvaged material or automobiles are bought, sold, stored, packed,
dismantled or otherwise handled, but excludes places where such uses are conducted entirely within a
completely enclosed building.
(Ord. 5745, approved 4-16-1998)

§ 1311.85 SIGN.
Sign definitions are found in Art. 1346.
(Ord. 5745, approved 4-16-1998)

§ 1311.86 SOLID WASTE TRANSFER FACILITY.
A type of “solid waste facility” which receives and temporarily stores solid waste at a location other
than the generation site, and which facilitates the bulk transfer of accumulated solid waste to a facility
for further processing or disposal, and which may or may not involve the separation of recyclables from
solid waste.
(Ord. 5745, approved 4-16-1998)
§ 1311.87 Special Exception.

(a) **Special Exception** means a use to be granted or denied a zoning permit on the basis of the standards and criteria specified in the table of use regulations for the use in question and upon the general standards included in Art. 1319.

(b) **Special Exceptions** may not be granted for uses other than those expressly stated as subject to special exception by the Zoning Hearing Board.

(Ord. 5745, approved 4-16-1998)

§ 1311.871 Special Flood Hazard Area (SFHA).

**Special Flood Hazard Area (SFHA)** means an area of the floodplain subject to a 1% or greater chance of flooding in any given year. It is shown on the FIRM as Zone A or A1-30.

(Ord. 6253, approved 2-6-2014)

§ 1311.872 Special Permit.

**Special Permit** means a special approval needed for specific types of development being proposed to be located in any portion of the designated floodplain.

(Ord. 6253, approved 2-6-2014)

§ 1311.88 Specified Sexual Activities.

One or more of the following:

(a) Human male genitals in a visible state of sexual stimulation;

(b) Acts of human masturbation, sexual intercourse, oral sex or sodomy; and/or

(c) Fondling or other erotic touching of human genitals.

(Ord. 5745, approved 4-16-1998)

§ 1311.881 Start of Construction.

**Start of Construction** means for floodplain management purposes, substantial improvements and other proposed new development and means the date that the permit was issued; provided, the actual **Start of Construction**, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days after the date of the permit and shall be completed within 12 months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual **Start** means either the first placement of permanent construction of a structure on a site, such as pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual **Start of**
CONSTRUCTION means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. (Ord. 6253, approved 2-6-2014)

§ 1311.89 STORY.

STORY means that portion of a building wholly above ground included between the surface of any floor and the surface of the floor next above, having a floor area that is 50% or more of the floor area of the story immediately below and with a ceiling height of at least eight feet; if there is no floor above, then between the floor and the ceiling. (Ord. 5745, approved 4-16-1998)

§ 1311.90 STREET.

STREET means a public right-of-way used or intended to be used for passage or travel. All STREETS will be designed, built and operated to enable safe access for all users, in that pedestrians, bicyclists and public transportation users of all ages and abilities are able to safely move along and across the street right-of-way.

(a) EXPRESSWAYS. Streets providing efficient high-speed connections for high volumes of traffic between metropolitan areas and that limited access to interchanges.

(b) ARTERIAL STREETS. Streets transporting high volumes of traffic at moderate speeds, connecting major portions of the city, but that do not limit access to interchanges.

(c) COLLECTOR STREETS. Streets that gather traffic from local streets and feed into arterial streets. These streets typically involve moderate volumes of traffic at relatively low speeds. COLLECTOR STREETS also connect neighborhoods.

(d) LOCAL STREETS. Streets that carry relatively low volumes of traffic and provide access to individual homes. Local streets typically involve relatively low speeds. (Ord. 5745, approved 4-16-1998; Ord. 6328, approved 6-8-2017)

§ 1311.91 STREET LINE.

STREET LINE means the dividing line between the right-of-way and the lot. (Ord. 5745, approved 4-16-1998)

§ 1311.92 STRUCTURE.

STRUCTURE means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home. (Ord. 5745, approved 4-16-1998; Ord. 6253, approved 2-6-2014)
§ 1311.93 STUDENT RESIDENCE.

STUDENT RESIDENCE means a dwelling unit that is permitted to be occupied by a maximum of five unrelated persons, as opposed to the maximum of three unrelated persons that would otherwise apply; provided:

(a) It is occupied by full-time students of an accredited college or university;
(b) Is located within a district that permits such a use; and
(c) The lot area in square feet must provide for a minimum of 800 square feet per resident.

(Ord. 5745, approved 4-16-1998; Ord. 5825, approved 8-3-2000)

§ 1311.931 SUBSTANTIAL DAMAGE.

SUBSTANTIAL DAMAGE means damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% or more of the market value of the structure before the damage occurred.

(Ord. 5946, approved 3-11-2004)

§ 1311.932 SUBSTANTIAL IMPROVEMENT.

SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

(a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
(b) Any alteration of a “historic structure”; provided that, the alteration will not preclude the structure’s continued designation as a “historic structure”.

(Ord. 5946, approved 3-11-2004)

§ 1311.94 TAVERN.

TAVERN means a place where alcoholic beverages are served, primarily for on-site consumption, as a primary or substantial portion of the total trade. A TAVERN is distinguished from a restaurant, within which any alcohol sale shall be clearly accessory to the sale of food. Sale of food in a tavern shall meet requirements of the Pennsylvania Liquor Control Board.

(Ord. 5745, approved 4-16-1998)

§ 1311.95 TELEPHONE EXCHANGE.

TELEPHONE EXCHANGE means a building and its equipment used exclusively for the transmission and exchange of telephone messages.

(Ord. 5745, approved 4-16-1998)
§ 1311.96 TRAVEL TRAILER.

TRAVEL TRAILER means a licensed or unlicensed motorized or non-motorized vehicle designed as a temporary dwelling for travel, recreation, vacation and other short-term uses, and which has a body width not exceeding eight feet.
(Ord. 5745, approved 4-16-1998)

§ 1311.97 TREATMENT CENTER.

TREATMENT CENTER means a use (other than a “prison” or “criminal housing facility”, as otherwise defined in this part) providing housing facilities for persons who need specialized housing, treatment and/or counseling because of:
(a) A conviction or convictions for driving under influence of alcohol;
(b) Chronic abuse of or addiction to alcohol and/or a controlled substance; or
(c) A type of mental illness or other behavior that can reasonably be expected to cause a person to be a threat to the physical safety of others.
(Ord. 5745, approved 4-16-1998; Ord. 5825, approved 8-3-2000)

§ 1311.971 UNIFORM CONSTRUCTION CODE.

UNIFORM CONSTRUCTION CODE means the statewide Building Code adopted by the Pennsylvania General Assembly in 1999, applicable to new construction in all municipalities whether administered by the municipality, a third party, or the Pennsylvania Department of Labor and Industry. Applicable to residential and commercial buildings, the Code adopted, the International Residential Code (IRC) and the International Building Code (IBC) of 2003 (or the latest edition thereof) by reference as the standard applicable to construction within the commonwealth, including floodplain construction.
(Ord. 6253, approved 2-6-2014)

§ 1311.98 USE.

USE means any activity, occupation, business or operation carried on or intended to be carried on in a building or other structure or on a lot.
(Ord. 5745, approved 4-16-1998)

§ 1311.99 VARIANCE.

VARIANCE means a modification of the regulations of this Zoning Ordinance granted by the Zoning Hearing Board on grounds of practical difficulties or unnecessary hardship, not self-imposed, pursuant to the provisions of this Zoning Ordinance and § 912 of the Pennsylvania Municipalities Planning Code (Act 247).
(Ord. 5745, approved 4-16-1998)
§ 1311.991 VIOLATION.

VIOLATION means the failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in 44 C.F.R. § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4) or (e)(5) is presumed to be in violation until such time as that documentation is provided.

(Ord. 6253, approved 2-6-2014)

§ 1311.100 YARD.

YARD means a space on the same lot with a principal building, open, unoccupied and unobstructed from the ground to the sky, except where encroachments and accessory buildings are expressly permitted in this Zoning Ordinance.

(a) FRONT YARD means a yard extending across the full width of the lot adjoining the street upon which the lot fronts, the depth of which shall be as specified in Art. 1343.

(b) REAR YARD means a yard extending across the full width of the lot adjoining the rear lot line, the depth of which shall be as specified in Art. 1343.

(c) SIDE YARD means a yard adjacent to a side lot line extending from the front yard to the rear yard, the width of which shall be as specified in Art. 1343.

(Ord. 5745, approved 4-16-1998)

§ 1311.101 ZONING OFFICER.

ZONING OFFICER means the duly constituted municipal official designated to administer and enforce this Zoning Ordinance. The ZONING OFFICER shall administer the Zoning Ordinance in accordance with its literal terms. The ZONING OFFICER may be the Building Inspector and serve both offices of the city.

(Ord. 5745, approved 4-16-1998)

§ 1311.102 ZONING ORDINANCE.

The City of Williamsport Zoning Ordinance, as amended, which is codified as Titles Three through Seven of Part 13 of the Codified Ordinances of Williamsport, Pennsylvania.

(Ord. 5745, approved 4-16-1998)

§ 1311.103 ZONING PERMIT.

ZONING PERMIT means 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 Zoning Ordinance for the zone in which it is located.

(Ord. 5745, approved 4-16-1998)
TITLE THREE: ZONING ADMINISTRATION
ARTICLE 1312: TITLE; PURPOSE; COMMUNITY DEVELOPMENT OBJECTIVES

Section

1312.01 Title.
1312.02 Short title.
1312.03 Purposes.
1312.04 Community development objectives.
1312.05 Repealer.

Statutory reference to Pa. Municipalities Planning Code:
Comprehensive Plan, see § 301 (53 P.S. § 10301)
Purposes of State Planning Code, see § 105 (53 P.S. § 10105)
Statement of Objectives, see § 606 (53 P.S. § 10606)
Zoning Purposes, see § 604 (53 P.S. § 10604)

§ 1312.01 TITLE.
An ordinance regulating the location, height, bulk, erection, construction, alteration and razing of structures; the percentage of a lot which may be occupied; the size of yards, courts and other open spaces; the density and distribution of population; the intensity of use of land or bodies of water for trade, industry, residence, recreation, public activities or other purposes; and the uses of land for agriculture, water supply, conservation, soil conservation, forestry or other purposes in all portions of the City of Williamsport.
(Ord. 5745, approved 4-16-1998)

§ 1312.02 SHORT TITLE.
This Zoning Ordinance shall be known as the “Zoning Ordinance”; and the map herein referred to, which is identified by the title “Williamsport, PA., Zoning Map”, dated 3-31-1998, shall be known as the “Zoning Map”.
(Ord. 5745, approved 4-16-1998)

§ 1312.03 PURPOSES.
The zoning regulations and districts as herein set forth have been made in accordance with the Comprehensive Plan and are designed to:
(a) Promote, protect and facilitate the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation,
airports and national defense facilities, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements; as well as to

(b) 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.

(Ord. 5745, approved 4-16-1998)

§ 1312.04 COMMUNITY DEVELOPMENT OBJECTIVES.

The goals and objectives of the City of Williamsport Comprehensive Plan of 1994, as amended, are hereby incorporated by reference. This Ordinance is also intended to serve purposes for zoning as authorized by § 604 of the Pennsylvania Municipalities Planning Code, as amended, which is hereby incorporated by reference.

(Ord. 5745, approved 4-16-1998)

§ 1312.05 REPEALER.

The pre-existing City of Williamsport Zoning Ordinance of 1971, as amended, is repealed. In addition, all other city ordinances or resolutions or parts thereof that were adopted prior to this Zoning Ordinance and that are clearly in direct conflict with this ordinance are hereby repealed. Sections 329.08(b), 329.08(c) and 329.09, entitled “Adult Bookstores and Moviehouses”, are hereby specifically repealed.

(Ord. 5745, approved 4-16-1998)
TITLE THREE: ZONING ADMINISTRATION
ARTICLE 1313: ENFORCEMENT

Section

1313.01 Zoning Officer to enforce.
1313.02 Enforcement, violations and penalties.
1313.03 Remedies.
1313.04 Complaints of violations.
1313.05 Interpretation.
1313.06 Validity.

Statutory reference:
Appointment and powers of Zoning Officer, see Act 247, § 614 (53 P.S. § 10614)
Enforcement penalties, see Act 247, 53 P.S. § 10616.1
Enforcement remedies, see Act 247, 53 P.S. § 10617

§ 1313.01 ZONING OFFICER TO ENFORCE.
The provisions of this Zoning Ordinance shall be administered and enforced by the Zoning Officer, appointed by Council, who shall have the following duties and powers:

(a) Receive applications for permits, certificates, variances and other applications required under the terms of this Zoning Ordinance;
(b) Prescribe the form of all applications, permits and certificates required under the terms of this Ordinance and may combine these with those required by the Building Code;
(c) Issue permits for the construction, alteration and occupancy of all uses or buildings which are certified to be in accordance with the requirements of this Zoning Ordinance within ten days of receipt of application for such permit;
(d) Refuse applications for permits or certificates which are not in accord with the requirements of this Zoning Ordinance within ten days of receipt of such application. Such refusal shall be in writing and shall state the reasons for such action;
(e) Issue written notice of violation to any person violating any provision of this Zoning Ordinance, setting forth the action on the part of such person deemed to be in violation. Duplicate copies of such notice are to be referred to the Zoning Hearing Board and Council;
(f) Keep records of applications, permits or certificates issued, variances granted, inspections made, reports rendered and notices or orders issued; and
(g) Perform such other duties as may be provided or made necessary by the terms of this Zoning Ordinance.
(Ord. 5745, approved 4-16-1998)
§ 1313.02 ENFORCEMENT, VIOLATIONS AND PENALTIES.

The applicable provisions of the Pennsylvania Municipalities Planning Code, as amended, are hereby incorporated by reference. As of the adoption date of this ordinance, such provisions were within 53 P.S. §§ 10616.1 and 10617.

(Ord. 5745, approved 4-16-1998)

§ 1313.03 REMEDIES.

Where any building, structure or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Zoning Ordinance or any duly enacted amendment hereof, the Mayor, Council, the District Attorney of Lycoming County or any owner of real estate within the city may, in addition to other remedies provided by law, institute appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

(Ord. 5745, approved 4-16-1998)

§ 1313.04 COMPLAINTS OF VIOLATION.

Whenever a violation of this Zoning Ordinance occurs, any person may file, in writing, a complaint in regard thereto with the Zoning Officer, who shall record such complaint, immediately investigate the complaint and make a report thereof to the Mayor.

(Ord. 5745, approved 4-16-1998)

§ 1313.05 INTERPRETATION.

In interpreting and applying the provisions of this Zoning Ordinance, they shall be held to be the minimum requirements for the promotion of health, safety, morals and the general welfare of the city and its residents. It is not intended by this Zoning Ordinance to interfere with, abrogate or annul any rules or regulations previously adopted or permits previously issued by the city which are not in conflict with any provisions of this Zoning Ordinance; nor is it intended by this Zoning Ordinance to interfere with, abrogate or annul any easements, covenants, building restrictions or other agreements between parties. Whenever the provisions of any other statute require a greater width or size of yards, courts or other open spaces or a greater percentage of lot to be left unoccupied or impose other higher standards than are required by the Zoning Ordinance and the regulations made under authority of this Zoning Ordinance, the provisions of such statute shall govern.

(Ord. 5745, approved 4-16-1998)

§ 1313.06 VALIDITY.

The provisions of this Zoning Ordinance are separable; and, if any provision shall be held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionally of any other provision.

(Ord. 5745, approved 4-16-1998)
TITLE THREE: ZONING ADMINISTRATION
ARTICLE 1317: PERMITS AND PROCEDURES

Section

Zoning Permits

1317.01 Required. A zoning permit shall be required: prior to the erection, addition or alteration of any building, structure or development or portion thereof; prior to the use or change in use of a building, structure, development or land; and prior to the change or extension of a non-conforming use.

(Ord. 5745, approved 4-16-1998; Ord. 5946, approved 3-11-2004)

Occupancy Permits

1317.11 Required. Occupancy permits shall be required: prior to the use or change in use of a building, structure, development or portion thereof; and prior to the change or extension of a non-conforming use.

1317.12 Application.

1317.13 Term.

1317.21 Limits of Zoning Officer’s authority.

1317.31 Application of review fees.

1317.32 Inspection fees.

Cross-reference:

Occupancy permit defined, see Part Thirteen, § 1311.45
Special exceptions, see Part Thirteen, § 1319.14
Variances, see Part Thirteen, § 1319.13
Zoning permit defined, see Part Thirteen, § 1311.70
Zoning Officer to issue or refuse permits, see Part Thirteen, § 1313.01

ZONING PERMITS

§ 1317.01 REQUIRED.

A zoning permit shall be required: prior to the erection, addition or alteration of any building, structure or development or portion thereof; prior to the use or change in use of a building, structure, development or land; and prior to the change or extension of a non-conforming use.

(Ord. 5745, approved 4-16-1998; Ord. 5946, approved 3-11-2004)
§ 1317.02 APPLICATION.

(a) All applications for zoning permits shall be submitted on forms supplied by the Zoning Officer and shall be accompanied by plans in duplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact size and location of existing or proposed buildings or alterations, signs, parking or loading areas, the existing and intended use of each building or part thereof, the number of families or dwelling units, employees or officers or other units of occupancy the building is designed to accommodate and such other information as may be necessary to determine compliance with this Zoning Ordinance and all other pertinent ordinances.

(b) One copy of the plans shall be returned to the owner upon approval.

(c) All applications, with accompanying plans and documents, shall become a public record after a permit is issued or denied.

(Ord. 5745, approved 4-16-1998)

§ 1317.03 ISSUANCE; DISPLAY.

(a) Prior to issuance of any building permit, the Building Permit Officer shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act 35 P.S. §§ 750.1 et seq., as amended); the Pennsylvania Dam Safety and Encroachments Act (32 P.S. §§ 693.1 et seq., as amended); the Pennsylvania Clean Streams Act (35 P.S. §§ 691.1 et seq., as amended); and the U.S. Clean Water Act, § 404, 33 U.S.C. § 1344. No permit shall be issued until this determination has been made.

(b) (1) Zoning permits shall be issued in duplicate, and one copy shall be kept conspicuously on the premises affected whenever construction work is being performed thereon.

(2) No owner, contractor, worker or other person shall perform building operations of any kind unless a zoning permit covering such operation has been previously issued and is being displayed as required by this Zoning Ordinance, nor shall they perform building operations of any kind after notification of the revocation of such zoning permit.

(Ord. 5745, approved 4-16-1998; Ord. 5946, approved 3-11-2004)

§ 1317.04 REVOCATION.

(a) The Zoning Officer may revoke a zoning permit at any time if it appears that the application or accompanying plan is in any material respect false or misleading or that work being done upon the premises differs materially from that called for in the application.

(b) (1) In such case, the person holding the permit shall immediately surrender it and all copies thereof to the Zoning Officer.

(2) Before issuing a new zoning permit, the Zoning Officer may require the applicant to file a bond in favor of the city, with sufficient surety conditioned for compliance with this Zoning Ordinance and all building laws and ordinances then in force and in a sum sufficient to cover the cost of removing the building if it does not so comply.

(Ord. 5745, approved 4-16-1998)
§ 1317.11 REQUIRED.
An occupancy permit, issued in duplicate, certifying that the premises comply with the provisions of this Zoning Ordinance and may be used for the purposes set forth in the permit, shall be secured from the Zoning Officer after inspection and prior to the use or occupancy of any building or structure or part thereof for which a zoning permit is required or for any change of use of any existing building or structure or part thereof or for any change of use of land. A copy of the occupancy permit shall be kept at all times upon the premises and shall be displayed upon request made by any officer of the city. A record shall be kept of all occupancy permits, and the original application shall be kept on file in the office of the Zoning Officer.
(Ord. 5745, approved 4-16-1998)

§ 1317.12 APPLICATION.
Application for an occupancy permit shall be made in writing on a form furnished by the Zoning Officer setting forth such facts as the Zoning Officer may require.
(Ord. 5745, approved 4-16-1998)

§ 1317.13 TERM.
An occupancy permit, once granted, shall continue in effect so long as there is no change of use, regardless of change in the personnel of tenants or occupants.
(Ord. 5745, approved 4-16-1998)

§ 1317.21 LIMITS OF ZONING OFFICER’S AUTHORITY.
(a) The Zoning Officer shall have the authority to issue permits only for construction and uses which are in accordance with the requirements of this Zoning Ordinance. Zoning permits, for construction and uses which are subject to special exception requirements or construction which requires a variance, shall be issued only upon order of the Zoning Hearing Board. Similarly, construction and uses which are subject to conditional use requirements shall be issued only upon order of Council.
(b) The Zoning Officer shall issue no permits for the construction or use of any land and buildings unless it conforms to all applicable city ordinances and with the laws of the commonwealth.
(c) The Zoning Officer shall process applications for zoning permits or occupancy certificates within ten calendar days and inform the applicant of the action taken.
(Ord. 5745, approved 4-16-1998)

§ 1317.31 APPLICATION REVIEW FEES.
Upon application for a zoning permit and/or occupancy permit and/or certificate of non-compliance, the applicant shall pay, in addition to all other fees required by any statute of the Commonwealth of
Pennsylvania or ordinance of the city, an application review fee in accordance with Art. 117 of the codified ordinances. The above fees and the inspection fees provided in § 1317.32 may be revised by written ordinance or resolution of City Council.
(Ord. 5745, approved 4-16-1998)

§ 1317.32 INSPECTION FEES.
The inspection fees, in addition to all other fees required by any statute of the Commonwealth of Pennsylvania or ordinance of the city, shall be paid at the office of the Zoning Officer before any permits are issued by the Zoning Officer as is provided in § 117.03(r).
(Ord. 5745, approved 4-16-1998)
ORGANIZATION

§ 1319.01 BOARD ESTABLISHED.
The Board of Adjustment, established as provided for by the Act of 1931 (P.L. 932), § 4120, and the Act of 1951 (P.L. 662), § 41, is reestablished as the Zoning Hearing Board as provided for in § 902.
of the Pennsylvania Municipalities Planning Code (Act 247). As used in this Zoning Ordinance, the term **BOARD** refers to the Zoning Hearing Board.

(Ord. 5745, approved 4-16-1998)

§ 1319.02 MEMBERSHIP OF BOARD.

The membership of the Zoning Hearing Board shall be five residents of the city appointed by Council. Their terms of office shall be three years and so fixed that the term of office of at least one member shall expire each year. Terms of office of present Board of Adjustment members shall continue according to their current appointment. The Board shall promptly notify Council of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. City Council may appoint up to two alternate members for terms of three years each. Such alternates may serve as members of the Board when authorized within the provisions of the Pennsylvania Municipalities Planning Code as amended. Members of the Board shall hold no other office in the city.

(Ord. 5745, approved 4-16-1998)

§ 1319.03 REMOVAL OF MEMBERS.

Any Zoning Hearing Board member may be removed for malfeasance, misfeasance or non-feasance in office or for other just cause by a majority vote of the Council, taken after the member has received 15 days’ advance notice of the intent to take such a vote. A public hearing shall be held in connection with the vote if the member shall request it in writing.

(Ord. 5745, approved 4-16-1998)

§ 1319.04 ORGANIZATION OF THE BOARD.

The Board shall elect its officers from its own membership, 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 of the Board. However, the Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Board as provided for in § 1319.05. The Board may make, alter and rescind rules and forms of its procedure consistent with ordinances of the city and laws of the commonwealth. The Board shall keep full public records of its business and submit a report of its activities to Council once a year.

(Ord. 5745, approved 4-16-1998)

§ 1319.05 HEARINGS.

The Zoning Hearing Board shall conduct hearings and make decisions in accordance with § 908, Pennsylvania Municipalities Planning Code (53 P.S. § 10908), as amended. Notice shall be given to the public, the applicant, the county planning agency, the Zoning Officer, such other persons as Council shall designate by ordinance and any person who has made timely request for the same. Notices shall be given at such time and in such manner prescribed by ordinance or, in the absence of ordinance provision, by rules of the Board.

(Ord. 5745, approved 4-16-1998)
§ 1319.11 APPEALS.
(a) Any person aggrieved by any decision of the Zoning Officer shall have the right to appeal to the Zoning Hearing Board within 30 days by filing with the Zoning Officer, specifying the grounds thereof and including the following:

1. The name and address of the applicant or appellant;
2. The name and address of the owner of the zoning lot to be affected by such proposed change or appeal;
3. A brief description and location of the zoning lot to be affected by such proposed change or appeal;
4. A statement of the present zoning classification of the zoning lot in question, the improvements thereon and the present use thereof;
5. A statement of the section of this Zoning Ordinance under which the appeal is made and reasons why it should be granted or a statement of the section of this Zoning Ordinance governing the situation in which the alleged erroneous ruling is being appealed and the reasons for this appeal; and
6. A reasonably accurate description of the present improvements and the additions or changes intended to be made under this application, indicating the size, material and general construction thereof. In addition, there shall be attached a plot plan of the real property to be affected, indicating the location and size of the lot and size of improvements existing thereon and proposed to be erected thereon.

(b) The Zoning Officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken. The Zoning Officer may recommend to the Board a modification or reversal of his or her action in cases where he or she believes substantial justice requires the same but where he or she has not himself or herself sufficient authority to grant the relief sought.

(c) Notice shall be provided as required by state law. See the definition of “public notice” in Art. 1311. Any party may appear in person or be represented by an agent or attorney.

(d) The Board shall decide each appeal within 45 days, after hearing, and notice thereof shall forthwith be given to all parties in interest. The Board’s decision shall be immediately filed in its office and be a public record. In the exercise of its functions upon such appeals, the Board may, in conformance with the provisions of this Zoning Ordinance, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination as, in its opinion, ought to be made.

(Ord. 5745, approved 4-16-1998; Ord. 6076, approved 9-6-2007)

§ 1319.12 CHALLENGE TO VALIDITY.
The Zoning Hearing Board shall have the authority to hear challenges to this ordinance within the provisions of the Pennsylvania Municipalities Planning Code, as amended.

(Ord. 5745, approved 4-16-1998)

§ 1319.13 VARIANCES.
(a) Upon appeal from a decision by the Zoning Officer, the Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary
hardship upon the applicant. The Board shall prescribe the form of application and require preliminary application to the Zoning Officer. The Board may grant a variance; provided, the following findings are made where relevant in a given case:

1. 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;

2. That, because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and the authorization of a variance is therefore necessary to enable the reasonable use of the property;

3. That such unnecessary hardship has not been created by the appellant;

4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and

5. That the variance, if authorized, will represent the minimum variance which will afford relief and represent the least modification possible of the regulation in issue.

(b) In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Zoning Ordinance.

(Ord. 5745, approved 4-16-1998)

§ 1319.131 PERSONS WITH DISABILITIES.

(a) After having received a complete written application, the Zoning Hearing Board may grant a variance allowing modifications to specific requirements of this ordinance if the applicant proves to the satisfaction of the Zoning Hearing Board that:

1. Such modifications are necessary to provide a “reasonable accommodation” required under the Americans With Disabilities Act, the Federal Fair Housing Act and/or applicable state law; and

2. Such modifications are necessary to serve persons who the applicant clearly proves have “disabilities” that are defined in and protected by such laws.

(b) In the case of an application for a use listed in this Zoning Ordinance as a conditional use, the City Council may grant a modification under this section, as a condition of a conditional use approval, in place of the Zoning Hearing Board.

(Ord. 5745, approved 4-16-1998)

§ 1319.14 SPECIAL EXCEPTIONS.

(a) In this Zoning Ordinance, special exceptions may be granted or denied by the Zoning Hearing Board pursuant to express standards and criteria. The Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the
Board may attach such reasonable conditions and safeguards, in addition to those expressed in the Zoning Ordinance, as it may deem necessary to implement the purposes of this Zoning Ordinance. The Board shall pursue the following procedure.

(1) The Board’s decision to grant a permit for special exception use shall be made only after public notice and hearing. Such permit shall apply specifically to the application and plans submitted and presented at the public hearing. Any subsequent amendments or additions shall be subject to review and public hearing by the Board as a special exception use.

(2) No application for a permit shall be granted by the Board for any special exception use until the Board has first received and considered an advisory report thereon from the Planning Commission with respect to the location of such use in relation to the needs and growth pattern of the city and, where appropriate, with reference to the adequacy of the site area and the arrangement of buildings, driveways, parking areas, off-street truck loading spaces and other pertinent features of the site plan. The Planning Commission shall have 30 days from the date of its receipt of the application within which to file its report thereon. In the event that the Commission shall fail to file its report within such 30 days, the application shall be deemed to have been approved by the Planning Commission.

(b) The Commission may have representation at the public hearing held by the Zoning Hearing Board on such application. After receipt of the report, the Board shall hear the application in the same manner and under the same procedure as it is empowered by law and ordinance to hear cases and make exceptions to the provisions of the Zoning Ordinance. The Board may thereafter direct the Zoning Officer to issue such permit if, in its judgment, the use meets all specific provisions and criteria contained in this Zoning Ordinance and the following general provisions:

(1) In accordance with the Comprehensive Plan and consistent with the spirit, purposes and intent of this Zoning Ordinance;

(2) In the best interests of the city, the convenience of the community, the public welfare and a substantial improvement to the property in the immediate vicinity;

(3) Suitable for the property in question and designed, constructed, operated and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity;

(4) In conformance with all applicable requirements of this Zoning Ordinance;

(5) Suitable in terms of effects on highway traffic and safety, with adequate access arrangements to protect streets from undue congestion and hazard; and

(6) In accordance with sound standards of subdivision practice, where applicable. The Zoning Hearing Board may impose whatever conditions regarding layout, circulation and performance it deems necessary to ensure that any proposed development will secure substantially the objectives of this Zoning Ordinance.

(Ord. 5745, approved 4-16-1998)
§ 1319.21 PARTIES APPELLANT BEFORE BOARD.

Appeals from a decision of the Zoning Officer and proceedings to challenge the validity of the ordinance may be filed with the Zoning Hearing Board, in writing, by any officer or agency of the city or any person aggrieved. Requests for a variance or special exception, however, must be filed with the Board by any land owner or any tenant with the permission of such landowner.
(Ord. 5745, approved 4-16-1998)

§ 1319.22 TIME LIMITATIONS.

The time limitations for raising certain issues and filing certain proceedings with the Zoning Hearing Board shall be the following.

(a) No issue of alleged defect in the process of enactment of any ordinance or map or any amendment thereto shall be raised in any proceeding filed with the Board later than 30 days from the time such ordinance, map or amendment takes effect, unless the person raising such issue alleges and proves that he or she failed to receive adequate notice of the enactment of the ordinances, adequate notice to his or her predecessor in interest shall be deemed adequate notice to him or her.

(b) No person shall be allowed to file any proceeding with the Board later than 30 days after any application for development, preliminary or final, has been approved by an appropriate city officer, agency or body if such proceeding is designed to secure reversal or limit the approval in any manner, unless such person alleges and proves that he or she failed to receive adequate notice of such approval. If such person has succeeded to his or her interest after such approval, adequate notice to his or her predecessor in interest shall be deemed adequate notice to him or her.
(Ord. 5745, approved 4-16-1998)

§ 1319.23 STAY OF PROCEEDINGS.

Upon filing of any proceeding referred to in this article and during its pendency before the Zoning Hearing Board, all land development pursuant to any challenge ordinance, order or approval of the Zoning Officer or 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 Board fact 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 Board or 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 proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, 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 Board. The question of whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court.
(Ord. 5745, approved 4-16-1998)
§ 1319.24 ZONING APPEALS TO COURT.

Any person aggrieved by any decision of the Zoning Hearing Board or any taxpayer or Council may, within 30 days after such decision of the Board, appeal to the Court of Common Pleas of Lycoming County, by petition duly verified, setting forth that such decision is arbitrary, capricious, an abuse of discretion or otherwise not in accordance with law and specify the grounds upon which he or she relies. Such appeals shall be made in accordance with Art. X-A of the Pennsylvania Municipalities Planning Code (Act 247).

(Ord. 5745, approved 4-16-1998)
§ 1320.01 CONDITIONAL USES.

Application for any conditional uses permitted by this Zoning Ordinance will be made to the Zoning Officer who shall refer such applications to the Planning Commission Chairperson at least seven days prior to the Planning Commission’s next regularly scheduled meeting. The Planning Commission will review the application and submit its recommendations to Council for approval or denial. The recommendations of the Planning Commission and the decision of Council shall be based on, but not limited to, the following standards and criteria.

(a) Compatibility. The proposed use will be reviewed as to its relationship to and effect upon surrounding land uses and existing environmental conditions regarding the pollution of air, land and water; noise; potential of hazards and congestion; illumination and glare; restrictions to natural light and circulation of air.

(b) Purpose. Review the intended purpose of proposed use as it relates to the city’s development objectives established in the Comprehensive Plan.

(c) Suitability. The nature of activity and population served, numbers of participating population, frequency of use, adequacy of space and spatial requirements, potential generation and impact of congestion will be reviewed as suitably related to the proposed location of potential use.

(d) Accessibility. Ingress and egress to the site of the proposed use, circulation and movement of pedestrian and vehicular traffic, parking requirements and accessibility to the existing and proposed city highway system will be reviewed.

(e) Serviceability. Reviews will be made as to the adequacy and availability of utility services and facilities such as sanitary and storm sewers, water, trash and garbage collection and disposal and the ability of the city to supply such services.

(f) Applicability. The proposed use will be reviewed as to its application to and coordination with the planning policies of the city and its Comprehensive Plan and plans for land use, highways, schools, parks, sewers, water distribution and population growth.

(g) Health, safety and welfare. The proposed design, location and operation shall be reviewed as to whether the public health, safety, welfare and convenience shall be protected. Applications for conditional use permits which will subsequently require review under Title Nine - Subdivision and Land
Development Regulations shall comply with the review procedures outlined in Art. 1375. Application forms will be required for each land use proposed, to be submitted at the time of preliminary review. Approval of conditional use applications may be granted by Council only at the time of final plan approval.
(Ord. 5745, approved 4-16-1998)
TITLE THREE: ZONING ADMINISTRATION

ARTICLE 1321: AMENDMENTS

Section

1321.01 Power of amendment.
1321.02 Initiation.
1321.03 Hearings.
1321.04 Enactment.

Cross-reference:
Fee for reclassification, see Part Thirteen, § 1317.31(c)
Non-conforming use changes, see Part Thirteen, § 1323.04

Statutory reference:
Enactment of amendments, see Act 247, § 609 (53 P.S. § 10609)

§ 1321.01 POWER OF AMENDMENT.
Council may, from time to time, amend, supplement, change, modify or repeal this Zoning Ordinance, including the Zoning Map. When doing so, Council shall proceed in the manner prescribed in this article.
(Ord. 5745, approved 4-16-1998)

§ 1321.02 INITIATION.
Proposals for amendment, supplement, change, modification or repeal may be initiated by Council on its own motion, by the Planning Commission or by petition of one or more owners of property to be affected by the proposed amendment, subject to the following provisions.

(a) Proposals originated by Council. Council shall refer every proposed amendment, supplement, change, modification or repeal originated by Council to the Planning Commission. Within 30 days of the submission of such proposal, the Planning Commission shall submit to Council a report containing the Commission’s recommendation, including any additions or modifications to the original proposal.

(b) Proposals originated by the Planning Commission. The Planning Commission may at any time transmit to Council any proposal for the amendment, supplement, change, modification or repeal of this Zoning Ordinance.

(c) Proposals originated by a citizen’s petition. Each petition by one or more owners of property to be affected by a proposal for amendment, supplement, change or modification shall be signed, acknowledged and submitted in writing to the Zoning Officer, together with such fee as required by § 1317.31. On receipt of such petition, the Zoning Officer shall transmit a copy of the petition to the
Planning Commission. Within 30 days of its submission to the Planning Commission, the Commission shall submit to Council a report containing the Commission’s recommendations, including any additions or modifications of the original proposal.
(Ord. 5745, approved 4-16-1998)

§ 1321.03 HEARINGS.
No amendment, supplement, change, modification or repeal shall be acted upon by Council until a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard. Public notice of such hearing shall be published once each week for two consecutive weeks in a newspaper of general circulation. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing. In addition, if the proposed amendments involve a zoning map change, notice of such public hearing shall be conspicuously posted at points deemed sufficient along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.
(Ord. 5745, approved 4-16-1998)

§ 1321.04 ENACTMENT.
Upon conclusion of the hearing, Council shall take such lawful action as it may deem advisable. A majority vote of the entire Council membership shall be required to pass the proposal amendment. Upon approval of any amendment, such amendment shall be forthwith published in accordance with the Third Class City Code.
(Ord. 5745, approved 4-16-1998)
TITLE THREE: ZONING ADMINISTRATION
ARTICLE 1323: NON-CONFORMING USES AND BUILDINGS

Section

1323.01 Non-conforming uses, buildings, structures and lots.
1323.02 Existing non-conforming uses, buildings, structures or lots.
1323.03 Replacing/restoring non-conforming use, building or structure.
1323.04 Termination and abandonment of non-conforming uses, buildings or structures.

§ 1323.01 NON-CONFORMING USES, BUILDINGS, STRUCTURES AND LOTS.
(a) Within the districts established by this article or by amendments thereto, there exists, may exist or will exist: uses of land, structures and lots which were lawful before this article was passed or amended but which would be prohibited, to be newly established under the terms of this article or future amendment. Inasmuch as these non-conformities are, by definition, alien to the character of a district created under this article, it is desirable to control these non-conformities. Over time, these non-conformities are intended to be reduced in number by obsolescence, destruction, abandonment or similar factors. Because non-conformities, so long as they exist, may conflict with the objectives of this article such uses are limited in their expansion and changes.
(b) A lawful existing use, building, structure or lot that is made non-conforming at the time of passage of this article or any applicable amendment thereto, may be continued, except as otherwise set forth in this article.
(c) The Zoning Administrator may identify and register non-conforming uses, buildings and structures. The owner of the premises of a non-conforming structure or owner of a lawful non-conforming use may, upon providing sufficient evidence, secure a certificate of non-conformance from the Zoning Administrator. Other sections of this article may require a certificate of non-conformance for certain uses. The certificate of non-conformance, for the purpose of this article shall be considered the zoning permit. Such certificate shall be authorized by the Zoning Administrator and shall be for the purpose of ensuring to the owner the right to continue such non-conforming use or structure.
(Ord. 6192, approved 7-21-2011)

§ 1323.02 EXISTING NON-CONFORMING USES, BUILDINGS, STRUCTURES OR LOTS.
Existing non-conforming uses, buildings, structures or lots shall not be enlarged, reconstructed, substituted, moved so as to extend or increase the non-conformity other than as specified herein nor shall
they be extended or enlarged after passage of this article by attachment to a building or premises or by
the addition of other uses of a nature which would be prohibited generally in the district involved.
Non-conforming uses are further subject to the following.

(a) Upon review by the Zoning Administrator, a non-conforming use may be enlarged up to but
not more than 20% of its floor and land area, whichever is more restrictive as such existed at the time
the use first became non-conforming; provided that such enlargement shall conform to all other
regulations of the district in which it is situated. Such 20% shall be a cumulative maximum over the
lifetime of the use. Access for persons with disabilities or fire egress may be added without being
restricted by the 20% maximum expansion. A non-conforming building or structure may be expanded,
provided the expansion conforms to this article.

(b) Normal maintenance, repairs and incidental alterations of a building or other structure
containing a non-conforming use are permitted provided they do not extend the area or volume of space
occupied by the non-conforming use unless subsection (a) above is met.

(c) Residential non-conforming uses may be altered in any way to improve interior livability;
provided that, no structural alterations shall be made which would increase the number of dwelling units
on the lot.

(d) A non-conforming use shall not displace or replace a conforming use.

(e) A non-conforming use may be changed into a conforming use at any time. If the conforming
use is equal to or less intensive than the prior non-conforming use, off-street parking requirements will
not change. A substantial increase in use intensity for any conforming use necessitates provision of the
net number of required off-street parking space.

(f) A non-conforming use may be replaced by a non-conforming use that is equally intense or less
intense. The Zoning Administrator shall have the authority to approve a change within the same type of
non-conforming use, such as from one personal service use to another personal service use; provided,
the applicant agrees to comply with all of the same conditions that applied to the previous use. This
Zoning Administrator approval may be permitted by right. If the Zoning Administrator has doubts about
the comparative intensity of the new use versus the prior use, special exception approval shall be
required. All other proposed changes in a non-conforming use shall need special exception approval by
the Zoning Hearing Board.

(g) A determination regarding the intensity of the replacement non-conforming use shall consider
the following:

1. Traffic generation and congestion including truck, passenger car traffic;
2. Nuisance characteristics such as emission of noise, odor, dust, smoke, fumes, fire hazards,
glare and vibration;
3. Hours and manner of operation;
4. Waste disposal and storage;
5. Parking demand, considering the proposed hours of the use; and
6. Buildings or structures, regardless of conformity or ownership, shall not be combined for
the purpose of extending an existing non-conforming use or for creating a different non-conforming use.

(Ord. 6192, approved 7-21-2011)
§ 1323.03 REPLACING/RESTORING NON-CONFORMING USE, BUILDING OR STRUCTURE.

(a) In the event that 50% or more of the existing floor area or use of land occupied by a non-conforming use is voluntarily razed, legally condemned or destroyed by fire, explosion or flood, it may not be restored, reconstructed or used as before, except in strict compliance with the zoning regulations of the zoning district in which it is situated, unless special exception approval is granted for such use or activity.

(b) In the event that less than 50% of the existing floor area or use of land occupied by a non-conforming use is voluntarily razed, legally condemned or destroyed by fire, explosion, flood or other phenomenon, it may not be restored, reconstructed or used as before unless such restoration, reconstruction or use commences within one year from the date of the damage.

(c) In any case, an existing lawful single-family dwelling (such as a single-family attached dwelling) may be reconstructed or replaced with a new single-family dwelling as a permitted by right use; provided, the new dwelling is not more non-conforming in any measure than the existing dwelling. In such case, the construction shall be started within 12 months after the existing dwelling was damaged, destroyed or demolished.

(Ord. 6192, approved 7-21-2011)

§ 1323.04 TERMINATION AND ABANDONMENT OF NON-CONFORMING USES, BUILDINGS OR STRUCTURES.

Termination and abandonment of non-conforming uses, buildings or structures shall be subject to the following.

(a) Any non-conforming use, building or structure that is replaced by a conforming use, building or structure shall be deemed immediately abandoned and cannot thereafter be revived.

(b) A non-conforming use, building or structure discontinued for a period of 12 consecutive months shall be presumed abandoned and shall not thereafter be revived without proof, satisfactory to the Zoning Administrator, that the owner did not intend its abandonment through disuse. In making its determination, the Zoning Administrator shall take into account the owner’s compliance (or non-compliance) with the provisions of subsection (c) and shall consider the impact the use will have on the character of the neighborhood.

(c) One or more of the following shall be deemed evidence of intent to discontinue and abandon a non-conforming use, building or structure:

1. Failure to properly secure windows, walls/or doors of the property;
2. Use of the property for a conforming use;
3. Demolition of the structure;
4. Failure to apply for licenses and/or permits necessary to continue such non-conforming use;
5. Failure to market a vacant property for sale or lease, during periods when the property is not actively under renovation;
6. Failure to appeal the denial of a permit to continue the use; and
7. Failure to file letters of intent as per § 1323.02.
(d) A non-conforming use, building or structure shall not be deemed abandoned under the following circumstances:
   
   (1) The consequent restrictions imposed upon the use by a governmental authority during wartime;
   (2) Destruction of the property by natural disaster (other than fire, flood or explosion); and
   (3) Cessation of business during any permitted repair to a structure or to the property.

(e) Any use that has been discontinued for a period of 12 continuous months shall be deemed abandoned, unless the owner or the owner’s authorized agent submits to the Zoning Administrator, at the end of 12 months and every six months thereafter, a letter of intent which clearly indicates that attempts to secure a buyer or tenant for the use are ongoing.

(Ord. 6192, approved 7-21-2011)
TITLE FIVE: ZONING DISTRICTS AND MAP; USE REGULATIONS
ARTICLE 1331: DISTRICTS AND ZONING MAP

Section

1331.01 Districts established.
1331.02 Zoning Map.
1331.03 New Map adopted.
1331.04 Interpretation of district boundaries.
1331.05 Classification of annexed lands.

Cross-reference:
Zoning Map amendments, see Part Thirteen, Art. 1321

Statutory reference:
Classifications, see Act 247, § 605 (53 P.S. § 10605)
Official Map, see Act 247, §§ 401 et seq. (53 P.S. §§ 10401 et seq.)

§ 1331.01 DISTRICTS ESTABLISHED.

In order to implement the purpose of this Zoning Ordinance, the city is hereby divided into 14 classes of districts, with the designations and general purposes listed below and the specifically permitted and prohibited uses tabulated in Art. 1333:

(a) Industrial MH District. Primarily for manufacturing, assembling and fabrication activities, including large-scale or specialized industrial operations requiring good access by road and/or railroad and perhaps requiring special sites or services;

(b) Industrial ML District. Primarily for light industrial and warehousing activities which do not require a central location;

(c) Commercial CC District. Essentially the same as the Commercial CBD District, but with off-street automobile parking required;

(d) Commercial CBD District. Primarily for the conduct of retail trade, administrative and professional offices and service to the general public in the Central Business District, with emphasis on large-scale stores and specialized shops serving a regional trading area;

(e) Commercial CS District. Primarily for wholesale, warehouse and service activities which require a central location;

(f) INST Institutional District. Residential in character but primarily for institutional and office uses and including commercial activities having only limited contact with the general public, not involving the sale of merchandise at retail except incidentally and which may be carried on with no objectionable conditions in structures surrounded with ample open spaces;

(g) Residential RIA District. Exclusively a one-family detached dwelling district with adequate lot areas required and including the customary accessory uses;
(h) **Residential RIB District.** Primarily a one-family detached dwelling district with adequate lot areas required and the customary accessory uses;

(i) **Residential R2 District.** Primarily a one-family attached dwelling district with small lot areas per family but including occasional one-family detached dwellings on larger lots and the customary accessory uses;

(j) **Residential R3 District.** Primarily a multi-family dwelling district with small lot areas per family but including one-family detached, one-family attached and two-family dwellings, certain residential related uses and the customary accessory uses;

(k) **Residential RU District.** Provides a means for encouraging the development and redevelopment of portions of the city into viable urban areas where a mix of single and multi-family dwellings as well as residentially-related institutional, recreational and commercial activities are provided as a unified project and where development on a parcel by parcel basis is not possible. Because this district has been created largely as a tool and because its application will only be occasional, its similarity to a “floating zone” or “spot zone” is recognized; but, at the same time, any intent to create such zones is specifically rejected; and

(l) **Open Space OS District.** Primarily for the preservation of open space for recreation and scenic purposes and to protect steep slopes and watercourses through public and quasi-public ownership but including certain compatible private uses.

(Ord. 5745, approved 4-16-1998; Ord. 5870, approved 5-16-2002)

§ 1331.02 ZONING MAP.

(a) The boundaries of each of these districts are hereby established as shown on the Williamsport Zoning Map, as amended, which is hereby made a part of this Zoning Ordinance, together with all future notations, references and amendments.

(b) The authenticity of the Zoning Map shall be indicated by the signature of the Mayor, attested by the City Clerk, and bearing the seal of the city under the following words: “This is to certify that this Zoning Map is the Official Zoning Map of the City of Williamsport, Pennsylvania.”

(c) If, in accordance with the provisions of Art. 1321 and the Third Class City Code, changes are made in district boundaries or other matter portrayed on the Zoning Map, such changes shall be made on the Zoning Map promptly after the amendment has been approved by Council, together with the date of amendment, a reference to the amending ordinance number and the signatures of the Mayor and City Clerk.

(d) No change of any nature shall be made in the matter portrayed on the Zoning Map, except in conformance with procedures set forth in Art. 1321, except for updating and corrections to base map information. Any unauthorized change by any person shall be considered a violation of this Zoning Ordinance.

(e) Regardless of the existence of copies of the Zoning Map which may from time to time be made or published, the official Zoning Map, which shall be located in the office of the Zoning Officer, shall be the final authority as to the current status of zoning districts in the city.

(Ord. 5745, approved 4-16-1998)
§ 1331.03 NEW MAP ADOPTED.

Pursuant to § 1331.02, a new Zoning Map is hereby adopted, which Map realigns the zoning districts. The Mayor, City Clerk and other appropriate officials are hereby authorized to authenticate the new Zoning Map showing such realignment, which Map is made a part hereof.

(Ord. 5745, approved 4-16-1998)

§ 1331.04 INTERPRETATION OF DISTRICT BOUNDARIES.

Unless otherwise specifically shown on the Zoning Map, the boundaries of districts are streets or lot lines, or extensions thereof, as they existed at the time of establishment of the district boundaries. If uncertainty exists concerning the exact location of district boundary lines, the Zoning Hearing Board shall determine the location of such boundaries as provided for in § 1319.11.

(Ord. 5745, approved 4-16-1998)

§ 1331.05 CLASSIFICATION OF ANNEXED LANDS.

Any land annexed to or consolidated with the city shall be temporarily classified “Open Space District” until reclassified by an amendment to this Zoning Ordinance. The Planning Commission shall, within six months after annexation or consolidation, recommend appropriate zoning for such land. Prior to adoption of a zoning plan, the provisions of Art. 1323 shall not apply to such land.

(Ord. 5745, approved 4-16-1998)
§ 1332.01 PURPOSE.

The purpose of these provisions is to prevent the loss of property and life, the creation of health and safety hazards, the disruption of commerce and government services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief and the impairment of the tax base by:

(a) Regulating uses, activities and development which, acting along or in combination with other existing or future uses, activities and development, will cause unacceptable increases in flood heights, velocities and frequencies;
(b) Restricting or prohibiting certain uses, activities and development from locating within areas subject to flooding;
(c) Requiring all those uses, activities and developments that do occur in flood-prone areas to be protected and/or flood-proofed against flooding and flood damage; and
(d) Protecting individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.
(Ord. 5745, approved 4-16-1998)

§ 1332.02 APPLICABILITY.
These provisions shall apply to all lands within the jurisdiction of the City of Williamsport and shown on the Official Zoning Map as being located within the boundaries of the Floodway, Flood Fringe and General Floodplain Districts.
(Ord. 5745, approved 4-16-1998)

§ 1332.03 INTERPRETATION OF DISTRICT BOUNDARIES.
Where interpretation is needed as concerning the exact location of any boundary of any floodplain district, the Zoning Hearing Board shall make the necessary determination. The person questioning or contesting the location of the district boundary shall be given a reasonable opportunity to present his or her case to the Board and to submit his own technical evidence if he or she so desires.
(Ord. 5745, approved 4-16-1998)

§ 1332.04 COMPLIANCE.
No structure, development or land shall hereafter be used and no structure or development shall be located, relocated, constructed, reconstructed, enlarged or structurally altered, except in full compliance with the terms and provisions of this article and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this article.
(Ord. 5745, approved 4-16-1998; Ord. 5946, approved 3-11-2004)

§ 1332.05 WARNING AND DISCLAIMER OF LIABILITY.
(a) The degree of flood protection sought by the provisions of this article is considered reasonable for the regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur. Flood heights may be increased by human-made or natural causes, such as ice-jams and bridge opening restricted by debris. This article does not imply that areas will be free from flooding or flood damages.
(b) This article shall not create liability on the part of the City of Williamsport or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereof.
(Ord. 5745, approved 4-16-1998; Ord. 6253, approved 2-6-2014)
§ 1332.06 ESTABLISHMENT OF FLOODPLAIN DISTRICTS.

(a) (1) The identified floodplain districts shall be those areas of the City of Williamsport classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated 2-5-2014, and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study.

(2) The above-referenced FIS and FIRMs and any subsequent revisions are hereby adopted by the City of Williamsport and made part of this article.

(b) The identified floodplain area shall be overlays to the existing underlying district as shown on the official Zoning Ordinance Map. As such, the provisions of the Floodplain District shall serve as a supplement to the underlying district provisions. Where this happens to be a conflict between the provisions or requirements for the floodplain districts and those of any overlying district, the most restrictive provisions pertaining to the floodplain shall apply. The basis for this district shall be as follows.

(1) The floodway district identified as a FW Zone on the FIRM included in the FIS prepared by FEMA represents the channel of a watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by more than 1 foot at any point. This term shall also include floodway areas that have been identified in other available studies or sources of information for those Special Flood Hazard Areas where no floodway has been identified in the FIS.

(2) The AE District without floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA and for which base flood elevations have been provided in the FIS, but no floodway has been delineated.

(3) The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no 1% annual chance flood elevations have been provided. The city shall for these areas, elevation and floodway information accept the sources from federal, state or other acceptable sources available. Where other acceptable information is not available, the base flood elevations shall be determined by using the elevation point on the boundary of the identified floodplain area which is nearest the site in question.

(Ord. 5745, approved 4-16-1998; Ord. 5946, approved 3-11-2004; Ord. 6253, approved 2-6-2014)

§ 1332.07 ZONING MAP.

The boundaries of these floodplain districts are established as shown on the FEMA flood study for Lycoming County and flood maps dated 3-16-2004, or most revision thereof, which is declared to be a part of this article and which shall be kept on file at the city offices.

(Ord. 5745, approved 4-16-1998; Ord. 5946, approved 3-11-2004)

§ 1332.08 DISTRICT BOUNDARY CHANGES.

The identified floodplain area may be revised or modified by the Council where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change to the special flood hazard area, approval must be obtained from FEMA.
Additionally, as soon as practicable, but not later than six months after the date such information becomes available, a community shall notify FEMA of the changes to the special flood hazard area by submitting technical or scientific data. See § 1332.11(b)(8) for situations where FEMA notification is required.

(Order 5745, approved 4-16-1998; Ord. 5946, approved 3-11-2004; Ord. 6253, approved 2-6-2014)

§ 1332.09 DISTRICT PROVISIONS.

(a) All uses, activities and development occurring within any floodplain district shall be undertaken only in strict compliance with the provisions of this article and with all other applicable city codes and ordinances such as the Building and Housing Codes, and the Planning and Zoning Code.

(b) No encroachment, alteration or improvements of any kind shall be made to any water course unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.

(c) With any FW (Floodway Area), the following provisions apply.

(1) Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(2) No new construction or development shall be allowed unless a permit is obtained from the Department of Environmental Protection’s regional office.

(3) In no case shall mobile homes be permitted in the floodway district.

(Order 5745, approved 4-16-1998; Ord. 5946, approved 3-11-2004; Ord. 6253, approved 2-6-2014)

§ 1332.10 FLOOD-FRINGE DISTRICT (FF) AND GENERAL FLOODPLAIN DISTRICT (FF).

In the flood-fringe district and the general floodplain district, the development and/or use of land shall be permitted in accordance with the regulations of the underlying district; provided that, all such uses, activities and/or development shall be undertaken in strict compliance with the flood-proofing and related provisions contained herein and in all other applicable codes and ordinances.

(Order 5745, approved 4-16-1998)

§ 1332.11 SPECIAL EXCEPTIONS AND VARIANCES.

(a) Special exception factors to be considered. In passing upon applications for special exceptions within the floodplain districts, the Zoning Hearing Board shall consider all relevant factors specified in other sections of the Zoning Ordinance and:

(1) The danger to life and property due to increased flood heights or velocities caused by encroachments;

(2) The danger that materials may be swept on to other lands or downstream to the injury of others;

(3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions;
(4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;
(5) The importance of the services provided by the proposed facility to the city;
(6) The requirements of the facility for a waterfront location;
(7) The availability of alternative locations not subject to flooding for the proposed use;
(8) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future;
(9) The relationship of the proposed use to the Comprehensive Plan and floodplain management program for the area;
(10) The safety of access to the property in times of flood by ordinary and emergency vehicles;
(11) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site; and
(12) Such other factors which are relevant to the purposes of this article.

(b) Variance factors to be considered. In passing upon application for a variance within any floodplain districts, the Zoning Hearing Board shall consider all factors specified in other sections of this article, state law relative to variances, and the following.

(1) Variances may be granted for the reconstruction, rehabilitation or restoration of structures listed on the National Registrar of Historic Places or State Inventory of Historic Places; provided that, the proposed replace or rehabilitation will not preclude the structure’s continued designation as an historic structure and that variance is the minimum necessary to preserve historic character and design of the structure.

(2) No variance shall be granted for any construction, development, use or activity within any floodway area/district that would cause any increase in base flood elevation (BFE).

(3) No variance shall be granted for any construction, development, use or activity within an AE Zone without floodway that would, together with all other existing and anticipated developments, increase the BFE more than one foot at any point.

(4) If granted, a variance shall involve only the least modification necessary to provide relief.

(5) In granting a variance the city’s Zoning Hearing Board may attach whatever reasonable conditions and safeguards it considers necessary to protect the public health, safety and welfare, and to achieve the objectives of this article.

(6) Whenever a variance is granted, the city’s Zoning Hearing Board shall notify the applicant in writing that:

(A) The granting of a variance may result in the increased premium rates for flood insurance; and

(B) Such variance may increase the risk to life and property.

(7) In reviewing any request for a variance, the city’s Zoning Hearing Board shall consider, at a minimum, the following:

(A) That there is good and sufficient cause;

(B) That failure to grant the variance would result in exceptional hardship for the applicant; and

(C) That granting of the variance will:

1. Neither result in unacceptable or prohibited increase in flood heights, additional threats to public safety or extraordinary public expense; nor
2. To create nuisances, cause fraud on, victimize the public, or conflict with any other applicable state or local ordinances and regulations.

(8) A complete record of all variances and related actions shall be maintained by the city. In addition, a report of all variances granted during the year shall be included in the annual report to FEMA.

(Ord. 5745, approved 4-16-1998; Ord. 6253, approved 2-6-2014)

§ 1332.12 EXISTING STRUCTURES.

A structure, or use of a structure or premises, which lawfully existed before the enactment of these provisions may be continued subject to the following conditions.

(a) Existing structures and/or uses located in the floodway district shall not be expanded, but may be modified, altered or repaired to incorporate flood-proofing measures; provided that, such measures do not raise the level of the 100-year flood.

(b) If any structure or use located in any floodplain district is destroyed by any means including floods, to an extent of 50% or more of its value, it shall not be reconstructed or continued, except in conformity with the provisions of this article.

(c) Uses or adjuncts thereof which are or become nuisances shall not be entitled to continue.

(Ord. 5745, approved 4-16-1998)

§ 1332.13 MATERIAL AND SUBSTANCES CONSIDERED DANGEROUS TO HUMAN LIFE.

(a) The provisions of this section shall be applicable, in addition to any other applicable provisions of this article, or any other ordinance, code or regulation.

(b) In accordance with the Pennsylvania Floodplain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which:

(1) Will be used for the production or storage of any of the following dangerous materials or substances;

(2) Will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or

(3) Will involve the production, storage or use of any amount of radioactive substances. Shall be subject to the provisions of this section, in addition to all other applicable provisions.

(c) The following list of materials and substances are considered dangerous to human life:

(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 and the like);
(13) Phosphorus;
(14) Potassium;
(15) Sodium;
(16) Sulphur and sulphur products;
(17) Pesticides (including insecticides, fungicides and rodenticides); and
(18) Radioactive substances, insofar as such substances are not otherwise regulated.

(d) Within any floodway district/floodway area any structure of the kind described in subsection (b) hereof, shall be prohibited.

(e) Where permitted within any flood-fringe district or general floodplain district, any residential structure of the kind described in subsection (b) hereof, shall be elevated or designed and constructed to remain completely dry up to at least one and one-half feet above the 100-year flood.

(f) Where permitted within any identified floodplain area, any new or substantially improved non-residential structure of any kind described in subsection (b) hereof shall be:

(1) Elevated or designed and constructed to remain completely dry up to at least one and one-half feet above the 100-year flood.

(2) Designed to prevent pollution from the structure or activity during the course of a 100-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 standard.

(g) Except for possible modification of the freeboard requirements involved, no variance shall be granted for any of the requirements of this section or § 1332.11(b).

(Ord. 5745, approved 4-16-1998; Ord. 6253, approved 2-6-2014)

**§ 1332.14 ACTIVITIES REQUIRING SPECIAL PERMITS.**

(a) General. The provisions of this section shall be applicable, in addition to any other applicable provisions of this article, or any other ordinance, code or regulation.

(b) Identification of activities requiring a special permit. In accordance with the Pennsylvania Floodplain Management Act (32 P.S. §§ 679.101 et seq.) and regulations adopted by the Department of Community and Economic Development as required by the Act, the following obstructions and activities are permitted only by special permit, if located partially or entirely within any floodplain district.

(1) The commencement of any of the following activities; or the construction, enlargement or expansion of any structure used, or intended to be used, for any of the following activities:

(A) Hospitals;
(B) Nursing homes; and
(C) Jails or prisons.

(2) The commencement of, or any construction of, a new mobile home park or mobile home subdivision, or substantial improvements to an existing mobile home or mobile home subdivision.
(c) Application requirements. Applicants for special permits shall provide five copies of the following items:

1. A written request including a completed building permit application form;
2. A small scale map showing the vicinity in which the proposed site is located;
3. A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:
   A. North arrow, scale and date;
   B. Topography based upon the National Geodetic Vertical Datum of 1929, showing existing and proposed contours at intervals of two feet;
   C. All property and lot lines including dimensions, and the size of the site expressed in acres or square feet;
   D. The location of all existing streets, drives, other accessways and parking areas, with information concerning widths, pavement types and construction and elevations;
   E. The location of any existing bodies of water or watercourses, buildings, structures and other public buildings or public facilities, including railroad tracks and facilities and any other natural and manmade features affecting, or affected by, the proposed activity or development;
   F. The location of the floodplain boundary line, information and spot elevations concerning the 100-year flood elevations, and information concerning the flow of water including direction and velocities;
   G. The location of all proposed buildings, structures, utilities and any other improvements; and
   H. Any other information which the municipality considers necessary for adequate review of the application.
4. Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale showing the following:
   A. Sufficiently detailed architectural or engineering drawings including floor plans, Sections and exterior building elevations, as appropriate;
   B. For any proposed building, the elevation of the lowest floor (including basement) and, as required, the elevation of any other floor;
   C. Complete information concerning flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the 100-year flood;
   D. Detailed information concerning any proposed flood-proofing measures;
   E. Cross-section drawings for all proposed streets, drives, other access ways and parking areas, showing all rights-of-way and pavement widths;
   F. Profile drawings for all proposed streets, drives and vehicular access ways including existing and proposed grades; and
   G. Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems and any other utilities and facilities.
5. The following data and documentation:
   A. Certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he or she represents;
(B) Certification from a registered professional engineer, architect or landscape architect that the proposed construction has been adequately designed to protect against damage from the 100-year flood;

(C) A statement, certified by a registered professional engineer, architect, landscape architect or other qualified person which contains a complete and accurate description of the nature and extent of pollution that might possibly occur from the development during the course of a 100-year flood, including a statement concerning the effects such pollution may have on human life;

(D) A statement certified by a registered professional engineer, architect or landscape architect, which contains a complete and accurate description of the effects the proposed development will have on 100-year flood elevations and flows;

(E) A statement certified by a registered professional engineer, architect or landscape architect, which contains a complete and accurate description of the kinds and amounts of any loose, buoyant materials or debris that may possibly exist or be located on the site below the 100-year flood elevation and the effects such materials and debris may have on 100-year flood elevations and flows;

(F) The appropriate component of the Department of Environmental Protection’s (DEP) Planning Module of Land Development;

(G) Where any excavation or grading is proposed, a plan meeting the requirements of DEP to implement and maintain erosion and sedimentation control;

(H) Any other applicable permits such as, but not limited to, a permit for any activity regulated by DEP under § 302 of Act 1978-166; and

(I) An evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a 100-year flood.

(d) Application review procedures. Upon receipt of an application for a special permit by the city, the following procedures shall apply in addition to all other applicable permit procedures which are already established.

(1) Within three working days following receipt of the application, a complete copy of the application and all accompanying documentation shall be forwarded to the City Planning Commission and City Engineer for review and comment.

(2) If an application is received that is incomplete, the city shall notify the applicant in writing, stating in what respects the application is deficient.

(3) If the city decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.

(4) If the city approves an application, it shall file written notification, together with the application and all pertinent information, with the Department of Community and Economic Development (DCED), by registered mail, within five working days after the date of approval.

(5) Before issuing the special permit, the city shall allow DCED 30 days, after receipt of the notification by the Department, to review the application and the decision made by the city.

(6) If the city does not receive any communication from the DCED during the 30-day review period, it may issue a special permit to the applicant.

(7) If the DCED should decide to disapprove an application, it shall notify the city and the applicant, in writing, of the reasons for the disapproval, and the city shall not issue the special permit.

(e) Technical requirements for development requiring a special permit. In addition to any other applicable requirements, the following provisions shall also apply to the activities requiring a special
permit. If there is any conflict between any of the following requirements and any otherwise applicable provision, the more restrictive provision shall apply.

(1) No application for a special permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which shall:

(A) Fully protect the health and safety of the general public and any occupants of the structure. At a minimum, all new structures shall be designed, located and constructed so that:

1. The structure shall survive inundation by waters of the 100-year flood without any lateral movement or damage to either the structure itself, or to any of its equipment or contents below the 100-year flood elevation;

2. The lowest floor elevation (including basement) shall be at least one and one-half feet above the 100-year flood elevation; and

3. The occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the 100-year flood.

(B) Prevent any significant possibility of pollution, increased flood levels or flows or debris-endangering life and property.

(2) All 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 and the like shall be submitted in sufficient detail to allow a thorough technical review by the city and DCED.

(f) Exceptions. Except for possible modification of the freeboard requirements, no variance shall be granted for any of the requirements of this section.

(Ord. 5745, approved 4-16-1998)

§ 1332.15 ADMINISTRATION/ISSUANCE OF BUILDING PERMIT.

(a) The Building Permit Officer shall issue a building permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.

(b) Prior to the issuance of any building permit, the Building Permit Officer shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (35 P.S. §§ 750.1 et seq., as amended); the Pennsylvania Dam Safety and Encroachments Act (32 P.S. §§ 693.1 et seq., as amended); the Pennsylvania Clean Streams Act (35 P.S. §§ 691.1 et seq., as amended); and the U.S. Clean Water Act, § 404, 33 U.S.C. § 1344. No permit shall be issued until this determination has been made.

(c) No encroachment, alteration or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the City of Williamsport and until all required permits or approvals have been first obtained from the Department of Environmental Protection, Northcentral Regional Office. In addition, FEMA and the Pennsylvania Department of Community and Economic Development, shall be notified by the City of Williamsport prior to any alteration or relocation of any watercourse.
(d) The Building Code Administrator is hereby appointed to administer and enforce this article and is referred to herein as the Floodplain Administrator.

(1) The Floodplain Administrator may:
   (A) Fulfill the duties and responsibilities set forth in these regulations;
   (B) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors and other employees; or
   (C) Enter into a written agreement or written contract with another agency or private sector entity to administer specific provisions of these regulations.

(2) Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. § 59.22.

(e) In the absence of a designated Floodplain Administrator, the Floodplain Administrator duties are to be fulfilled by the Mayor.

(f) Floodplain records must be kept in perpetuity by the Floodplain Administrator.

(Ord. 5946, approved 3-11-2004; Ord. 6253, approved 2-6-2014)

§ 1332.16 APPLICATION PROCEDURES AND REQUIREMENTS.

(a) Application for such a building permit shall be made, in writing, to the Building Permit Officer on forms supplied by the City of Williamsport. Such application shall contain the following:

   (1) Name and address of applicant;
   (2) Name and address of owner of land on which proposed construction is to occupy;
   (3) Name and address of contractor;
   (4) Site location;
   (5) Listing of other permits required;
   (6) Brief description of proposed work and estimated cost; and
   (7) A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.

(b) If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for building permits shall provide all the necessary information in sufficient detail and clarity to enable the Building Permit Officer to determine that:

   (1) All such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
   (2) All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage;
   (3) Adequate drainage is provided so as to reduce exposure to flood hazards;
   (4) Structures will be anchored to prevent floatation, collapse or lateral movement;
   (5) Building materials are flood-resistant;
   (6) Appropriate practices that minimize flood damage have been used; and
   (7) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities have been designed and located to prevent water entry or accumulation.

(c) Applicants shall file the following minimum information plus any other pertinent information as may be required by the Building Permit Officer to make the above determination:

   (1) A completed building permit application form;
(2) A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:
   (A) North arrow, scale and date;
   (B) Topographic contour lines, if available;
   (C) All property and lot lines including dimensions, and the size of the site expressed in acres or square feet;
   (D) The location of all existing and proposed buildings, structures and other improvements, including the location of any existing or proposed subdivision and land development;
   (E) The location of all existing streets, drives and other access ways; and
   (F) The location of any existing bodies of water or watercourses, identified floodplain areas and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.

(3) Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
   (A) The proposed lowest floor elevation of any proposed building based upon National Geodetic Vertical Datum of 1988;
   (B) The elevation of the base flood;
   (C) If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a 100-year flood; and
   (D) Detailed information concerning any proposed flood proofing measures.

(4) The following data and documentation: a document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the 100-year flood. Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.

(c) Permits will be required for all proposed construction and other development within SFHAs on the FIRM.

(Ord. 5946, approved 3-11-2004; Ord. 6253, approved 2-6-2014)

§ 1332.17 SPECIAL REQUIREMENTS FOR FW, FA AND AE AREAS.

(a) With any FW (Floodway Area), the following provisions apply.
   (1) Any new construction, development, use, activity or encroachment that would cause any increase in flood heights shall be prohibited.
   (2) No new construction, development, use, activity or encroachment that would cause any increase in flood heights shall be prohibited.

(b) Within FA (General Floodplain Area), the following provisions apply.
   (1) No new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse unless a permit is obtained from the Department of Environmental Protection’s regional office.
   (2) Any new construction or development, that would cause any increase in flood heights, shall be prohibited within any floodway area.
§ 1332.18 ELEVATION AND FLOOD-PROOFING REQUIREMENTS.

(a) Residential structures. Within any identified floodplain area, any new construction or substantial improvement of a residential structure shall have the lowest floor (including basement) elevated up to or above the regulatory flood elevation.

(b) Non-residential structures.

(1) Within any identified floodplain area, any new construction or substantial improvement of a non-residential structure shall have the lowest floor (including basement) elevated up to, or above the regulatory flood elevation, or be designed and constructed so that the space enclosed by such structure shall remain either completely or essentially dry during any flood up to that height.

(2) Any non-residential structure, or part thereof, having a lowest floor which is not elevated to at least one and one-half feet above the 100-year flood elevation, shall be flood-proofed 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, as amended March 1992) or with some other equivalent standard. All plans and specifications for such flood-proofing 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.

(c) Space below the lowest floor.

(1) Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term “fully enclosed space” also includes crawl spaces.

(2) Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:

   (A) A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space;
   (B) The bottom of all openings shall be no higher than one foot above grade; and
   (C) Openings may be equipped with screens, louvers or other coverings or devices; provided that, they permit the automatic entry and exit of flood waters.

(d) Accessory structures. Structures accessory to a principal building need not be elevated or flood-proofed to remain dry, but shall comply, at a minimum, with the following requirements.

(1) The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material and equipment related to the principal use or activity.

(2) Floor area shall not exceed 600 square feet.

(3) The structure will have a low damage potential.
(4) The structure will be located on the site so as to cause the least obstruction to the flow of flood waters.

(5) Power lines, wiring, and outlets will be at least one and one-half feet above the 100-year flood elevation.

(6) Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers and the like are prohibited.

(7) Sanitary facilities are prohibited.

(8) The structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of flood water for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
  (A) A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space;
  (B) The bottom of all openings shall be no higher than one foot above grade; and
  (C) Openings may be equipped with screens, louvers and the like or other coverings or devices; provided that, they permit the automatic entry and exit of flood waters.

(Ord. 5946, approved 3-11-2004; Ord. 6253, approved 2-6-2014)

§ 1332.19 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 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, scouring or settling;
  (4) Be no steeper than one vertical or two horizontal feet, unless substantiated data justifying steeper slopes are submitted to and approved by the Building Permit 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 ensure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

  (c) **Water and sanitary sewer facilities and systems.**
    (1) All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
    (2) Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
    (3) No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all state and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.

(d) **Other utilities.** All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
(e) **Streets.** The finished elevation of all new streets shall be no more than one foot below the regulatory flood elevation.

(f) **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, shall be stored at or above the regulatory flood elevation and/or flood-proofed to the maximum extent possible.

(g) **Placement of buildings and structures.** All buildings and structures 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.

(h) **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.

(i) **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” material.

(j) **Paints and adhesives.**

1. Paints and 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 a “marine” or “water-resistant” variety.
3. All wooden components (doors, trim, cabinets and the like) shall be finished with a “marine” or “water-resistant” paint or other finishing material.

(k) **Electrical components.**

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

(l) **Equipment.** Water heaters, furnaces, air conditioning and ventilating units and other electrical, mechanical or utility equipment or apparatus shall not be located below the regulatory flood elevation.

(m) **Fuel supply systems.** 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 waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

(Ord. 5946, approved 3-11-2004)
§ 1332.20 SPECIAL REQUIREMENTS FOR MANUFACTURED HOMES AND SUBDIVISION AND DEVELOPMENTS.
   (a) Within any FW (Floodway Area) and FA (General Floodplain Area), manufactured homes shall be prohibited.
   (b) Any replacement of manufactured homes within any floodplain area and any improvements thereto shall be:
       (1) Placed on a permanent foundation;
       (2) Elevated so that the lowest floor of the manufactured home is one and one-half feet or more above the elevation of the base flood; and
       (3) Anchored to resist flotation, collapse or lateral movement.
   (c) All subdivision proposals and development proposals containing at least 50 lots or at least five acres, whichever is the lesser, in identified floodplain areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a conditional letter of map revision and letter of map revision. Submittal requirements and processing fees shall be the responsibility of the applicant.
   (Ord. 5946, approved 3-11-2004; Ord. 6253, approved 2-6-2014)

§ 1332.21 SEVERABILITY.
   If any section, subsection, paragraph, sentence, clause or phrase of this article shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of this article, which shall remain in full force and effect, and for this purpose the provisions of this article are hereby declared to be severable.
   (Ord. 6253, approved 2-6-2014)

§ 1332.22 SPECIAL REQUIREMENTS FOR RECREATIONAL VEHICLES.
   Recreational vehicles in Zones A, A1-30, AH and AE must either:
   (a) Be on the site for fewer than 180 consecutive days;
   (b) Be fully licensed and ready for highway use; or
   (c) Meet the permit requirements for manufactured homes in § 1332.20.
   (Ord. 6253, approved 2-6-2014)
§ 1333.01 APPLICATION OF REGULATIONS.

(a) Except as provided for in this Zoning Ordinance, no building shall be erected, altered or enlarged, nor shall any land, building or premises be employed for uses other than those permitted in the district where such building, land or premises is located.

(b) Every building or use shall be located on a legal lot as defined herein.

(Ord. 5745, approved 4-16-1998)

§ 1333.02 PERMITTED USES.

(a) In § 1333.05, Table of Use Regulations, those uses permitted by right are designated by the symbol “X”.

(b) Those uses that may be permitted as a conditional use in accordance with Art. 1320 are designated by the symbol “C”.

(c) Those uses that may be permitted by special exception in accordance with Art. 1319 are designated by the symbol “S”.

(d) Where no symbol occurs in a district column for a particular use, such use is prohibited in that district.

(Ord. 5745, approved 4-16-1998)
§ 1333.03 PRE-EXISTING CONDITIONAL USES OR SPECIAL EXCEPTIONS.
(a) Any use lawfully existing on the effective date of this Zoning Ordinance which is classified as a conditional use or a special exception in the district in which the land occupied by the use is located shall be deemed to have been granted a conditional use permit or a special exception, as the case may be, subject to maintaining the character and extent of use and structure existing on that date.
(b) Any application for change in use or structure shall require review and approval by Council or the Zoning Hearing Board, as the case may be.
(Ord. 5745, approved 4-16-1998)

§ 1333.04 PROHIBITED USES.
The following uses are expressly prohibited:
(a) Manufacture or wholesale storage of explosives, ammunition or fireworks;
(b) Processing or reducing of garbage or offal;
(c) Carnivals, sideshows, the racing of animals or motor vehicles and the keeping of wild animals (as defined in Art. 701 of the Codified Ordinances);
(d) Slaughterhouses; and
(e) Extractive operations, including quarrying and mining, and sand, gravel, clay or other borrow pits.
(Ord. 5745, approved 4-16-1998)

§ 1333.05 TABLE OF USE REGULATIONS.
As described in § 1333.02, the following uses shall be permitted in the following districts.

[Table starts on next page.]
[Please include WilliamsportTable1333-05.wpd here. 17 pages.]
(Ord. 5745, approved 4-16-1998; Ord. 6003, approved 9-15-2005; Ord. 6076, approved 9-6-2007)
§ 1333.06 USES NOT SPECIFICALLY REGULATED.

(a) If a use is not permitted by right, as a conditional use or as a special exception use by this ordinance within any zoning district in the city, the use is prohibited in the city, except the applicant may apply to the Zoning Hearing Board.

(b) After a review by the Planning Commission, the Zoning Hearing Board may permit such use if the applicant proves all of the following to the satisfaction of the Zoning Hearing Board:

1. That the use would clearly be less offensive in impacts and nuisances than uses permitted in that district;
2. The proposed use would be compatible with the purpose of the district;
3. That the use can meet the general criteria listed in Art. 1319 for a special exception use;
4. That the use is not specifically prohibited in the district.

(Ord. 5745, approved 4-16-1998; Ord. 6076, approved 9-6-2007)
TITLE SEVEN: SUPPLEMENTARY ZONING REGULATIONS
ARTICLE 1341: SPECIAL PROVISIONS AND EXCEPTIONS

Section

**Streets**

1341.01 Street access.

**Yards**

1341.11 Required open spaces cannot be used by another building.
1341.12 Mixed uses.
1341.13 Side yards on corner lots.
1341.14 Modification to front yards.
1341.15 Projections into yards.
1341.16 Porches, decks and patios.
1341.17 Fences and walls.
1341.18 Obstructions to vision at street intersections.
1341.19 Building lines on certain streets.
1341.24 Swimming pools.
1341.25 Rooming or boarding houses; group homes.

**Structures**

1341.31 Exceptions to height limits.
1341.32 Habitable floor area.
1341.33 Number of accessory structures limited.
1341.34 Attached accessory structures.
1341.35 Detached accessory structures.
1341.36 Reserved.
1341.37 Handicap ramps.
1341.38 Adult uses.

**Cross-reference:**

*Special exceptions, see Part Thirteen, § 1319.14*
*Variances, see Part Thirteen, § 1319.13*
§ 1341.01 STREET ACCESS.

No building shall be erected upon a lot which does not abut a street, unless such building is an integral part of a designed building group, adequate access to a public street is provided and express approval is granted by Council as part of a conditional use permit.
(Ord. 5745, approved 4-16-1998)

§ 1341.11 REQUIRED OPEN SPACES CANNOT BE USED BY ANOTHER BUILDING.

No part of a yard or other open space required about any principal building for the purpose of complying with the provisions of this Zoning Ordinance shall be included as a part of a yard or other open space required under this Zoning Ordinance for another building.
(Ord. 5745, approved 4-16-1998)

§ 1341.12 MIXED USES.

When two or more uses occupy the same building, sufficient parking spaces, lot areas, yard widths, open space and the like shall be provided so that the requirements pertaining to each use will be met in full.
(Ord. 5745, approved 4-16-1998)

§ 1341.13 SIDE YARDS ON CORNER LOTS.

Side yards abutting a street shall be the same depth as the required front yard, except where abutting on an R or INST District with a greater front yard requirement; in which case, the greater requirement shall apply.
(Ord. 5745, approved 4-16-1998)

§ 1341.14 MODIFICATION TO FRONT YARDS.

Where a lot devoted to a use permitted in any residential district is situated in a block where the block-face has 50% or more of the principal buildings located closer to the street than the required front yard depth would permit, the required front yard depth for that lot may be reduced to a depth equal to the average front yard depth of those lots. The required front yard depth for a single-family attached dwelling may be reduced equal to the front yard depth of the adjacent attached structure. In addition, new infill guidelines in regard to height, width, proportion, roof form and relationship to the street shall be followed to ensure compatibility with the neighborhood.
(Ord. 5745, approved 4-16-1998; Ord. 5910, approved 2-6-2003)
§ 1341.15 PROJECTIONS INTO YARDS.
Cornices, eaves and similar non-supporting architectural features may project not more than 24 inches into any required yard. Chimneys, buttresses, pilasters, bay windows and uncovered stairs, landings and balconies not part of a fire escape may project not more than 24 inches into any required yard; provided that, taken together, they do not constitute more than one-third the length of the building wall in question. Fire escapes and balconies to fire exits shall not project into any yard facing a street. (Ord. 5745, approved 4-16-1998)

§ 1341.16 PORCHES, DECKS AND PATIOS.
Porches, decks and covered patios may project not more than 12 feet into a required rear yard. (Ord. 5745, approved 4-16-1998)

§ 1341.17 FENCES AND WALLS.
Except as provided in § 1341.18, fences and walls may be erected in any yard; provided that, any fence or wall in a front yard more than three and one-half feet in height or in a side or rear yard more than six feet in height shall be at least 40% open. Except as provided in § 1341.18, necessary retaining walls may be located in any yard. (Ord. 5745, approved 4-16-1998; Ord. 6076, approved 9-6-2007)

§ 1341.18 OBSTRUCTIONS TO VISION AT STREET INTERSECTIONS.
On a corner lot, no obstruction to vision shall be permitted between the heights of two and one-half and ten feet above grade within the triangular area formed by the intersecting street lines and a line joining points on those lines 12 feet from their intersections; except that, at intersections with streets shown on the Comprehensive Plan, Land Use and Thoroughfare Plan as arterial or collector streets, the distance shall be 25 feet. (Ord. 5745, approved 4-16-1998)

§ 1341.19 BUILDING LINES ON CERTAIN STREETS.
Each building adjacent to any street listed in this section shall be set back at least 60 feet from the street line of such thoroughfare. This setback shall supersede all district dimensional requirements and permitted modifications: Little League Boulevard, from the west side of Mulberry Street to the east side of Campbell Street. (Ord. 5745, approved 4-16-1998)

§ 1341.24 SWIMMING POOLS.
Swimming pools shall be a permitted accessory use in any district; provided:
(a) The pool is to be used solely by the occupants of the principal use of the lot on which it is located or their occasional guests;
(b) The pool, and its accessory structures and paved areas, shall not be located within any required front yard nor within ten feet of any lot line;

(c) For excavated pools, the pool area shall be walled or fenced to prevent uncontrolled access to the pool. Such wall or fence shall be at least four feet in height, with no opening, except gates greater than four inches in the least dimensions. Wire fences shall be at least No. 9 gauge; and

(d) A swimming pool shall be considered any human-made structure that:
   (1) Is designed to contain water over 24 inches in depth;
   (2) Has a length greater than six feet; and
   (3) Is used for swimming or recreational bathing.

(Ord. 5745, approved 4-16-1998)

§ 1341.25 ROOMING OR BOARDING HOUSES; GROUP HOMES.

(a) Rooming or boarding houses. The dimensional, parking and other applicable requirements of this Zoning Code for the district in which a rooming or boarding house is located shall not be reduced and further:
   (1) The minimum habitable floor area requirements of § 1341.32 shall apply to any rooming or boarding house, regardless of whether the use will be new construction or conversion of an existing building. The lot on which such rooming or boarding house is located shall have a minimum lot area of 1,200 square feet for each roomer or boarder; and
   (2) Any approved structural alterations to an existing building proposed for the establishment or enlargement of any rooming or boarding house shall be located on a side of the building not facing a public street.

(b) Group homes. The dimensional, parking and other applicable requirements of this Zoning Code for the district in which a group home is located shall not be reduced and further:
   (1) See definition in Art. 1311. A group home shall not include a use meeting the definition of a “Treatment Center”;
   (2) A group home shall meet all dimensional and other applicable provisions of this Zoning Code for the type of dwelling unit involved, and the minimum floor area requirements of the City Housing Code, unless a stricter requirement is established by another ordinance provision;
   (3) Supervision. There shall be adequate supervision as needed by an adequate number of person(s) trained in the field for which the group home is intended;
   (4) Certification.
      (A) A group home housing four or more unrelated persons shall:
         1. Be licensed or certified under a state, county or federal human service program, as applicable; and
         2. Be directly affiliated with an incorporated organization or corporation.
      (B) A copy of the license or certification shall be provided to the Zoning Officer.
   (5) Registration. A group home shall register its operator, location, general type of treatment/care, maximum number of residents and any sponsoring agency with the Zoning Officer. Such information shall be available for public review upon request. Notice of any changes in such matters or any suspension, expiration or change in certification or licensing shall be provided in writing to the Zoning Officer within seven days;
Special Provisions and Exceptions

(6) Counseling and training. Any medical or counseling services provided on the lot shall be limited to residents and a maximum of three non-residents per day. A maximum of five staff-persons shall be present for training on-site at one time;

(7) Parking. One off-street parking space shall be provided for each resident, with the understanding that these spaces will also be necessary to accommodate visitors, employees and the like;

(8) Appearance. If the group home is within a residential district, the building shall be maintained and/or constructed to ensure that it is closely similar in appearance, condition and character to other residential structures in the area. No exterior signs shall identify the type of use;

(9) See also § 1319.131 concerning variances to accommodate persons with disabilities;

(10) The facility shall not involve the housing or treatment of persons who could reasonably be considered a threat to the physical safety of others; and

(11) An existing dwelling in a residential district shall not be converted into a group home housing five or more unrelated persons, in addition to any bona fide paid staff.

(Ord. 5745, approved 4-16-1998; Ord. 5825, approved 8-3-2000)

STRUCTURES

§ 1341.31 EXCEPTIONS TO HEIGHT LIMITS.

(a) Necessary appurtenant structures such as penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, fire walls, skylights, towers, steeples, flagpoles, parapets, chimneys, wireless masts or similar structures may be erected above the height limits herein specified; but no penthouse or roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space for residential use.

(b) Special industrial structures such as a cooling tower, grain elevator, gas holder or other similar structure where the industrial process requires a greater height may be erected above the height limits herein specified; provided that, any such structure shall not occupy more than 15% of the lot area and shall be not less than 50 feet from any lot line.

(c) Any other principal building may exceed the height limits herein specified; provided that, any such building is set back at ground level or required yards are increased one foot for each two feet of extra height.

(Ord. 5745, approved 4-16-1998)

§ 1341.32 HABITABLE FLOOR AREA.

(a) The minimum habitable floor area of a dwelling unit erected hereunder shall be 850 square feet, except that for multi-family dwelling units the minimum shall be 600 square feet, and for multi-family dwelling units designed exclusively for occupancy by one person the minimum shall be 300 square feet.
(b) The minimum habitable floor area for a dormitory, group home, rooming or boarding house, fraternity house or sorority house erected hereafter shall be 600 square feet, plus 150 square feet for each bed greater than one.
(Ord. 5745, approved 4-16-1998; Ord. 6212, approved 4-5-2012)

§ 1341.33 NUMBER OF ACCESSORY STRUCTURES LIMITED.
No more than two accessory structures, including a private garage, are permitted on each lot in an R district.
(Ord. 5745, approved 4-16-1998)

§ 1341.34 ATTACHED ACCESSORY STRUCTURES.
Accessory structures attached to a principal building shall comply with all yard requirements for the principal building.
(Ord. 5745, approved 4-16-1998)

§ 1341.35 DETACHED ACCESSORY STRUCTURES.
In R and INST Districts, no accessory building or structure shall be erected in any required front or side yard or within 25 feet of any street line, within five feet of any principal building, within 15 feet of the centerline of an alley or within five feet of a rear lot line which is the side lot line of an abutting lot, nor occupy more than 40% of the required rear yard nor exceed 15 feet in height. In any district other than a Residential or INST District, accessory buildings shall meet the minimum setback requirements that would apply to a principal building.
(Ord. 5745, approved 4-16-1998)

§ 1341.36 RESERVED.
(Ord. 5745, approved 4-16-1998)

§ 1341.37 HANDICAP RAMPS.
Handicap ramps shall not be subject to setback requirements.
(Ord. 5745, approved 4-16-1998)

§ 1341.38 ADULT USES.
See definition. Any adult use shall meet the following requirements:
(a) No such use shall be located within:
   (1) Five hundred lineal feet of any residential district;
   (2) Five hundred lineal feet of the lot line of any library, public park or existing dwelling; nor
   (3) One thousand lineal feet of the lot line of any primary or secondary school, place of worship or day care center.
(b) No such use shall be located within 1,000 lineal feet of any existing “adult use”.
(c) A 30-foot buffer yard shall be provided, regardless of zoning district, along the side and rear lot lines meeting § 1344.06, but with plantings of an initial minimum height of five feet.
(d) No sexually explicit material, displays, signs or words shall be placed in view of persons who are not inside of the establishment. Definite precautions shall be made to prohibit minors from entering the premises.
(e) No such use shall be used for any purpose that violates any federal, state or city law.
(f) No such use shall be allowed in combination with the sale of alcoholic beverages.
(g) The use shall not include the sale or display of “obscene” materials, as defined by state law, as may be amended by applicable court decisions.
(h) These uses are specifically prohibited in all districts except where specifically permitted by this Ordinance.
(i) A minimum lot area of one acre is required.
(j) For public health reasons, private or semi-private booths of any kind are prohibited. This specifically includes, but is not limited to, booths for viewing adult movies or nude dancers.
(k) No use may include live actual or simulated sex acts or any sexual contact between entertainers or between entertainers and customers.
(l) Only “lawful” massages as defined by state court decisions shall be performed in a massage parlor.
(m) All persons within any adult use shall wear non-transparent garments that cover their genitals and the female areola, except within a permitted lawful “adult live entertainment use”.
(n) (1) Any application for such use shall state the full legal names and home addresses of:
   (A) All individuals intended to have more than a 5% ownership in such use or in a corporation owning such use; and
   (B) An on-site manager responsible to ensure compliance with this Ordinance on a daily basis.
   (2) Such information shall be updated at the beginning of each year in writing to the Zoning Officer.
(o) The use shall not operate between the hours of 12:00 midnight and 8:00 a.m.
(p) The use shall comply with Art. 329 of the Codified Ordinances of Williamsport, as amended by § 1312.05.
(Ord. 5745, approved 4-16-1998)
TITLE SEVEN: SUPPLEMENTARY ZONING REGULATIONS
ARTICLE 1343: HEIGHT, AREA AND BULK REGULATIONS

Section

1343.01 Application of regulations.
1343.02 Table of height, area and bulk regulations.
1343.03 Residential RU District.
1343.04 New construction resulting in two or more principal buildings on a lot.

Cross-reference:
Exceptions to height regulations, see Part Thirteen, § 1341.31

Statutory reference:
Planned residential development, see Act 247, §§ 701 et seq. (53 P.S. §§ 10701 et seq.)

§ 1343.01 APPLICATION OF REGULATIONS.
The dimensional requirements for each district pertaining to minimum lot size, minimum lot area per dwelling unit, minimum lot width, minimum lot depth, maximum building height, maximum lot coverage, maximum floor area ratio, minimum usable open space per dwelling unit, minimum front yard depth, minimum side yard width and minimum rear yard depth shall be as specified in this section and set forth in § 1343.02, except as expressly modified by other applicable sections of this Zoning Ordinance or by variances granted by the Zoning Hearing Board.
(Ord. 5745, approved 4-16-1998)

§ 1343.02 TABLE OF HEIGHT, AREA AND BULK REGULATIONS.
The following dimensional requirements shall apply for the following districts:

<table>
<thead>
<tr>
<th>District</th>
<th>Use</th>
<th>Minimum Lot</th>
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</thead>
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<tr>
<td></td>
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<td>Other structure or principal use</td>
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<td>R2</td>
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<td></td>
<td>One-family attached dwelling</td>
<td>4,000 (end units)</td>
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<td>District</td>
<td>Use</td>
<td>Minimum Lot</td>
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<td>Area (Sq. Ft.)</td>
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<td>Two-family dwelling</td>
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<tr>
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<td>One-family attached dwelling</td>
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<td></td>
<td>3,000 (end units)</td>
<td>30 (end units)</td>
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<td></td>
<td>Two-family dwelling</td>
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<td>Multi-family dwellings:</td>
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<td>1 - 3 stories</td>
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<tr>
<td>4+ stories</td>
<td>4,000+, 1,000/unit (f)</td>
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<tr>
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<tr>
<th>District</th>
<th>Yards (Feet)</th>
<th>Combined Sides</th>
<th>Maximum Building Height</th>
<th>Maximum Floor Area Ratio</th>
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<tr>
<td></td>
<td>Front</td>
<td>Rear</td>
<td>One Side</td>
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### Height, Area and Bulk Regulations

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<th>District</th>
<th>Yards (Feet)</th>
<th>Combined Sides</th>
<th>Maximum Building Height</th>
<th>Maximum Floor Area Ratio</th>
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<td>O</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>100</td>
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</tbody>
</table>

**NOTES TO TABLE:**

(a) A 10-foot wide side yard is required along the side lot at the end of each row or block of attached dwellings.
(b) Where side yards are provided, they shall be a minimum of 3 feet in width.
(c) Except where abutting an R or INST District, in which case the side yard shall be a minimum of 15 feet.
(d) Dwellings in C and INST Districts shall meet the requirements for yards and usable open space specified for an R3 District.
(e) The lower figure shall apply to buildings of 1 story; the higher figure shall apply to buildings of 2 or more stories.
(f) In multi-family dwelling projects of 50 or more units, 0.13 square feet of recreation space shall be provided for each square foot of floor space.

(Ord. 5745, approved 4-16-1998; Ord. 6003, approved 9-15-2005)

### § 1343.03 RESIDENTIAL RU DISTRICT.

In Residential RU Districts, the governing provisions for height, area and bulk shall be as follows:

(a) **Waiver.** The provisions of § 1343.02 are specifically waived. The provisions of § 1333.05 relating to uses permitted in RU Districts, the provisions of § 1345.01 relating to off-street parking requirements and the applicable design provisions contained in subsections (b) through (i) hereof and in the subdivision and land development regulations may be waived by Council, providing the advantages of such a waiver are clearly demonstrated with a site plan to be recommended by the Planning Commission and approved by Council. All other provisions of the Zoning Ordinance applying to RU Districts shall remain in full force and effect.

(b) **Site area.** Each site to be developed in an RU District shall be in one ownership or composed of two or more contiguous parcels in separate ownership; provided, any application involving separate ownership shall be the joint application of all landowners involved. Each site shall comprise a land area of not less than five acres.

(c) **Floor area.** The floor area of all buildings upon each site may not exceed 50% of site area; the floor area of all residential buildings may not exceed 40% of site area.

(d) **Density.** The overall density shall not exceed 25 dwelling units per acre.
(e) **Lot area.** If single-family units, either detached or attached, are proposed, each single-family unit shall have a lot area set aside for private usage, whether such unit is intended for sale or not. The minimum lot area for each single-family detached dwelling unit shall be 6,000 square feet. The minimum lot area for each single-family attached dwelling unit shall be 1,350 square feet.

(f) **Open space.** Upon any proposed site, that portion of the site devoted to open space shall be an area equal in size to 1.1 times the total residential floor area. If any portion of such open space is proposed for dedication or for common ownership or management, the provisions of § 1381.03 shall be met. **OPEN SPACE** is defined as the total horizontal area of all portions of the site not covered by buildings, parking areas, streets or access drives and lot areas devoted to private single-family usage or commercial usage.

(g) **Recreation space.** Upon any proposed site, a portion of the site shall be developed for recreational purposes. The portion of the site area so developed shall be an area or areas equal in size to 0.13 times the total floor area.

(h) **Yard requirements.** Normal yard requirements are waived except that, along the exterior property lines of each site, yards equal to the rear yard requirements of the abutting district shall be provided and, along any exterior street lines, yards equal to the front yard requirements of the adjacent district shall be provided.

(i) **Building spacing.** On any site, no two detached buildings shall be closer to one another than the average height of the two buildings at any two points of comparison.

(Ord. 5745, approved 4-16-1998)

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**§ 1343.04 NEW CONSTRUCTION RESULTING IN TWO OR MORE PRINCIPAL BUILDINGS ON A LOT.**

If one or more new principal building(s) are constructed on a lot so as to result in a total of two or more principal buildings on the lot, with two or more different principal uses present on the lot, then the following additional requirements shall apply.

(a) The lot must meet the minimum lot area specified in the district, and shall not have non-conforming lot area. Where different dimensional requirements apply to different uses, the most restrictive requirement shall apply.

(b) Special exception approval shall be required. The applicant shall show that there is adequate access for emergency vehicles and equipment.

(c) Any new construction shall meet all applicable yard requirements. The total development of the lot shall meet all lot coverage requirements.

(d) The requirements of this section shall not apply with the CBD District.

(e) For a lot with two or more existing principal buildings, see § 1323.02.

(Ord. 5745, approved 4-16-1998)
TITLE SEVEN: SUPPLEMENTARY ZONING REGULATIONS
ARTICLE 1344: PERFORMANCE STANDARDS

Section

1344.01 General performance standards.
1344.02 Noise.
1344.03 Heat.
1344.04 Glare.
1344.05 Vibration.
1344.06 Buffer.
1344.07 Air pollution.
1344.08 Odors and dust.

Cross-reference:
Fences and walls, see Part Thirteen, § 1341.17
Smoke abatement, see Part Eleven, Art. 1161
Special exceptions, see Part Thirteen, § 1319.14
Variances, see Part Thirteen, § 1319.13
Vision obstruction at street intersections, see Part Thirteen, § 1341.18

§ 1344.01 GENERAL PERFORMANCE STANDARDS.

After the effective date of this Zoning Ordinance (Ord. 4477, approved 9-9-1971), all uses and activities shall comply with the standards specified in this article.
(Ord. 5745, approved 4-16-1998)

§ 1344.02 NOISE.

(a) No land use or its operations shall generate a sound level exceeding the limits established in the table below, when measured at the specified locations:

<table>
<thead>
<tr>
<th>Land Use or Zoning District Receiving the Noise</th>
<th>Hours/Days</th>
<th>Maximum Sound Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 feet inside a lot in a residential district</td>
<td>1) 7:00 a.m. to 9:00 p.m. other than Sundays, Christmas Day, Thanksgiving Day, New Years Day, July 4, Labor Day and Memorial Day</td>
<td>1) 67 dBA</td>
</tr>
<tr>
<td></td>
<td>2) 9:00 p.m. to 7:00 a.m., plus all day Sundays, Christmas Day, Thanksgiving Day, New Years Day, 4th of July, Labor Day and Memorial Day</td>
<td>2) 60 dBA</td>
</tr>
</tbody>
</table>
### Sound Level Limits by Receiving Land Use/District

<table>
<thead>
<tr>
<th>Land Use or Zoning District Receiving the Noise</th>
<th>Hours/Days</th>
<th>Maximum Sound Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 feet inside a lot in an industrial district</td>
<td>All times and days</td>
<td>75 dBA</td>
</tr>
<tr>
<td>10 feet inside any lot line not listed above</td>
<td>All times and days</td>
<td>70 dBA</td>
</tr>
</tbody>
</table>

**NOTES TO TABLE:**
dBA means “A” weighted decibel.

(b) The above sound limits shall not apply to the following:

1. Sound needed to alert people about an emergency;
2. Repair or installation of utilities or construction or maintenance of structures, sidewalks or streets between the hours of 7:00 a.m. and 10:00 p.m., except for clearly emergency repairs which are not restricted by time;
3. Household power tools and lawn mowers between the hours of 7:00 a.m. and 10:00 p.m.;
4. Railroads and aircraft; motor vehicles on public streets;
5. Public celebrations authorized by City Council or unamplified human voices; and
6. Ringing of bells and chimes.

(Ord. 5745, approved 4-16-1998)

§ 1344.03 HEAT.

No use shall produce heat perceptible beyond its lot lines.

(Ord. 5745, approved 4-16-1998)

§ 1344.04 GLARE.

All outdoor floor or spot lighting on private premises shall be mounted and shielded to effectively eliminate direct glare on adjacent property or upon public streets.

(a) (1) All light sources, including signs, shall be properly diffused as needed with a translucent or similar cover to prevent the lighting element from being directly visible from streets, public sidewalks, dwellings or adjacent lots.

(2) All light sources, including signs, shall be shielded around the light source and carefully directed and placed to prevent the lighting from creating a nuisance to reasonable persons in adjacent dwellings or undeveloped areas and to prevent the lighting from shining into the eyes of passing motorists.

(b) Four or more bare incandescent light bulbs of 40 watts or greater shall not be hung along a public street or lot line.

(c) Flashing, flickering or strobe lighting and signs are prohibited, except for non-advertising seasonal lights between October 25 and January 10.

(Ord. 5745, approved 4-16-1998)
§ 1344.05 VIBRATION.
No use shall cause earth vibrations or concussions detectable beyond its lot lines without the aid of instruments, with the exception of that vibration produced as a result of construction activity. (Ord. 5745, approved 4-16-1998)

§ 1344.06 BUFFER.
(a) See also §§ 1345.03 and 1379.04.
(b) When principal industrial, transportation, utility or automotive uses carried on out-of-doors, such as scrap processing, automotive sales lots, truck terminals, electric transformer stations and storage yards, abut a residential or institutional district or uses otherwise specified in this Zoning Ordinance, a buffer yard shall be provided in accordance with the following standards.
   (1) Buffer yards shall be not less than five feet in width.
   (2) All buffer yards shall include a fence or a dense screen planting of trees, shrubs or other plant materials along the full length of the lot line to serve as a barrier to visibility, airborne particles, glare and noise.
   (3) Plant materials used in the screen planting shall be of such species and size as will produce, within three years, a complete visual screen at least six feet in height.
   (4) A fence, when erected as a screen, shall be not less than six feet in height, unless otherwise specified.
   (5) Screen planting shall be permanently maintained, and any plant material which does not live shall be replaced. (Ord. 5745, approved 4-16-1998)

§ 1344.07 AIR POLLUTION.
The control of the emission of smoke, dust, fumes, vapors, gases and odors shall be in accordance with Art. 1161 of the Public Health Code. (Ord. 5745, approved 4-16-1998)

§ 1344.08 ODORS AND DUST.
No use shall generate odors or dust that are significantly offensive to persons of average sensitivities beyond the boundaries of the subject lot. (Ord. 5745, approved 4-16-1998)
§ 1345.01 SCHEDULE OF OFF-STREET PARKING REQUIREMENTS.

In all districts except the Commercial CBD District, off-street parking is required for any building or use which is hereafter erected, reconstructed, restored, extended, enlarged or increased in capacity. Space with adequate access to a street shall be constructed and maintained for the use of the owners or occupants and their invitees and licensees as follows: each parking area shall contain sufficient maneuvering space, including interior driveways. The net parking space (stall) per vehicle shall include a rectangle at least nine feet by 18 feet, except handicapped spaces shall meet federal standards. Parking area layouts shall be approved by the Zoning Officer.

<table>
<thead>
<tr>
<th>Use Numbers</th>
<th>Use Classification</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - 5, 7</td>
<td>Any residential 1-family detached or attached dwelling, 2-family dwelling, multi-family dwelling with 3 or more bedrooms</td>
<td>2 spaces for each dwelling unit</td>
</tr>
<tr>
<td>3, 5, 7</td>
<td>Multi-family dwellings with 1 or 2 bedrooms</td>
<td>1-3/4 parking spaces for each dwelling unit</td>
</tr>
<tr>
<td>3, 5, 7</td>
<td>Multi-family dwellings containing efficiency units</td>
<td>1-1/2 spaces for each dwelling unit</td>
</tr>
<tr>
<td>3, 5</td>
<td>Multi-family senior housing designed for 1- and 2-person households and legally restricted to housing persons 62 years of age or over, their spouse and/or the physically handicapped</td>
<td>1 space for every 3 dwelling units</td>
</tr>
<tr>
<td>8</td>
<td>Churches and other places of worship</td>
<td>1 space for every 10 persons who may legally be admitted therein at one time under the BOCA National Building Code</td>
</tr>
<tr>
<td>Use Numbers</td>
<td>Use Classification</td>
<td>Required Parking</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>12, 13, 21, 39, 86</td>
<td>Libraries, museums, theaters, stadiums, auditoriums and similar places of public or private assembly</td>
<td>1 space for every 4 persons who may legally admitted therein at one time under the BOCA National Building Code</td>
</tr>
<tr>
<td>9, 20</td>
<td>Schools and child day care</td>
<td>1 space for each 2 employees including teachers and administrators, plus off-street space for the safe and convenient loading and unloading of students, plus additional facilities for student parking at the high school level 1 space per every 5 students based on design enrollment capacity of high school</td>
</tr>
<tr>
<td>10, 11</td>
<td>Colleges, business colleges, trade schools</td>
<td>1 parking space for every 2 persons regularly employed at the institution, plus 1 space for every 200 square feet of instructional area, plus additional space as required by this parking schedule because of any supplementary parking generating activities at the institution</td>
</tr>
<tr>
<td>14, 15</td>
<td>Hospital, nursing and personal care homes</td>
<td>1 space for each 4 beds intended for patients, plus 1 space for each employee on a weekday shift, including doctors and nurses</td>
</tr>
<tr>
<td>6B</td>
<td>Dormitories</td>
<td>1 space for every 5 beds, plus 1 additional space for each 2 employees thereof. In no case less than 1 space</td>
</tr>
<tr>
<td>6C</td>
<td>Fraternity houses and sorority houses</td>
<td>1-1/2 spaces for every 2 beds, plus 1 additional space for each 2 employees thereof. In no case less than 1 space</td>
</tr>
<tr>
<td>6D</td>
<td>Group homes</td>
<td>See § 1341.25</td>
</tr>
<tr>
<td>6E, 6F</td>
<td>Treatment center or abused person shelter</td>
<td>1 parking space per employee on duty, together with 1 space for any employee on any continuous shift. As an illustration, if 2 employees work on the 11:00 p.m. to 7:00 a.m. shift and they are replaced by 2 employees who work on the 7:00 a.m. to 3:00 p.m. shift, then 4 parking spaces must be available for employees; 1 parking space for each resident, with the understanding that these spaces will also be necessary to accommodate visitors, volunteers, outside professionals and the like</td>
</tr>
<tr>
<td>6A, 6G, 100</td>
<td>Rooming and/or boarding houses, and/or accessory lodges, or student residences</td>
<td>1 space per resident, with the understanding that these spaces will also be necessary to accommodate visitors, workers and the like</td>
</tr>
<tr>
<td>22 - 26</td>
<td>Recreational uses, except bowling alleys</td>
<td>1 space for each 5 persons of total capacity. 6 spaces for each alley</td>
</tr>
</tbody>
</table>
### Schedule of Off-street Parking Requirements

**Principal Use Classification (See Section 1333.05)**

<table>
<thead>
<tr>
<th>Use Numbers</th>
<th>Use Classification</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>38, 104</td>
<td>Hotels, motels, inns, exclusive of dining and retail uses</td>
<td>1 space for each guest room, plus 1 space for each 2 employees</td>
</tr>
<tr>
<td>32, 33</td>
<td>Restaurants, taverns and similar uses, including those in hotels and the like</td>
<td>1 space for each 2 seats or, except in the case of restaurants offering drive-in or take-out service, 1 space for each 2 seats or 1 space for each 50 square feet of total floor area, whichever is greater</td>
</tr>
<tr>
<td>37</td>
<td>Funeral home</td>
<td>1 space for each 5 seats in viewing room intended to be used at one time</td>
</tr>
<tr>
<td>40, 41</td>
<td>Kennel or veterinary hospital</td>
<td>1 space for each 5 employees, plus 4 spaces for each veterinarian</td>
</tr>
<tr>
<td>34, 35, 99, 101</td>
<td>General or professional office building, bank, clinic and other building not used for the retailing or wholesaling of merchandise</td>
<td>1 space for each 200 square feet of gross floor area devoted to such use</td>
</tr>
<tr>
<td>6H</td>
<td>Criminal housing facility</td>
<td>1 parking space per each employee on duty, together with 1 space for any employee reporting to duty on any contiguous shift. As an illustration, if 2 employees work on the 11:00 p.m. to 7:00 a.m. shift and they are replaced by 2 employees who work on the 7:00 a.m. to 3:00 p.m. shift, then 4 parking spaces must be available for employees. Additionally, 1 parking space, to be located on site, for each resident, with the understanding that these spaces will also be necessary to accommodate visitors, volunteers, outside professionals and the like. All employee parking must be within 300 feet of the facility</td>
</tr>
<tr>
<td>27 - 31, 36, 41.1</td>
<td>Retail stores and shops of all kinds, including service outlets, except:</td>
<td>1 space for each 200 square feet of floor area not used for storage on the ground floor, plus 1 space for each 400 square feet of floor area not used for storage on all other floors</td>
</tr>
</tbody>
</table>

**Self-service food markets with a gross floor area of more than 10,000 square feet or adult use** | 1 space for each 100 square feet of gross floor area |

| 16, 18, 19, 42 - 63, 74, 76 - 78, 80, 88, 90 | Industrial uses, manufacturing, public buildings, processing plants, research or testing laboratories, quarries, solid waste facilities, utility terminals, truck terminals | 1 space for each 1-1/2 employees on the largest shift, plus visitor parking and parking for needed company vehicles and equipment |

| 64-69 | a) Vehicle service station and/or repair garage | a) 1 space for each 200 square feet of gross building floor area devoted to such use |
|   | b) Auto sales and/or rental | b) 1 space per 15 vehicles offered for sale or rent, plus storage spaces for such vehicles |
|   | c) Other outdoor commercial uses | c) 1 space for each 1,500 square feet of ground area devoted to such use |
Schedule of Off-street Parking Requirements  
Principal Use Classification (See Section 1333.05)

<table>
<thead>
<tr>
<th>Use Numbers</th>
<th>Use Classification</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>Clubs, lodges and similar recreation places</td>
<td>1 space for each 300 square feet of gross floor area</td>
</tr>
<tr>
<td>71-73</td>
<td>Airports, high hazard uses</td>
<td>As required by Council</td>
</tr>
<tr>
<td>70, 75, 79, 81 - 85, 91 - 98, 102, 103</td>
<td>Cemeteries, agricultural uses, parking lots, accessory uses</td>
<td>None required</td>
</tr>
<tr>
<td>104</td>
<td>Bed and breakfast inn</td>
<td>1 parking space per rental unit</td>
</tr>
</tbody>
</table>

(Ord. 5745, approved 4-16-1998; Ord. 5825, approved 8-3-2000; Ord. 6076, approved 9-6-2007)

§ 1345.02 SCHEDULE OF OFF-STREET LOADING REQUIREMENTS.
(a) In all districts, one or more loading berths or other space shall be provided for standing, loading and unloading operations, either inside or outside a building and on the same or adjoining premises, with every building or structure hereafter erected or enlarged, in accordance with the following table.
(b) A loading berth shall have the minimum plan dimensions of 12 feet by 45 feet and 14 feet overhead clearing, plus necessary access space. A loading space need not necessarily be a full berth but shall be sufficient to allow normal loading and unloading operations of a kind and magnitude appropriate to the premises served thereby. The Zoning Officer shall determine the sufficiency of loading space, but, in no case, shall the use of such space hinder the free movement of vehicles and pedestrians over a street, sidewalk or alley.

<table>
<thead>
<tr>
<th>Use Classification</th>
<th>Required Loading Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Retail operation (including restaurant and dining facilities within hotels and office buildings) with a gross floor area over 20,000 square feet</td>
<td>1 berth for each 20,000 square feet of gross floor area or major fraction thereof</td>
</tr>
<tr>
<td>(b) Retail operations and all ground floor non-residential uses with a gross floor area less than 20,000 square feet; wholesale and industrial operations with a gross floor area less than 10,000 square feet</td>
<td>A loading space (not necessarily a full berth) as defined above in this section</td>
</tr>
<tr>
<td>(c) Office building, hospitals and hotels with a gross floor area of 100,000 square feet or more</td>
<td>1 berth for each 100,000 square feet of floor area or major fraction thereof</td>
</tr>
<tr>
<td>(d) Manufacturing, wholesale and storage operations with a gross floor area of 10,000 square feet or over as follows:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Square Feet</th>
<th>Number of Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,000 - 40,000</td>
<td>1</td>
</tr>
<tr>
<td>40,000 - 100,000</td>
<td>2</td>
</tr>
<tr>
<td>100,000 - 160,000</td>
<td>3</td>
</tr>
<tr>
<td>160,000 - 240,000</td>
<td>4</td>
</tr>
</tbody>
</table>
Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th>Use Classification</th>
<th>Required Loading Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>240,000 - 320,000</td>
<td>5</td>
</tr>
<tr>
<td>For each additional 90,000</td>
<td>1 additional</td>
</tr>
<tr>
<td>Any building with a gross floor area over 20,000 square feet not specifically mentioned herein which requires the receipt or distribution of materials by vehicles</td>
<td>1</td>
</tr>
<tr>
<td>(e) Any building with a gross floor area over 20,000 square feet not specifically mentioned herein which requires the receipt or distribution of material by vehicles</td>
<td>1 berth</td>
</tr>
</tbody>
</table>

(Ord. 5745, approved 4-16-1998; Ord. 5870, approved 5-16-2002)

§ 1345.03 GENERAL PROVISIONS.
(a) Location of parking areas. Required parking shall be located on the same lot as the use that the parking serves, except as follows.
   (1) Required parking may be located on a different lot from the use that the parking serves if the parking is within:
       (A) Three hundred feet from the dwellings it serves; and
       (B) Five hundred feet from non-residential uses it serves.
   (2) Parking to serve any use may be placed within a CBD, CC, CS, ML or MH District.
       (A) Parking within the INST District shall only be permitted to serve uses allowed within the INST District and dwellings.
       (B) Parking within each residential district shall only be permitted to serve uses allowed within that district and dwellings.
       (C) Parking within the open space district shall only be permitted to serve uses allowed within the open space district and dwellings.
       (D) Such parking areas shall meet all other requirements of this Ordinance.
(b) Assignment of parking space in grouped lots. The required parking spaces for any number of separate uses may be combined in one lot; but the required spaces assigned to one use may not be assigned to another use at the same time; except that, one-half of the parking spaces required for places of worship, theaters or assembly halls whose peak attendance will be at night, Saturdays or Sundays may be assigned to a use which will be closed at night, on Saturdays and on Sundays.
(c) Remote parking lots encumbered. Where provision of required parking for a building or use established or enlarged subsequent to the adoption of this Zoning Ordinance involves one or more parcels of land that are not a part of the lot on which the principal use is situated, the applicant for a permit for the principal use shall submit, with his or her application for a building permit, an instrument duly executed and acknowledged subjecting such parcels of land to parking uses in connection with the principal use to which it is accessory. The applicant shall deposit the necessary registration fee; and, upon the issuance of a building permit, the Bureau of Codes shall cause such instrument to be registered in the office of the Register of Deeds.
(d) **Setback of parking and loading areas.** All parking and loading areas shall be set back from the street line in conformance with pertinent yard requirements; except that, permitted parking areas, but not loading areas, may be located in required yards adjoining streets; provided, they are separated from the street by a substantial wall or fence not more than 33% open or a dense hedge in accordance with § 1383.04.

(e) **Landscaping.**

   (1) Lots less than or equal to 20 stalls require a landscaped area of a minimum of 3% of the total area of the parking lot.

   (2) Lots over 20 stalls require a landscaped island at least five feet by 18 feet for every 18 spaces in a single row or five feet by 36 feet for 36 spaces in a double row, together with a minimum canopy of 10% of the total vehicle area. Equivalent areas may be used in corners of lots keeping in mind that a tree needs a minimum of 20 square feet.

   (3) All landscaping must be in accordance with Art. 1383.

(f) **Demolition.** When a structure is demolished and demolition is for the purpose of providing parking, then the provisions of this Ordinance and Art. 1383 apply.

(g) **Surfacing.** Every parking area, loading area and driveway shall be paved with a durable dustless material approved by the Bureau of Codes, graded to dispose of all surface water and maintained in good condition.

(h) **Drainage.** In C, R or INST Districts, paved parking and loading areas shall be provided with area drains connected to a storm sewer to eliminate surface drainage over sidewalks in the public right-of-way.

(i) **Required screening when vehicular use areas abut public rights-of-way.** On the site of a building or structure or lot providing off-street parking areas or other vehicular use area, there shall be provided landscaping between such area and such right-of-way, as follows: a strip of land at least four feet in depth located between the abutting right-of-way and the off-street parking area or other vehicular use area which is exposed to an abutting right-of-way shall be landscaped. Such landscaping shall include one small or medium tree for each 35 lineal feet or 45 feet for a large tree or fraction thereof within the four-foot strip or within the right-of-way areas reserved for the planting of street trees. In addition, a hedge, wall or other landscaping shall be planted within the landscaped strip in accordance with § 1383.04, except as provided in § 1341.17. The landscape strips along the public rights-of-way shall be presentations which will be varied through color, shape and texture of landscape material. The remainder of the required landscaped areas shall be landscaped with grass, ground cover or other landscape treatment.

(j) **Required screening between vehicular use areas and abutting residential or institutional use.** All buildings or structures or lots providing an off-street parking area or vehicular use area of five spaces or more, shall be provided with a wall or hedge or other landscape screen not greater than six feet in height, nor less than four feet in height and a minimum width of four feet, to form a continuous screen between the off-street parking area or vehicular use area and any abutting or any residential or institutional use. Such landscape screen shall be located between the common lot line and the off-street parking area or other vehicular use area exposed to the abutting property. If the screen consists all or in part of plant materials, such plant materials shall be planted in a planting strip of not less than four feet in width. Fence material may be substituted for the above which meets the range of height limits and
may consist of up to 50% gaps in the material. Chain link and plastic construction fencing material is not acceptable.

(Ord. 5745, approved 4-16-1998; Ord. 5869, approved 5-16-2002)

Cross-reference:
Similar provisions, see §§ 1344.06 and 1379.04 and Art. 1383

§ 1345.04 OBLIGATION.

(a) Existing parking. Structures and uses in existence at the original date of the adoption of this Zoning Ordinance (9-9-1971) shall not be subject to the requirements of this article so long as the kind or extent of use is not changed; provided that, any parking facility now serving such structures or uses shall not, in the future, be reduced below such requirements.

(b) Continuing obligation. All required parking facilities shall be provided and maintained so long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced in total extent after their provision, nor be used for any purpose that interferes with its availability for the parking need it is required to serve; except that, such reduction or change in use may be made upon approval by the Zoning Hearing Board, but only after proof that, by reason of diminution in floor area, seating area, the number of employees or change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirements of this article.

(c) Change in requirements. Whenever there is an alteration of a structure or a change or extension of a use which increases the parking requirements according to the standards of § 1345.01, the total additional parking required for the alteration, change or extension shall be provided in accordance with the requirements of that section.

(Ord. 5745, approved 4-16-1998)
TITLE SEVEN: SUPPLEMENTARY ZONING REGULATIONS
ARTICLE 1346: SIGN REGULATIONS

Section

1346.01 Purpose.
1346.02 Definitions.
1346.03 General regulations for all signs.
1346.04 Signs in residential and institutional districts.
1346.05 Billboards and advertising signs.
1346.06 Business identification signs.
1346.07 Portable signs.
1346.08 Temporary signs.

Cross-reference:
Sign construction, see Part Seventeen, Art. 1723
Vision obstructions at intersections, see Part Thirteen, § 1341.18

§ 1346.01 PURPOSE.
The purpose of sign regulations is to assure that development within the city takes place in accordance with the city’s Comprehensive Plan. A principal goal of these regulations is to protect the city’s scenic views. These regulations are intended to assure that a reasonable number of opportunities exist in the city for commercial signs constructed in accordance with the regulations contained herein. Signs may be erected and maintained only when in compliance with the provisions of this article and all other ordinances and regulations relating to the erection, alteration or maintenance of signs and similar devices.
(Ord. 5745, approved 4-16-1998)

§ 1346.02 DEFINITIONS.
As used in this article, certain terms are defined as follows.

ANIMATED SIGN. A sign with action or motion, flashing, color changes requiring electrical energy, electronic or manufactured sources of supply, but not including wind activated elements such as flags, banners or specialty items.

BILLBOARDS or ADVERTISING SIGNS. Signs which direct the motorist or pedestrian to a business establishment or call the attention of the motorist or pedestrian to a product, place or activity, that exists or occurs at locations other than the location upon which the sign is erected. A double faced sign (back-to-back) shall count as one sign.
BUSINESS IDENTIFICATION SIGN. Signs that are directly oriented to activities that occur at the same premises upon which the sign is erected.

DIRECTIONAL SIGN. A sign designed to guide or direct pedestrian or vehicular traffic. Such signs shall not exceed four feet in height, nor be more than 4 square feet in area. The business name or trademark may be placed on a directional sign, but the sign name or trademark may not exceed more than 50% of such sign. Such signs shall not be considered business identification signs.

GROUND SIGN. A sign supported vertically by one or more uprights placed in or on the ground.

PORTABLE SIGN. A sign used to advertise the products offered for sale on the premises where it is erected and is designed to be movable.

REVOLVING SIGN. A sign which revolves 360 degrees, but does not exceed eight rpm.

ROOF SIGN.

(1) A sign supported by a roof of a building. The highest point of a roof sign shall not exceed the building height limit for the district in which it is erected.

(2) Not more than one roof sign shall be permitted on a premises and the maximum area of a roof sign shall not exceed 200 square feet.

TEMPORARY SIGN. Flags, pennants, political signs, special promotional devices or displays intended to be erected for a limited period of time.

WALL SIGN. A sign attached to or a part of the wall of a structure.

POLITICAL SIGN. A sign advertising political parties or candidates for election.

SIGN. Any permanent or temporary structure or part thereof or any device attached, painted or represented directly or indirectly on a structure or other surface that displays or includes any letter, words insignia, flag or representation used as or which is in the nature of an advertisement, announcement, visual communication, direction or is designed to attract the eye or bring the subject to the attention of the public.

(Ord. 5745, approved 4-16-1998)

§ 1346.03 GENERAL REGULATIONS FOR ALL SIGNS.

The following regulations shall apply to all permitted sign uses.

(a) Signs shall be constructed of durable material, maintained in good condition and not allowed to become dilapidated.

(b) No sign shall be placed in such a position so as to cause a danger to traffic on a street by obscuring the view.

(c) No sign, other than an official traffic sign, shall be erected within the right-of-way lines of any street, except as permitted by § 1346.06 for a “projecting sign” or an “awning sign”.

(d) No sign shall project over a public sidewalk area, except as permitted by § 1346.06 for a projecting sign” or an “awning sign”.

(e) No sign shall be painted or posted on a tree, stone, cliff or other natural object.

(f) Signs shall not attempt to direct the movement of traffic or interfere with, imitate or resemble any official sign, signal or device.

(g) Signs shall not prevent the driver of a vehicle from having a clear and unobstructed view of approaching or merging traffic.
(h) No sign or portion thereof, including lights, shall be permitted in any district when, by reason of its design, intensity, color, location or movement, it may interfere or cause confusion with traffic lights, signals or other controls or otherwise interfere with the operation of vehicles upon a public thoroughfare. Signs may be internally or externally illuminated, except as further restricted by city ordinances.

(i) (1) Animated signs are prohibited except public service signs such as time and temperature, revolving or changeable message signs.

(2) Existing signs not in conformance herewith shall be made to comply within five years from the effective date of this section.

(j) A permit shall be required for the erection or structural alteration of billboards or advertising signs.

(k) All signs shall be removed by the owner of the sign within 30 days when the circumstances leading to its erection no longer apply.

(l) All signs with a clearance of less than six feet above grade shall be a minimum of 20 feet from the face of any curb abutting a street or ten feet from the property line abutting any street, whichever distance is shorter.

(m) No wall sign shall extend above the top of the wall, nor beyond the left or right extremity of the wall to which it is attached nor shall it extend or project more than 18 inches from the wall upon which it is attached.

(n) (1) If the Building Official finds that any sign regulated herein is unsafe or insecure or is a menace to the public or has been constructed or erected or is being maintained in violation of the provisions of the Zoning Ordinance, he or she shall give written notice to the permittee thereof.

(2) If the permittee fails to remove or alter the sign so as to comply with the standards herein set forth within ten days after such notice, such sign may be removed or altered to comply by the Building Official at the expense of the owner of the property on which it is located.

(3) The Building Official may cause any sign or other advertising structure which is in immediate peril to persons or property to be removed summarily and without notice.

(o) (1) No person, firm or corporation shall install, erect or maintain any sign or medium of display or advertising, electric or otherwise, without first filing with the Building Official a surety bond in the sum of $5,000. Such bond shall be approved by the Building Official and shall be conditional for the installation and erection of signs in accordance with city ordinances and state laws, and shall provide for the indemnification of the city for any and all damages or liability which may accrue against it by reason of faulty installation, erection, demolition, repair, removal, defects in or collapse of any sign for a period of one year after erection and for such period of time that the sign is maintained or serviced by or under the direction of the maker of such bond. Such bond shall further provide for the indemnification of any person, firm or corporation who, while on public property or in any public place, incurs damage for which the principal named in the bond is legally liable.

(2) In lieu of executing and filing a bond under this section, the applicant may file with the City Treasurer a certificate of an insurance company duly authorized to do business in the state that there is in effect an insurance policy in an amount equal to the penal sum required if a bond were filed, insuring the applicant and the city against any and all claims for personal injury or damage to property that in any way resulted from such a sign or marquee. The certificate shall also state that the policy shall not be canceled or in any manner amended, changed or altered without giving the City Treasurer ten days’ written notice thereof.
(3) All of the provisions of city ordinances and of this section applicable to bonds to be filed under this section shall be applicable to any certificate in accordance with the provisions herein.
(Ord. 5745, approved 4-16-1998)

§ 1346.04 SIGNS IN RESIDENTIAL AND INSTITUTIONAL DISTRICTS.

The following types of signs and no others shall be permitted in residential or institutional districts, except as further provided for by this article. No zoning permit is required for the erection of these signs when erected in a residential or institutional district, except subsection (i) hereof.

(a) Signs advertising the sale or rental of the premises upon which they are erected, when erected by the owner or broker or any other person interested in the sale or rental of such premises; provided:
   (1) The size of such sign does not exceed 12 square feet; and
   (2) Not more than one sign shall be placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which case one such sign may be erected on each frontage.

(b) Signs advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer or other person interested in such sale or development; provided:
   (1) The size of any such sign does not exceed 25 square feet; and
   (2) Not more than one sign shall be placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which case such sign may be erected on each frontage.

(c) Signs indicating the location and direction of premises available for or in process of development, but not erected upon such premises and having inscribed thereon the name of the owner, developer, builder or agent; provided:
   (1) The size of any such sign does not exceed 12 square feet; and
   (2) Not more than one such sign is erected on each 500 feet of street frontage.

(d) Signs bearing the word “sold” or the word “rented” with the name of the persons effecting the sale or rental.

(e) Construction signs, including signs of mechanics, painters and other artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected; provided:
   (1) The size of such sign does not exceed 24 square feet; and
   (2) Such signs are removed upon completion of the work.

(f) Trespassing signs or signs indicating the private nature of a driveway or property; provided that, the size of such sign does not exceed two square feet in area.

(g) Signs of schools, colleges, churches, hospitals, sanitariums or other institutions of a similar nature and signs identifying housing developments; provided:
   (1) The size of any such sign does not exceed 25 square feet; and
   (2) Not more than two signs are placed on a property in single and separate ownership, unless such property fronts upon more than one street, in which case two such signs may be erected on each frontage.

(h) Signs advertising the sale of farm products when permitted by this article; provided:
   (1) The size of any such sign does not exceed six square feet;
(2) Not more than two signs are used; and
(3) The signs shall be displayed only when such products are on sale.

(i) Signs advertising legal non-conforming uses shall be not larger than six square feet in area, bearing the name and occupation (words only, and not internally illuminated) of the practitioner.

(j) Auction, garage or yard sale signs shall not exceed six square feet in area; and

(1) Such signs shall not be erected more than two days prior to the event or activity, without the express consent and approval of the city; and
(2) Such signs shall be removed within 24 hours following the date of the event or activity.

(k) Political signs shall not exceed 12 square feet in area per sign face nor have more than two faces per sign.

(l) One such sign may be erected 60 days prior to the election date and shall be removed within ten days after such election day.

(m) Home occupation signs. See § 1333.05.

(Ord. 5745, approved 4-16-1998)

§ 1346.05 BILLBOARDS OR ADVERTISING SIGNS.

Billboards or advertising signs (as defined by § 1346.02) providing for off-premises advertising shall only be permitted by right in the CS, ML and MH Districts, and as a conditional use in the CC District. Any such sign shall meet the following additional requirements.

(a) Such signs shall be separated the following minimum distances from any other such sign, other than billboards that are back-to-back. All spacing shall be measured parallel to and from the same side of the highway or public right-of-way:

(1) Along expressways: not less than 1,000 feet;
(2) In the CC, ML and MH Districts, other than as provided in subsection (1) above: not less than 500 feet apart; and
(3) In the CS District: not less than 300 feet apart.

(b) Each sign shall not exceed 300 square feet in area in a CS or CC District or 672 square feet in a ML or MH District. Such sign area shall be permitted on each side of a two-sided sign, if the sign faces are back-to-back. The above square footage may be exceeded by 15% for cut-out or snipes on a temporary basis.

(c) Such signs shall not exceed 12 feet in height nor 25 feet in length in the CS or CC Districts, or 14 feet in height, nor 48 feet in length, in the ML or MH Districts. Such sizes shall be inclusive of all trim and border area, but shall not include bases, aprons, supports and other structural members. Cut-outs or snipes exceeding the height and length by up to 15% shall be allowed on a temporary basis.

(d) Such signs shall be set back the following minimum distances:

(1) Thirty feet from any right-of-way of a limited access highway;
(2) One hundred feet from any lot line of a primarily residential property; and
(3) Ten feet from any other property line or street right-of-way.

(e) Such signs shall have no portion exceeding a height of 35 feet above ground level at the curb or edge of pavement.

(f) Billboards and advertising signs shall conform with the State Outdoor Advertising Control Act, as amended, except as further controlled by this section.
(g) An existing billboard or advertising sign within the CBD shall only be replaced with a new billboard or advertising sign if the new sign is approved as a conditional use.
(Ord. 5745, approved 4-16-1998; Ord. 5802, approved 3-2-2000; Ord. 5870, approved 5-16-2002)

§ 1346.06 BUSINESS IDENTIFICATION SIGNS.

Business identification signs shall only be permitted in the CC, CBD, CS, ML and MH Districts, and shall meet the following additional requirements, as applicable.

(a) Permit. A zoning permit is issued by the city.

(b) Number. No more than two ground, wall or roof-mounted signs may be erected or maintained on any premises at any one time, except when a building is located on a corner lot and has a public entrance on two or more public ways; or when a building has both a front and rear public entrance, one additional sign may be erected. A double faced sign shall count as a single sign.

(c) Height. Signs shall not exceed 20 feet in height when erected within ten feet of the right-of-way line of a street, road or highway adjoining the premises. In no event may a sign exceed the height limit imposed by zoning regulations for the district in which it is located.

(d) Area.

(1) Single business on one lot. The total sign area of pole-mounted, wall- or roof-mounted signs per premises shall not exceed four square feet per one lineal foot of property frontage upon a street. No business shall be limited to less than 32 square feet of total sign area, nor exceed more than 300 square feet of sign area; except that, the maximum total sign area shall be 60 square feet along each street frontage within the CBD District.

(2) More than one business on one lot. The total sign area of pole-, wall- or roof-mounted signs per premises shall not exceed four square feet per one lineal foot of frontage of the portion of the building occupied by the occupant of such premises. No business shall be limited to less than 32 square feet of total sign area nor exceed more than 300 square feet of sign area; except that, the maximum total sign area shall be 60 square feet along each street frontage within the CBD District.

(e) Shopping center. (More than six individual businesses.) A sign advertising the premises shall not exceed 300 square feet in area. Signs identifying the individual businesses within the shopping center may be attached to the shopping center sign structure. Such identification signs shall not exceed an aggregate area of 300 square feet in area as provided for by subsection (d)(2) hereof.

(f) Projecting signs. A sign shall only be permitted to project over public sidewalk if the following requirements are met.

(1) Such sign shall only be permitted in the CBD District.

(2) Such sign shall meet the City Building Code, including requirements for secure attachment and minimum clearance.

(3) Such sign area shall be constructed entirely of weather-resistant wood (preferably relief-cut) or materials with a closely similar appearance, and shall not include plywood. Such sign shall not be internally-illuminated.

(4) Such sign shall not exceed eight square feet on each of two sides.

(5) Such sign shall not exceed a total height above the ground of 15 feet, and should be located below the second floor window ledge.

(6) Such sign shall be placed a minimum of six inches from the building, and extend a maximum total of five feet from the building.
(7) The applicant shall comply with applicable city requirements concerning encroachment into a right-of-way.

(g) **Awning signs.** A sign may be incorporated into an awning that is attached to a principal building if the following requirements are met.
   
   (1) The sign area shall be counted within the maximum permitted sign area for wall signs.
   
   (2) Such sign shall meet the City Building Code, including requirements for secure attachment and minimum clearance.
   
   (3) The applicant shall comply with applicable city requirements concerning any encroachment into a right-of-way.
   
   (4) Such awning shall not extend more than 12 feet in height above the adjacent ground level.
   
   (5) Such awning shall be durably constructed of attractive material.

(h) **Additional.** In addition, signs meeting the requirements of § 1346.04 shall be permitted in any commercial or industrial district.

(i) **Sign review within the CBD District.** The Planning Commission shall review the following provisions that shall apply to any sign proposed to have a sign area of one square foot or larger (except as exempted by subsection (i)(1) below) within the CBD Zoning District that will be visible from a public street.

   (1) (A) As part of any application for a sign permit under this section, the applicant shall submit to the Zoning Officer:

      1. A sketch of the proposed sign;
      2. A description of the proposed types of materials and colors;
      3. A sketch or description of the proposed location and height of the sign; and
      4. A description of any proposed lighting.

      (B) Such information shall be submitted and comments of the Planning Commission received before an applicant constructs or formally orders a new sign.

   (2) Such sign information shall be provided to the Planning Commission for a review in advance of being permitted, erected, posted or otherwise placed.

   (3) The Zoning Officer shall not approve the final issuance of a sign permit until after the Planning Commission has had an opportunity to provide a review, or until 30 or more days have passed from the date the application was forwarded to the Chairperson of the Planning Commission.

   (4) The Planning Commission shall provide advice to the applicant concerning how a sign could be attractively designed to be compatible with the exterior of the building and with adjacent buildings. Specifically, an emphasis should be placed on uncovering, restoring and highlighting the central business district features.

   (5) CBD Sign Guidelines. The following guidelines should be followed in the design of any signs within the CBD Zoning District.

      (A) All signs should contribute to the overall traditional and historic nature of the Central Business District.

      (B) Signs should be primarily oriented to pedestrians, as opposed to motor vehicles.

      (C) All signs should be permanently attached to a building.

      (D) Signs should not dominate the facade of a building, but should relate in placement and size to the other architectural elements of the exterior of the building.

      (E) Signs should not cover windows, cornices and other decorative features.

      (F) Older lettering styles should be considered for signs on older buildings.
(G) Signs should be limited in number, such as one primary and one secondary sign, to avoid clutter.

(H) Signs should avoid excessive numbers of words. Simpler messages are the easiest to read.

(I) The colors of signs should complement the colors of the building. Light letters on a darker background are often easiest to read, such as a relief-cut wood sign.

(J) The following types of signs are specifically encouraged within the CBD District.
1. Long horizontal signs or individual carved lettering mounted flat against the building are encouraged, in a manner that does not obstruct architectural features. Such signs in most cases should be placed between the first and second floor windows.
2. Signs may be mounted flat against the building next to a door way. These signs should not exceed 12 square feet, although a six square foot maximum size is preferable.
3. Signs may project from the building; provided, they meet the standards for “projecting signs” in § 1346.06.
4. Signs are encouraged to be integrated with awnings and canopies.
5. Lettering is encouraged on clear doors or windows. The image should not obscure more than 20% of the total area of a window or door.
6. Wood signs with relief-cut lettering are encouraged.
7. Wood signs are encouraged with painted lettering or carved lettering attached to the sign.
8. Signs are encouraged to be constructed from wood, metal or materials with an appearance very similar to wood.
9. Any lighting of signs should be external to the sign face, and be carefully directed to avoid nuisances to motorists, pedestrians and neighbors.

(K) The following types of signs are strongly discouraged within the CBD District:
1. Plastic signs, particularly with internal lighting;
2. Signs extending above the roof of a building;
3. Signs covering the second or third stories;
4. Flashing signs;
5. Neon signs; and
6. Signs with garish or day glow colors.

(L) The following types of signs shall not require review under this section:
1. A sign meeting the requirements of § 1346.04, such as, but not limited to, temporary political signs and real estate for sale signs;
2. An official sign placed by a government agency; and
3. A non-illuminated window sign of less than four square feet that is posted for a maximum total period of 60 days in any calendar year.

(Ord. 5745, approved 4-16-1998; Ord. 6135, approved 4-30-2009)

§ 1346.07 PORTABLE SIGNS.

On existing lawful uses, non-illuminated movable ground signs advertising the product offered for sale on the premises may be directed and maintained. Such signs shall be limited to one double faced sign and shall be included in the total number of permitted signs for the use category. Such signs shall not
Sign Regulations

be greater than 12 square feet in area per side and shall not be more than six feet in height above the ground. All portable signs shall be anchored, weighted, spring-loaded or otherwise designed to resist wind action.
(Ord. 5745, approved 4-16-1998)

§ 1346.08 TEMPORARY SIGNS.
Flags, pennants, special promotional devices or displays or similar type signs shall be permitted in Commercial and Industrial Districts only; provided that:
(a) Such signs or displays shall not endanger the public or be located in the right-of-way of any State or City street without the prior approval of the city;
(b) General regulations specified in § 1346.03 shall apply;
(c) An individual business shall be limited to one temporary sign at any one time per street the business fronts on;
(d) A single side or face of a temporary sign shall not exceed 25 square feet;
(e) Temporary signs shall be permitted for a period not exceeding 30 days in any six-month period or such additional time as may be authorized by the city;
(f) A zoning permit is issued by the city; and
(g) Temporary signs shall be removed immediately upon the expiration of the permit for its erection or as soon as torn or damaged.
(Ord. 5745, approved 4-16-1998)
TITLE NINE: SUBDIVISION AND LAND DEVELOPMENT REGULATIONS
ARTICLE 1371: DEFINITIONS

Section

1371.01 Definitions generally.
1371.02 Administrative Officer.
1371.03 Cartway.
1371.04 Developer.
1371.05 Land development.
1371.06 Plans.
1371.07 Subdivision.
1371.08 Regulations.
1371.09 Development. (repealed)
1371.10 One hundred year flood.
1371.11 Flood-prone area.
1371.12 General Floodplain District.
1371.13 Floodplain.
1371.14 Floodway.
1371.15 Flood-proofing.
1371.16 Plat.
1371.17 Development plan.

Cross-reference:
Zoning definitions, see Part Thirteen, Art. 1311

Statutory reference:
State definitions, see Act 247, § 107 (53 P.S. § 10107)

§ 1371.01 DEFINITIONS GENERALLY.
(a) For the purpose of these subdivision and land development regulations, the terms and words herein defined shall have the following meanings unless the context indicates to the contrary.

(b) For the purpose of use in these regulations, words used in the present tense include the future tense; the singular number includes the plural and vice versa; the word “lot” includes the word “plot” or “parcel”; and the word “person” includes a partnership or corporation as well as an individual.

(c) For the purpose of establishing standard phraseology, definitions contained in Art. 1311 of the Zoning Ordinance Code shall also apply to these regulations.

(d) Any word or term not defined herein shall be used with a meaning of standard usage.
(Ord. 4486, approved 10-14-1971)
§ 1371.02 ADMINISTRATIVE OFFICER.

ADMINISTRATIVE OFFICER means the individual authorized by Council to be the administrator of the day-to-day operation of this Title Nine, Subdivision and Land Development Regulations.

(Ord. 4486, approved 10-14-1971)

§ 1371.03 CARTWAY.

CARTWAY means that portion of a street right-of-way used for vehicular movement or parking. The terms ROADWAY or PAVEMENT are equivalent in these regulations.

(Ord. 4486, approved 10-14-1971)

§ 1371.04 DEVELOPER.

DEVELOPER means any landowner, authorized agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development. The term DEVELOPER is intended to include, but not necessarily be limited to, the terms SUBDIVIDER, OWNER and BUILDER, even though the individuals involved in successive stages of a project may vary.

(Ord. 5508, approved 1-31-1991)

§ 1371.05 LAND DEVELOPMENT.

LAND DEVELOPMENT means any of the following:

(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. Excluded from the definition of land development are certain developments that are limited to the following:

(A) The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium; or

(B) The addition of an accessory building including farm buildings, on a lot or lots subordinate to an existing principal building.

(b) A subdivision of land.

(Ord. 5508, approved 1-31-1991)

§ 1371.06 PLANS.

(a) SKETCH PLAN means an informal plan, legibly drawn to scale, but not necessarily showing precise dimensions, indicating salient existing features of a tract and its surroundings and a general
Definitions

layout of the proposed development for the purpose of establishing a basis for informal discussion, between the developer and the city, for presentation of concepts or ideas prior to initiating a preliminary plan. A Sketch Plan is not required for any subdivision or land development and does not constitute an official submission.

(b) Preliminary Plan means a tentative subdivision or development plan, in lesser detail than the final plan, indicating the approximate proposed features of a subdivision or land development as a basis for consideration prior to preparation of the final plan.

(c) Final Plan means a complete and exact subdivision or development plan prepared for official recording as required by statute.

(Ord. 5508, approved 1-31-1991)

§ 1371.07 Subdivision.

(a) Subdivision means the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other division of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. However, the division of land by lease for agricultural purposes into parcels of more than ten acres not involving new streets or easements of access, or the division of land by lease for residential dwelling, shall be exempted. The consolidation of lots into larger units of single ownership shall not constitute a Subdivision.

(b) Minor Subdivision means the division or redivision of a lot, tract or parcel of land as described in subsection (a) hereof, but which is limited to the creation of lots fronting upon improved public streets; and, provided that, there is not created by the subdivision any new streets, and required improvements, easements of access or the need therefor.

(Ord. 5508, approved 1-31-1991)

§ 1371.08 Regulations.

Regulations means the subdivision and land development provisions contained in Title Nine of Part Thirteen, Planning and Zoning Code of the Codified Ordinances of Williamsport.

(Ord. 4486, approved 10-14-1971)

§ 1371.09 Development.

Editor’s note:
This section was repealed by Ord. 5508, approved 1-31-1991.

§ 1371.10 One Hundred Year Flood.

One Hundred Year Flood means a flood that, on the average, is likely to occur once every 100 years (i.e., that has a 1% chance of occurring each year, although the flood may occur in any year).

(Ord. 4865, approved 11-18-1977)
§ 1371.11 FLOOD-PRONE AREA.

FLOOD-PRONE AREA means a relatively flat or low land area adjoining a stream, river or watercourse, which is subject to partial or complete inundation; or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source; for purposes of this section the 100-year flood area (as delineated in § 1332.06 of the Planning and Zoning Code).

(Ord. 4865, approved 11-18-1977)

§ 1371.12 GENERAL FLOODPLAIN DISTRICT.

GENERAL FLOODPLAIN DISTRICT means that portion of 100-year floodplain for which no specified flood profiles have been provided.

(Ord. 4865, approved 11-18-1977)

§ 1371.13 FLOODPLAIN.

FLOODPLAIN means a relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation; or an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

(Ord. 4865, approved 11-18-1977)

§ 1371.14 FLOODWAY.

FLOODWAY means the channel of a river or watercourse and the adjacent land area 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.

(Ord. 4865, approved 11-18-1977)

§ 1371.15 FLOOD-PROOFING.

FLOOD-PROOFING means any combination of structural and non-structural additions, changes or adjustments to structures which reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

(Ord. 4865, approved 11-18-1977)

§ 1371.16 PLAT.

PLAT means the map or plan of a subdivision or land development whether preliminary or final.

(Ord. 5508, approved 1-31-1991)

§ 1371.17 DEVELOPMENT PLAN.

DEVELOPMENT PLAN means the provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other
structures, intensity of use or density of development, historical property and/or district, streets, ways and parking facilities, common open space and public facilities.

(Ord. 5508, approved 1-31-1991)
TITLE NINE: SUBDIVISION AND LAND DEVELOPMENT REGULATIONS
ARTICLE 1373: ADMINISTRATION, ENFORCEMENT AND PENALTY

Section

1373.01 Title.
1373.02 Authority and jurisdiction.
1373.03 Conflict with other regulations.
1373.04 Purpose.
1373.05 Interpretation.
1373.06 Validity.
1373.07 Effect of regulations.
1373.99 Penalty.

Statutory reference:
Applies, see Act 247, 53 P.S. §§ 10503 and 10508
Compliance required, see Act 247, § 507 (53 P.S. § 10507)
Penalty, see Act 247, 53 P.S. §§ 10515.1 to 10515.3
Planned residential development, see Act 247, §§ 701 et seq. (53 P.S. §§ 10701 et seq.)
Subdivision and land development, see Act 247, §§ 501 et seq. (53 P.S. §§ 10501 et seq.)

§ 1373.01 TITLE.
These regulations shall be known and may be cited as “The Subdivision and Land Development Regulations of the City of Williamsport”.
(Ord. 4486, approved 10-14-1971)

§ 1373.02 AUTHORITY AND JURISDICTION.
These regulations are created pursuant to authority established in § 501 of the Pennsylvania Municipalities Planning Code and shall have jurisdiction upon any lot situated within the Williamsport City limits.
(Ord. 4486, approved 10-14-1971)

§ 1373.03 CONFLICT WITH OTHER REGULATIONS.
Any regulation or ordinance of the city in conflict with the provisions of these regulations is hereby repealed insofar as it affects these regulations, but specifically saving from repeal the Zoning Ordinance, Building Code and Housing Ordinance of the city.
(Ord. 4486, approved 10-14-1971)
§ 1373.04 PURPOSE.
The purpose of these regulations is to provide for the orderly and harmonious development of the city by regulating the division and development of land in order to:
(a) Ensure the conformance and compatibility of subdivision or development plans with both existing and proposed public improvements;
(b) Encourage the coordination and compatibility of plans for adjacent land uses;
(c) Facilitate the efficient movement of traffic; and
(d) Secure the protection of water resources, drainageways and appropriate open space areas.
(Ord. 4486, approved 10-14-1971)

§ 1373.05 INTERPRETATION.
The provisions of these regulations shall be held to be minimum requirements to meet the purposes stated in § 1373.04. Where the provisions of these regulations impose greater restrictions than those of any statute, other ordinance or regulations, the provisions of these regulations shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than those of these regulations, the provisions of such statute, ordinance or regulation shall prevail.
(Ord. 4486, approved 10-14-1971)

§ 1373.06 VALIDITY.
Should the courts declare any portion of these regulations to be invalid, such declaration shall not affect the validity of these regulations as a whole or any part thereof other than the specific portion declared to be invalid.
(Ord. 4486, approved 10-14-1971)

§ 1373.07 EFFECT OF REGULATIONS.
Hereafter, no person shall sell, agree to sell, transfer or otherwise convey any lot by deed, agreement, lease or other instrument and no street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon except in accordance with the provisions of these regulations.
(Ord. 4486, approved 10-14-1971)

§ 1373.99 PENALTY.
Any person who subdivides or develops his or her land in the manner other than provided in Art. 1371 through 1381 shall be fined not more than $1,000 per lot or per dwelling unit within each lot.
(Ord. 4585, approved 6-28-1973)
§ 1375.01 COMPLIANCE.
(a) No plan of any subdivision or land development shall be approved by the Planning Commission or Council, except in strict accordance with the express procedures designated in this article and other applicable parts of these regulations. Any approval of any plan not so processed as provided herein shall be null and void.

(b) It is the further intention of these regulations that all matters relating to the subdivision or development of land and requiring action by Council be referred to the Planning Commission for recommended action. It shall be the responsibility of the Commission to ensure that all applications for subdivision or land development are processed and acted upon in a timely manner and as prescribed by these regulations and the Pennsylvania Municipalities Planning Code.

(Ord. 4486, approved 10-14-1971)
§ 1375.02 PLANS REQUIRED.

(a) Plans shall be required at each stage of the review process according to the following table.

<table>
<thead>
<tr>
<th>Plan Stage</th>
<th>Land Development</th>
<th>Subdivision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Minor</td>
</tr>
<tr>
<td>Sketch</td>
<td>Optional</td>
<td>Recommended</td>
</tr>
<tr>
<td>Preliminary</td>
<td>Required*</td>
<td>Required*</td>
</tr>
<tr>
<td>Final</td>
<td>Required</td>
<td>Required</td>
</tr>
</tbody>
</table>

NOTES TO TABLE:
*May be waived by unusually detailed.

(b) Plans shall contain all data required by Art. 1377 unless expressly waived by the Planning Commission.

(c) The review process required at each plan stage shall not exceed 40 days commencing from the date a plan is duly filed with the Administrative Officer. Filing shall not be considered complete without acknowledgment of completeness by the Administrative Officer.

(Ord. 4486, approved 10-14-1971; Ord. 5508, approved 1-31-1991)

§ 1375.03 FILING FEES (SUBDIVISION AND LAND DEVELOPMENT).

The following filing fees, in addition to all other fees required by any statute of the Commonwealth of Pennsylvania or ordinance of the city, shall be submitted at the time of application or resubmission of subdivision or land development plan. No application shall be accepted or acted upon unless payment is made according to the fee schedule as specified in Art. 117 of the codified ordinances.

(Ord. 5458, approved 12-14-1989)

§ 1375.04 SKETCH PLAN.

The purpose of the sketch plan is to afford the developer an opportunity to consult early and informally with the Planning Commission regarding the overall concept and appropriateness of the prospective development and thus avoid potential conflict at the preliminary or final plan stages. The following is a list of procedures to be used in review of the sketch plan.

(a) Developer submits four copies of the sketch plan to the Administrative Officer at least 15 days prior to the meeting of the Planning Commission at which the plan is to be considered.

(b) The Administrative Officer checks the submission for completeness. If incomplete, returns the submission to the developer indicating deficiencies; or if complete, accepts submission and immediately distributes two copies of the plan to the City Planning Commission and one copy of the plan to the Lycoming County Planning Commission, retaining one file copy.

(c) At its first regular meeting following receipt of the complete submission by the Administrative Officer and following the 15-day waiting period, the City Planning Commission shall receive and review
Plan Processing Procedures

the developer’s submission, discuss the plan with the developer, evaluate the plan and, together with appropriate comments, direct whether the developer may proceed to the preliminary or final plan stages. (Ord. 4486, approved 10-14-1971)

§ 1375.05 PRELIMINARY PLAN.
The purpose of the preliminary plan is to require formal conditional approval of plans in order to minimize changes and revisions at the final plan stage. The following are procedures to be used in the review of preliminary plans.

(a) Developer submits six copies of the preliminary plan and data, three copies of the application and the required fee and deposit to the Administrative Officer.

(b) The Administrative Officer checks the submission for completeness. If incomplete, returns the submission to the developer indicating deficiencies; or, if complete, accepts the submission and immediately distributes two copies of the plan to the City Planning Commission and one copy each of the plan to Council, the Director of the Department of Community and Economic Development and the Lycoming County Planning Commission, retaining one file copy.

(c) The County Planning Commission and the Director of the Department of Community and Economic Development review the preliminary plan and submit reports to the City Planning Commission within 30 days of submission by the Administrative Officer.

(d) At its second regular meeting following receipt of the complete preliminary plan submission by the Administrative Officer, the City Planning Commission shall review the developer’s submission, discuss the plan with the developer and consider the reports of the County Planning Commission and the Director of the Department of Community and Economic Development.

(e) Following the review of the preliminary plan with the developer, the City Planning Commission shall evaluate the plan in regard to the general purposes and specific provisions of these Regulations and act thereon as submitted or modified. If approved, the Commission shall express its approval and state the conditions of such approval, if any, or, if disapproved, shall express its disapproval and its reasons therefor. The action of the Commission shall be noted on two copies of the preliminary plan, and the Commission’s recommended conditions shall be attached thereto. The Commission shall immediately forward both copies to Council for action.

(f) Within ten days of the City Planning Commission’s meeting at which action is taken on a plan, Council shall:

   1. Review the developer’s submission, together with the reports of the City Planning Commission, Director of the Department of Community and Economic Development and County Planning Commission;

   2. Express its conditional approval, stating the conditions of such approval, or its disapproval, stating the reasons therefor; and

   3. Within five days following the decision, inform the developer in writing. The action of Council shall be noted on two copies of the plan, together with its conditions, if any, or its reasons for disapproval. One copy of the notated plan shall be forwarded to the developer and the remaining copy returned to the City Planning Commission.

(g) Conditional approval of a preliminary plan of lots shall not constitute approval of the final plan of lots. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary
plan of lots as a guide to the preparation of the final plan of lots which will be submitted for approval of the City Planning Commission and Council, and for recording upon fulfillment of the requirements of these regulations and the conditions of the conditional approval, if any.  
(Ord. 4486, approved 10-14-1971; Ord. 5021, approved 1-31-1980)

§ 1375.06 FINAL PLAN.

(a) The purpose of the final plan is to obtain formal approval by Council for completed plans and to enter into necessary performance bonds or contracts prior to recording and commencement of work. The final plan shall conform substantially to the preliminary plan as approved; but, if desired by the developer, it may constitute only that portion of the approved preliminary plan of lots which he or she proposes to record and develop at the time.

(b) The following are procedures to be used in the review of final plans.

(1) Developer submits two copies, original drawing and a sepia duplicate of the final plan and one copy of other exhibits, including performance agreements, and the written application to the Administrative Officer. Such submission shall be made within six months after approval of the preliminary plan and at least 15 days prior to the meeting of the City Planning Commission.

(2) The Administrative Officer checks the submission for completeness. If incomplete, returns the submission to the developer indicating deficiencies; or, if complete, accepts the submission and immediately prepares and distributes one copy to the Director of the Department of Community and Economic Development, plus additional copies as may be required.

(3) Upon receipt of a copy of the final plan from the Administrative Officer, the Director of the Department of Community and Economic Development shall review the engineering considerations and guarantees of the submission and prepare a report of adequacy for the Commission and Council.

(4) The Commission shall, at that regular meeting scheduled for final plan review, approve the final plan providing that all conditions made at the time of preliminary plan approval are adequately provided for. If not so provided, the plan shall be disapproved, indicating to the developer the reasons for such disapproval.

(5) Within 40 days of the Commission’s meeting at which action was taken upon a final plan, Council shall approve such plan, stating any additional conditions of such approval or, if disapproved, state the reasons therefor and within five days following the decision inform the developer of such decision in writing.

(6) Every final plan shall carry the signature of:

(A) Owner of the land;
(B) Signature and seal of the registered engineer or surveyor;
(C) Director of the Department of Community and Economic Development;
(D) Chairperson of the City Planning Commission; and
(E) City Clerk.

(Ord. 4486, approved 10-14-1971; Ord. 5021, approved 1-31-1980)
§ 1375.07 RECORDING OF PLANS.

(a) Upon the approval of a final plan, the developer shall, within 90 days of such final approval, record such plan in the office of the Recorder of Deeds of Lycoming County. The Recorder of Deeds shall not accept any plan for recording unless such plan officially notes the approval of Council.

(b) The recording of the plan shall not constitute grounds for assessment increases until such time as lots are sold or improvements installed on the land included within the subject plan.

(Ord. 4486, approved 10-14-1971)

§ 1375.08 VARIANCES.

There will be no variances granted in whole or in part of these regulations, except in the following instances.

(a) Hardship. Upon application and allegations in writing that extra-ordinary hardship may result from strict compliance with these regulations, the case may be referred to the Planning Commission for the purpose of hearing the cause and determining substitute regulations to accommodate the specific hardships. If by adopting the substitute regulations substantial justice may be done and the public interest served, the Commission may adopt the substitute regulations in lieu of the regulations causing hardship, providing that such variance will not have the effect of nullifying the intent and purpose of the Comprehensive Plan or the spirit of these regulations.

(b) Mixed residential development. The standards and requirements of these regulations may be modified in the case of a plan for a mixed residential development which, in the judgment of the Commission, provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated and which also provides the covenants or other legal provisions as will assure conformity to and achievement of the Comprehensive Plan.

(Ord. 4486, approved 10-14-1971)

§ 1375.09 APPEALS.

(a) Challenges to the validity of these Regulations and appeals from any action of the Administrative Officer thereunder shall be heard by the Zoning Hearing Board under §§ 1319.11 and 1319.12 of the Zoning Ordinance. But when Council or the Planning Commission has held a hearing upon an application for subdivision or development, such hearing shall be deemed in lieu of a hearing by the Board; and appeal from any decision of Council shall be directly to court.

(b) The decisions of Council or the Commission with respect to the approval or disapproval of plans may be appealed within the same time limitations as provided for in zoning appeals in §§ 1319.21 through 1319.23.

(Ord. 4486, approved 10-14-1971)
§ 1377.01 DATA REQUIRED.
All plans shall be accompanied by or include the data required in the following sections; except that, the Planning Commission may waive specific requirements in certain cases if found to be unnecessary. (Ord. 4486, approved 10-14-1971)

§ 1377.02 SKETCH PLAN REQUIREMENTS.
Sketch plans shall show the following data, legibly drawn to scale, but not necessarily showing precise dimensions:
(a) Name of the subdivision or land development;
(b) Name and address of the owner;
(c) Name and address of the engineer, surveyor, architect or other person responsible for preparing the plan;
(d) Tract boundaries;
(e) North point and date;
(f) Location map;
(g) Streets on and adjacent to the tract;
(h) Significant topographical and physical features;
(i) Proposed general street layout;
(j) Proposed general lot layout or building layout; and
(k) Contours based on U.S.G.S. topography when requested by the Planning Commission. (Ord. 4486, approved 10-14-1971; Ord. 5508, approved 1-31-1991)
§ 1377.03 PRELIMINARY PLAN REQUIREMENTS.

The preliminary subdivision or preliminary land development plan shall be at a scale of 100 feet to one inch or larger. Smaller map scales are permissible in the case of large development when approved by the Planning Commission.

(a) Existing conditions data shall include the following:

1. Boundary lines with bearings and distances; existing monuments;*
2. Easements: location, width, purpose;*
3. Streets on and adjacent to the tract;*
4. Utilities on and adjacent to the tract;*
5. Ground elevations on the tract based on a datum plane approved by the Commission. Contours shall be at an interval of not less than five feet for land sloping more than approximately 2%. For land sloping less than 2%, show contours with an interval of not more than two feet;
6. Subsurface conditions of the tract: show location and results of tests made to ascertain subsurface soil, rock and ground water conditions; location and results of soil percolation tests, if individual on lot sewage disposal systems are proposed, shall conform to the minimum requirements for individual water-supply and sewage disposal systems specified by the Federal Housing Administration;
7. Proposed public improvements: highways or other essential services planned by public authorities for future construction on or near the tract;
8. Title and certificates: present tract designation according to official records in the office of the appropriate recorder; scale, north point, bench marks, date of survey, certification of survey by registered surveyor or engineer as required;
9. Gross acreage of development;
10. Name and address of developer and owner;*
11. A location map;*
12. Proposed name of subdivision or land development;
13. Location, character of existing buildings, species and size of large trees standing alone, the outline of all wooded areas, quarries, marshy areas, areas subject to inundation and other data which may serve to affect the street or building layout; and
14. Name and address of the registered professional engineer, land surveyor, registered architect or other person responsible for preparation of the plan.

(b) Proposed layout shall include the following:

1. The layout of streets, including the name and width of streets, alleys and crosswalks;
2. The layout and approximate dimensions of lots;*
3. The arrangement of buildings and parking areas in commercial and multi-family developments, with all necessary dimensions noted on the plan;
4. Applicable zoning requirements and the location of zoning district boundary lines affecting the subdivision;
5. A reference to any land dedicated for public use or offered for dedication for parks, recreation areas, schools, widening of streets or other public uses;
6. For multi-family developments, the total area, total dwelling units, number of buildings, proposed density, total parking spaces, building coverage and the floor area ratio shall be on the plan;
7. For subdivisions, the total area, number of lots, average and minimum lot size and proposed length of new streets shall be noted on the plan;
(8) Location and size of storm drains, sanitary sewers, culverts, watercourses and all appurtenances thereof, on site sewage disposal facilities, gas mains, water mains, fire hydrants, street lights, planting, special structures and other underground conduits or structures;

(9) Building setback lines established by zoning or other ordinances or deed restrictions with distances from the right-of-way line;*

(10) An indication of any lots in which other than a residential use is intended;

(11) Rights of way and/or easements proposed to be created for all drainage purposes, utilities or other pertinent reasons;

(12) Tentative typical cross-sections and centerline profiles for each proposed street shown on the preliminary plan. These plans may be submitted as separate sheets;

(13) Where the preliminary plan covers only a part of the owner’s entire holding, a sketch shall be submitted of the prospective street layout for the remainder;

(14) The words “Preliminary Plan - Not to be Recorded” shall be shown on the plan; and

(15) Draft of protective covenants shall be submitted whereby the developer proposes to regulate the land use in the subdivision and otherwise protect the proposed development.

*Minor subdivision requirements are limited to items with an asterisk.

(Ord. 4486, approved 10-14-1971; Ord. 5508, approved 1-31-1991)

§ 1377.04 FINAL PLAN REQUIREMENTS.

The final plan shall be drawn in an indelible medium on sheets of quality paper 18 by 24 inches or six-inch multiples thereof and shall be at a scale of 100 feet to one inch or larger. Where necessary, the plan may be on several sheets, accompanied by an index sheet showing the entire subdivision or land development.

(a) General information to be shown:

(1) Name of the subdivision or land development;

(2) Name, address and certification of title of the owner;

(3) Name and address of the engineer, surveyor, architect or other person responsible for preparing the plan, plus appropriate certification;

(4) Date, north point and scale; and

(5) A location map for the purpose of locating the site to be subdivided or developed.

(b) Existing primary features:

(1) The location, names and widths of streets; the location and name of railroads; the location of property lines and names of adjacent owners; the location of watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided or developed;

(2) Location, size and ownership of all underground utilities and any rights-of-way within the property; and

(3) Location and character of existing buildings, location and size of trees, the outline of all wooded areas, quarries, marshy areas, areas subject to inundation and other data.

(c) Proposed layout:

(1) Lot layout, including dimensions and bearings and consecutive numbering of lots;

(2) The proposed names, cartway width and right-of-way width of all proposed streets;
(3) The arrangement of buildings and parking areas in commercial and multi-family developments, with all necessary dimensions noted on the plan;

(4) Sufficient data to determine readily the location, bearing and length of every street, lot and boundary line;

(5) The proposed building setback line for each street or the proposed location of each building;

(6) Accurate locations of all monuments, one to be placed at each change in direction of boundary, two to be placed at each street intersection and one on one side of each street at angle points and at the beginning and end of curves. Utility easements shall be monumented at their beginning and end, and areas to be conveyed for public use shall be fully monumented at their external boundaries;

(7) The location, width and purpose of all easements or rights of way and boundaries by bearings and dimensions;

(8) For multi-family developments, the total area, total dwelling units, number of buildings, proposed density, total parking spaces, building coverage and the floor area ratio shall be noted on the plan;

(9) For subdivisions, the total area, number of lots, average and minimum lot size and proposed length of new streets shall be noted on the plan;

(10) The location, size and invert elevations of all sanitary sewers, storm sewers and locations of all manholes, inlets and culverts and the design calculations of same, along with the plan and profile of same and any appurtenances;

(11) The location of all existing and proposed fire hydrants and utilities;

(12) Typical cross-sections and street profiles for all streets. Such profiles shall show the existing and proposed grades along the proposed street centerlines;

(13) Areas reserved as open space, together with material required by § 1381.03;

(14) Areas dedicated to public usage, together with appropriate deeds of dedication;

(15) An improvement plan showing grading pavement and curb lines, sidewalks with dimensions of all utilities, property designated and with sizes noted, lots numbered and streets identified, at the same scale as the final plan of lots, is required;

(16) If the construction requirements are not completed, a bond, executed by a surety company consisting of cash or securities satisfactory to the Director of Finance and Personnel, shall be furnished, equal to the cost of construction plus engineering fees for layout and inspection, based on an estimate furnished by the Director of Community and Economic Development. This bond shall be accepted on the basis that the improvements will be completed within one year, and in the event they are not completed, the city will proceed with the work, and the owner and/or bond will be liable for the costs thereof;

(17) Protective covenants in final form for recording in the office of the Lycoming County Recorder of Deeds, shall be presented; and

(18) Other data is required such other certificates, affidavits or endorsements as may be required by the Planning Commission or Council.

(Ord. 4486, approved 10-14-1971; Ord. 5022, approved 1-31-1980; Ord. 5508, approved 1-31-1991)
§ 1377.05 FLOOD DAMAGE CONTROL INFORMATION.

(a) Purpose. The specific purpose of these special provisions is:

(1) To regulate the subdivision and development of flood-prone areas in order to promote the general health, welfare and safety of the city;

(2) To require that each subdivision lot in a flood-prone area be provided with a safe building site with adequate access; and that public facilities which serve such uses be designed and installed to preclude flood damage at the time of initial construction; and

(3) To protect individuals from buying lands which are unsuitable for use because of flood hazards by prohibiting the subdivision or development of unprotected flood-prone lands.

(b) Abrogation and greater restrictions. This section supersedes any ordinances currently in effect in flood-prone areas. However, any underlying ordinance shall remain in full force and effect to the extent that those provisions are more restrictive.

(c) Municipal liability. The grant of a permit or approval of a subdivision or land development plan in the identified flood-prone area(s) shall not constitute a representation, guarantee or warranty of any kind by the city or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the city, its officials or employees.

(d) Pre-application procedures.

(1) Prior to the preparation of any plans, it is suggested that prospective developers consult with the Pennsylvania Department of Environmental Resources concerning soil suitability when on-site sewage disposal facilities are proposed.

(2) Prospective developers shall consult the County Conservation District representative concerning erosion and sediment control and the effect of geologic conditions on the proposed development. At the same time a determination should be made as to whether or not any flood and/or mudslide hazards either exist or will be created as a result of the subdivision or development.

(e) Preliminary plan requirements.

(1) The following information shall be required as part of the preliminary plan and shall be prepared by a registered engineer or surveyor:

(A) A map showing the location of the proposed subdivision or land development with respect to the city’s flood-prone areas including information on, but not limited to, the regulatory flood elevations, boundaries of flood-prone areas, proposed lots and sites, fills, flood or erosion protective facilities, and areas subject to special deed restrictions. Within general floodplain area the regulatory flood elevations shall be established as a point on the boundary of general floodplain area which is closest to construction site in question (as delineated in § 1332.06 of the Planning and Zoning Code).

(B) Where the subdivision or land development lies partially or completely in the flood-prone area or where the subdivision or land development borders on the flood-prone area, the preliminary plan map shall include detailed information giving the location and elevation of proposed roads, public utilities and building sites.

(2) All such maps shall also show contours at intervals of two or five feet depending upon the slope of the land and identify accurately the boundaries of the flood-prone area.

(f) Final plan requirements. The following information shall be required as part of the final plan and shall be prepared by a registered engineer or surveyor:

(1) All information required for the submission of the preliminary plan incorporating any changes requested by the city; and
(2) A map showing the exact location and elevation of all proposed buildings, structures, roads and public utilities to be constructed in flood prone area. All such maps shall show contours at intervals of two feet and identify accurately the boundaries of the flood-prone area.

(Ord. 4866, approved 11-18-1977)
§ 1379.01 CONFORMANCE REQUIRED.

The design standards to which all plans must conform in order that they be approved by the Planning Commission are as contained in this article. The requirements of the Zoning Ordinance, both the general requirements and the requirements for the district in which the development is located, shall also be met. (Ord. 4486, approved 10-14-1971)

§ 1379.02 STREETS.

The arrangement, character, extent, width, grade and location of all streets shall conform to the Comprehensive Plan and shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety and in their appropriate relation to the proposed uses of the land to be served by such streets. In all cases, streets shall be designed to meet the needs of all users, including not only motor vehicles but also pedestrians, bicyclists and transit users of all ages.
and abilities. This shall apply to all new streets and to the reconstruction, rehabilitation, repair and maintenance of existing streets.

(a) Where such is not shown in the Comprehensive Plan, the arrangement of streets in a subdivision shall either:

   (1) Provide for the continuation or appropriate projection of existing streets and surrounding areas;

   (2) Conform to a plan for the neighborhood or planning district prepared by the Planning Commission where topographical or other conditions exist that make continuance of or conformation to existing streets impractical; or

   (3) Conform, in the case of multi-family housing projects, industrial developments, commercial districts, unit group projects and the like to a plan approved by the Planning Commission.

(b) No residential street shall be laid out in such a way as to permit or encourage its use by through traffic.

(c) Where a subdivision abuts or contains an arterial street shown on the Comprehensive Plan, the Commission may require a non-access reservation or “buffer strip” containing screen planting along the rear property line, deep lots with rear service ways or such other treatment as may be necessary for adequate protection of residential properties and will afford separation of thru and local traffic.

(d) Where a subdivision borders along or contains a controlled access highway right-of-way as shown on the general street plan for the location of streets (Ord. 2888, 8-24-1961, and all future locations), the Commission may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land. Portions of such width shall be greater where approach grades and future grade separations require additional width.

(e) Reserve strips controlling the access to streets shall be prohibited except where their control is definitely placed under the jurisdiction of the city with conditions approved by the Commission.

(f) Street jogs with centerline offsets of less than 125 feet shall be avoided; residential streets shall intersect collector streets at “T” street intersections if possible.

(g) A tangent at least 50 feet long shall be introduced between reverse curves on residential streets.

(h) When connecting street lines deflect from each other at any one point, they shall be connected by radial curves adequate to ensure a sight distance of not less than 100 feet for collector streets, 50 feet for residential streets and of such greater radii as the Commission determines for special cases.

(i) Streets shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 60 degrees. Not more than two streets shall converge at one intersection.

(j) Street intersections shall be rounded with radii of:

<table>
<thead>
<tr>
<th>Street Type</th>
<th>Radii (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial</td>
<td>50</td>
</tr>
<tr>
<td>Collector</td>
<td>35</td>
</tr>
<tr>
<td>Lane or alley</td>
<td>10</td>
</tr>
<tr>
<td>Local</td>
<td>15</td>
</tr>
<tr>
<td>Marginal access</td>
<td>15</td>
</tr>
</tbody>
</table>
(k) Street right-of-way widths, pavement and sidewalk widths shall be the minimum specified hereafter.

<table>
<thead>
<tr>
<th>Street Type</th>
<th>Right-of-Way Width (Feet)</th>
<th>Pavement Width (Feet)*</th>
<th>Width of Paved Sidewalk (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial</td>
<td>Pa. Department of Transportation</td>
<td>60</td>
<td>42</td>
</tr>
<tr>
<td>Collector</td>
<td>60</td>
<td>42</td>
<td>5 residential area</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>10 commercial area</td>
</tr>
<tr>
<td>Cul-de-sac</td>
<td>50***</td>
<td>26**</td>
<td>4</td>
</tr>
<tr>
<td>Lane or alley</td>
<td>20</td>
<td>20</td>
<td>None</td>
</tr>
<tr>
<td>Local</td>
<td>50</td>
<td>26**</td>
<td>4</td>
</tr>
<tr>
<td>Marginal access</td>
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<td>4</td>
</tr>
<tr>
<td>Pedestrian way</td>
<td>20</td>
<td>-</td>
<td>4</td>
</tr>
</tbody>
</table>

**NOTES TO TABLE:**

*Measured from face of curb to face of curb for vertical curbs and from beginning of taper or roll for built-up rolled curbs.
**In areas where off-street parking requirements cannot be met, the pavement width shall be increased 10 feet.
***See subsection (m) hereof for turnaround requirements.

(l) Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and where the Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract. Where the subdivision abuts on an existing street, developers shall allow a right-of-way from the center of such road equal to one-half that required by the classification into which such road falls, as outlined herein.

(m) Cul-de-sac streets shall not normally be longer than 600 feet. All cul-de-sacs shall be provided at the closed end with a turnaround having an outside right-of-way diameter of at least 90 feet and a cartway diameter of 56 feet. Where cul-de-sac streets exceed 600 feet, larger turnarounds and additional turnarounds may be required.

(n) No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the Commission.

(o) Streets shall not have a grade of less than 1%, nor exceed the following grades unless approved by the Engineering Department.

<table>
<thead>
<tr>
<th>Street Type</th>
<th>Percent of Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial</td>
<td>As required by Commonwealth Standards</td>
</tr>
<tr>
<td>Collector</td>
<td>10</td>
</tr>
</tbody>
</table>
(p) When a street designated as an official bike route by resolution of City Council is resurfaced, repainted, reconstructed, repaired or otherwise rehabilitated, City Council may require that appropriate bicycle markings be incorporated into the street design.

(q) The Engineering Department and Public Works Department shall consult the most current editions of the following engineering manuals as design guidelines to accommodate all street users:

1. Designing Walkable Urban Thoroughfares, Institute of Transportation Engineers;
2. Urban Street Design Guide, National Association of City Transportation Officials;

(Ord. 4486, approved 10-14-1971; Ord. 5023, approved 1-31-1980; Ord. 6328, approved 6-8-2017)

§ 1379.03 ACCESS DRIVEWAYS.

(a) Conformance to state standards. Except as provided in this article, all access driveways on public streets shall conform to the Commonwealth of Pennsylvania Department of Transportation Annex No. 1 to the Manual for Highway Occupancy Permits, Regulations Governing Construction of Access Driveways Within the Right-of-Way of State Highways, with the latest revisions, which is hereby made a part of these regulations. The term “commercial” includes all non-residential uses.

(b) Governing standards.

<table>
<thead>
<tr>
<th>Type of Development</th>
<th>Minimum Width (Feet)</th>
<th>Curb Radius</th>
<th>Maximum Grade (%)</th>
<th>Corner Clearance/Interior Island (Feet)</th>
<th>Edge Clearance (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td>5 min.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(0 - 5 du/acre)</td>
<td>8</td>
<td>20 max.</td>
<td>8</td>
<td>30 min.</td>
<td>10 min.</td>
</tr>
<tr>
<td>Residential</td>
<td>12 (1-way)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(over 5 du/acre)</td>
<td>24 (2-way)</td>
<td>20 max.</td>
<td>5</td>
<td>30 min.</td>
<td>10 min.</td>
</tr>
<tr>
<td>Commercial</td>
<td>12 (1-way)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>24 (2-way)</td>
<td>50 max.</td>
<td>5</td>
<td>30 min.</td>
<td>15 max.</td>
</tr>
</tbody>
</table>

(c) Closeness to intersection. No driveway shall be closer to the intersection of any two street lines than twenty feet, measured along the street line.
(d) Maneuvering area. Access driveways and parking areas shall be designed to provide ample maneuvering area off the right-of-way to allow vehicles to enter the roadway without backing out and turning on the right-of-way. This provision may be waived in specific cases on streets not designated distributor roads or local streets at the discretion of the Planning Commission.

(e) Common driveway. A common driveway serving two adjoining lots may be permitted; provided that, the lot owners submit to the Administrative Officer an instrument duly executed and acknowledged subjecting such lots to such use.

(f) Application for driveway.

1. Applications for access driveways on public streets shall be submitted by the Administrative Officer to the Engineering Department and the Commission for their review and recommendation.

2. Applications for access driveways on U.S. and Pennsylvania highways may be submitted by the city to the District Transportation Engineer for his or her review and recommendation.

(g) Barriers. Where necessary due to the location of driveways and parking areas, a suitable substantial barrier, such as a raised curb, pipe railing, bollards or wall, shall be installed to prevent vehicular access, except at permitted driveways, to prevent encroachment of vehicles onto sidewalks and elsewhere as may be required by the Administrative Officer in order to protect pedestrians and structures; all such barriers shall be approved by the Administrative Officer.

(h) Property adjoining distributor roads. For property adjoining arterial or collector streets where an adequate Gradeary means of access is provided, such as another street or an alley, and where it would not cause undue inconvenience or disadvantage as compared to similar premises or uses on the same road, access driveways should be located on such secondary streets and alleys.

(Ord. 4486, approved 10-14-1971; Ord. 5024, approved 1-31-1980)

§ 1379.04 PARKING LOTS.

(a) Automobile parking facilities shall be provided off-street in accordance with the requirements of the Zoning Ordinance.

(b) At no time shall angle or perpendicular parking be permitted along the public streets. All parking lots and bays permitting parking other than parallel shall be physically separated from the street and confined by curbing.

(c) No one area for off-street parking of motor vehicles shall exceed 36 cars in capacity. Separate areas on a parcel shall be physically separated from one another by planting strips in accordance herewith.

(d) No less than ten feet of open space shall be provided between the curb line of any parking area and the outside wall of any dwelling unit.

(e) Parking lot dimensions shall be no less than those listed in the following table.

<table>
<thead>
<tr>
<th>Angle of Parking (Degrees)</th>
<th>Parking Feet</th>
<th>Driveway (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Stall Width</td>
<td>Stall Depth</td>
</tr>
<tr>
<td>90</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>60</td>
<td>9</td>
<td>21</td>
</tr>
<tr>
<td>45</td>
<td>9</td>
<td>20</td>
</tr>
<tr>
<td>Angle of Parking (Degrees)</td>
<td>Parking Feet</td>
<td>Driveway (Feet)</td>
</tr>
<tr>
<td>---------------------------</td>
<td>--------------</td>
<td>-----------------</td>
</tr>
<tr>
<td></td>
<td>Stall Width</td>
<td>Stall Depth</td>
</tr>
<tr>
<td>30</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>Parallel</td>
<td>8</td>
<td>22</td>
</tr>
</tbody>
</table>

(f) All dead-end parking lots shall be designed to provide sufficient back-up area for the end stalls of the parking lots.

(g) Parking areas shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle.

(h) No less than a five-foot radius of curvature shall be permitted for all curb lines in all parking areas.

(i) Except at entrance and exit drives, all parking areas shall be set back from the street line at least five feet.

(Ord. 4486, approved 10-14-1971; Ord. 5870, approved 5-16-2002)

**Cross-reference:**

Similar provisions, see §§ 1344.06 and 1345.03

§ 1379.05 EASEMENTS.

(a) Easements across lots or centered on rear or side lines shall be provided where necessary as determined by the Planning Commission and shall be at least 15 feet wide.

(b) Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a storm water easement for drainage with a right-of-way conforming substantially with the lines of such watercourse and such further width for construction as will be adequate for the purpose. Parallel streets may be required in connection therewith.

(c) All easements shall be clearly identified as to purpose.

(Ord. 4486, approved 10-14-1971)

§ 1379.06 BLOCKS.

(a) The lengths, widths and shapes of blocks shall be determined with due regard to:

(1) Provision of adequate building sites suitable to the special needs of the type of use contemplated;

(2) Zoning requirements as to lot sizes and dimensions;

(3) Needs for convenient access, circulation control and safety of street traffic; and

(4) Limitations and opportunities of topography.

(b) Blocks lengths shall not normally exceed 1,800 feet or be less than 400 feet.

(c) Pedestrian ways not less than 20 feet wide shall be required where deemed essential to provide circulation, access to schools, playgrounds, shopping centers, transportation and other community facilities.

(d) Blocks shall have sufficient width to provide for two tiers of lots.

(Ord. 4486, approved 10-14-1971)
§ 1379.07 LOTS.

The lot size, width, depth, shape and orientation and the minimum yard requirements shall be appropriate for the location of the subdivision and the type of development and use contemplated and shall be in accordance with these regulations and the Zoning Ordinance.

(a) Lot dimensions shall conform to the requirements of the Zoning Ordinance; or, if minimum lot sizes are not so required, the following requirements shall apply.

(1) In tracts subdivided into parcels containing one or more acres, parcels shall be arranged so as to allow the resubdivision of any such parcels into smaller lots in accord with the provisions of these regulations.

(2) Depth and width of properties reserved or laid out for commercial or industrial purposes shall be adequate to provide for the off-street parking facilities, loading and/or unloading as required by the type of development contemplated and outlined in the Zoning Ordinance.

(b) Each lot shall abut on a public street not an alley, with satisfactory frontage and access to a public street, except in cases specifically exempted by the Zoning Ordinance or these regulations. All roads that are not public shall maintain standards as specified in § 1379.02(k). At the curved end portion of the cul-de-sac, each lot shall have at least 50 feet frontage at the property right-of-way.

(c) Double frontage and reverse frontage of lots should be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.

(d) Side lot lines shall be substantially at right angles or radial to street right-of-way lines.

(e) In areas zoned for residency, the depth to width ratio shall not exceed three and one-half to one.

(Ord. 4486, approved 10-14-1971)

§ 1379.08 MULTI-FAMILY DEVELOPMENTS.

(a) Conformity to Zoning Ordinance. The density, parking and area and building requirements shall in all respects conform to the Zoning Ordinance for multi-family developments.

(b) Arrangement of buildings and facilities.

(1) All of the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and shape of the plot, the character of the adjoining property and the type and size of the buildings in order to produce a livable and economic land use pattern.

(2) Arrangement of buildings shall be in favorable relation to the natural topography, existing desirable trees, views within and beyond the site and exposure to the sun and other buildings on the site. Grading around buildings shall be designed to be in harmony with natural topography, at the same time assuring adequate drainage and safe and convenient access.

(c) Access and circulation.

(1) Access to the dwellings and circulation between buildings and other important project facilities for vehicular and pedestrian traffic shall be comfortable and convenient for the occupants.

(2) Access and circulation for fire-fighting equipment, furniture moving vans, fuel trucks, garbage collection, deliveries and snow removal shall be planned for efficient operation and convenience.

(3) Walking distance from the main entrance of building to a street, driveway or parking area shall usually be less than 100 feet; exception to this standard should be reasonable justified by compensating advantages, such as desirable views and site preservation through adaptation to topography. In no case shall the distance exceed 250 feet.
(d) **Yards.** Yards shall assure adequate privacy, desirable outlook, adequate natural light and ventilation, convenient access to and around the dwellings and other essential uses.

(e) **Streets, driveways, parking.** Streets, driveways and parking areas shall be as specified in other sections of this article.

(f) **Sidewalks.**

1. Street sidewalks and on site walks shall be provided for convenience and safe access to all living units from streets, driveways, parking areas or garages and convenient circulation and access to all project facilities.
2. Width, alignment and gradient of walks shall provide safety, convenience and appearance for pedestrian traffic.
3. The alignment and gradient of walks shall be coordinated with the grading plan to prevent the passage of concentrated surface water on or across the walk and to prevent the pocketing of surface water by walks.

(g) **Planting.** The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen out objectionable features.

(Ord. 4486, approved 10-14-1971)

§ 1379.09 **NON-RESIDENTIAL DEVELOPMENTS.**

(a) Lotting of individual lots for commercial purposes shall be avoided in favor of a comprehensive design of the land to be used for such purposes.

(b) In the arrangement of buildings and facilities all of the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and shape of the plot, the character of the adjoining property and the type and size of the buildings in order to produce a livable and economical land use pattern.

(c) Additional width of streets adjacent to areas proposed for non-residential use may be required as deemed necessary by Council to assure the free flow of through traffic from vehicles entering or leaving parking areas.

(d) When adjacent lots proposed for non-residential uses front on a collector or arterial street, the owner may be required to provide a service road for ingress and egress; or, in lieu thereof, the owner may be required to provide an area adjacent to the proposed lots for off-street parking purposes.

(e) (1) Alleys shall be required in commercial and industrial districts, except where other adequate provision is made for off-street loading and parking consistent with the use proposed.

(2) Dead-end alleys shall be avoided; but where this proves impossible, they shall be terminated with a paved turn-around of adequate dimensions.

(f) Every effort shall be made to protect adjacent residential areas from potential nuisance of the proposed non-residential developments, including the provisions of extra depths in parcels backing up on existing or potential residential developments and provisions for a permanently landscaped evergreen buffer strip.

(g) Streets carrying non-residential traffic shall not normally be extended to the boundaries of the adjacent existing or potential residential areas or connected to streets intended for predominantly residential traffic.
(h) When possible, parking areas shall be located or designed in such a manner that they are visibly secluded from eye level of the surrounding area. Grading to depress the parking area, raised berms, landscaping or fencing are satisfactory methods to create such seclusion.

(i) All area, design and parking requirements shall conform to the Zoning Ordinance. (Ord. 4486, approved 10-14-1971)

§ 1379.10 FLOOD DAMAGE CONTROL MEASURES.

(a) Design standards and improvements generally.

(1) Where not prohibited by this or any other laws or ordinances, land located in flood-prone area(s) may be platted for development with the provision that the developer construct all buildings and structures to preclude flood damage in accordance with this and any other laws and ordinances regulating such development.

(2) Building sites for residences or any other type of dwelling or accommodation shall not be permitted in any floodway area. Sites for these uses may be permitted outside the floodway area if the sites or dwelling units are elevated to a height at least one and one-half feet above the elevation of the 100-year flood. If fill is used to raise the elevation of a site, the fill area shall extend out laterally for a distance of at least 15 feet beyond the limits of the proposed structures.

(3) Building sites for structures or buildings other than for residential uses shall also not be permitted in any floodway area. Also such sites for structures or buildings outside the floodway shall be protected as provided for in subsection (a)(2) hereof. However, Council may allow the subdivision or development of areas or sites for commercial and industrial uses at an elevation less than one and one-half feet above the one hundred year flood if the developer otherwise protects the area to that height or assures that the buildings or structures will be flood-proofed at least up to that height.

(4) If the city determines that only a part of a proposed plat can be safely developed, it shall limit development to that part and shall require that development proceed consistent with this determination.

(5) When a developer does not intend to develop the plat himself and the city determines that additional controls are required to ensure safe development, it may require the developer to impose appropriate deed restrictions on the land. Such restrictions shall be inserted in every deed and noted on every recorded plat.

(6) The plan shall show the boundary of the 100-year floodplain utilizing the Type 15 Flood Insurance Study.

(b) Excavation and grading. Where any excavation or grading is proposed or where any existing trees, shrubs or other vegetative cover will be removed, the developer shall consult the County Conservation District representative concerning plans for erosion and sediment control and to also obtain a report on the soil characteristics of the site so that a determination can be made as to the type and degree of development the site may accommodate.

(c) Alteration of streams or watercourses. No alteration or relocation of a stream or watercourse can take place without obtaining the required permit from the Department of Environmental Resources. Prior to such alteration or relocation, adjacent communities, the State Department of Community Affairs and Federal Insurance Administration shall be notified. Under no circumstance shall any alteration or relocation take place which will lower the flood carrying capacity.
(d) Streets. The finished elevation of proposed streets shall be not more than two feet below the 100-year flood elevation. The city may require, where necessary, profiles and elevations of streets to determine compliance with this requirement. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.

(e) Sewer facilities. All sanitary sewer systems located in flood-prone areas, whether public or private, shall be flood-proofed up to a point one and one-half feet above the 100-year flood.

1. The city may prohibit installation of sewage disposal facilities requiring soil absorption systems where such systems will not function due to high ground water, flooding or unsuitable soil characteristics. The city may require that the developer note on the face of the plat and in any deed of conveyance that soil absorption fields are prohibited in designated areas.

2. The city may prescribe adequate methods for waste disposal. If a sanitary sewer system is located on or near the proposed subdivision and/or land development, the city shall require the developer to provide sewage facilities to connect to this system where practical, and shall prescribe the procedures to be followed by the developer in connecting to the system.

(f) Water facilities. All water systems located in flood prone areas, whether public or private, shall be flood-proofed to a point one and one-half feet above the 100-year flood elevation. If there is an existing public water supply system on or near the subdivision, the city shall require the developer to connect to this system where practical, and shall prescribe the procedures to be followed by the developer in connecting to the system.

(g) Other public utilities and facilities. All other public and/or private utilities and facilities shall be elevated or flood-proofed to a point one and one-half feet above the 100-year flood elevation.

(h) Drainage facilities.

1. Storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property. The system shall ensure drainage at all points along streets, and provide positive drainage away from buildings and on-site waste disposal sites.

2. Plans shall be subject to the approval of city. The city may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.

(Ord. 4866, approved 11-18-1977)

§ 1379.11 DESIGN STANDARDS FOR CENTRAL BUSINESS DISTRICT.

(a) General.

1. The purpose of these design standards is to guide the design of buildings constructed in the CBD Zoning District to ensure that, through appropriate use of facades, windows, building orientation and architectural details, new structures and alterations of existing structures are physically and visually compatible with other buildings within the downtown business district. Existing buildings in the downtown area reflect a distinctive but varied set of Nineteenth and Twentieth Century architectural styles. It is the desire of the city to have buildings that are sensitive to the existing architectural styles.

2. These standards are intended to encourage quality design in new building construction, enhance street safety and provide a comfortable street environment by providing features of interest to pedestrians. Good design results in buildings that are in visual harmony with nearby buildings, leading
to a central downtown district that is attractive, interesting, active and safe. These qualities, in turn, contribute to the creation of a downtown core that facilitates easy pedestrian movement and establishment of a rich mixture of uses.

(b) **Dimensional standards.**

1. Lot area, lot width, and lot depth: as specified in the CBD zoning district.
2. Setbacks: new construction and infill buildings must maintain the alignment of facades within 18 inches along the sidewalk edge. Exceptions may be granted if the setback is pedestrian-oriented and contributes to the quality and character of the streetscape. An example would be for outdoor dining.
3. Building height: the minimum height of a structure at the sidewalk edge shall be 18 feet or the average height of the buildings on that block, whichever is higher.

(c) **Pedestrian accessibility.**

1. Buildings shall maintain and enhance the pedestrian scale and orientation of the downtown core.
2. Special attention shall be given to designing a primary building entrance, which is both attractive and functional.
3. Buildings located at the intersection of two streets shall consider the use of a corner entrance to the building.
4. Pedestrian environment may be enhanced by street furniture, landscaping, awnings and movable planters of seasonal flowers.

(d) **Compatibility with existing downtown businesses.** The size and shape of proposed construction shall be comparable with the size and shape of surrounding buildings. Where building sizes will not be equivalent or comparable, larger building facades shall be broken down into units that resemble the size of existing storefront facades. Likewise, the form of new construction shall complement the general shape of existing, nearby storefront buildings and their features.

(e) **Building materials and colors.**

1. Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features and exterior finishes shall create the appearance of several smaller buildings.
2. Exterior building materials shall convey an impression of durability. Materials such as masonry, stone, stucco and wood are encouraged. Metal siding is not permitted as the primary exterior building material, but metal may be used for accents including awnings. Other materials not permitted as primary wall surfaces are: vinyl siding; cast block; glass block; faux stone; plywood sheathing; chipboard or wood composite sheathing; plastic composite sheathing; fiberglass panels; board-and-batten; or rough wood surfaces. Cast block, glass block and other materials and treatments may be used on a minority of the surfaces within the facade for the purpose of providing decorative elements or visual breaks.
3. Where masonry is used for exterior finish, decorative patterns should be incorporated. Examples of these decorative patterns include multicolored masonry units such as brick, stone or cast stone, in layered or geometric patterns or split-faced concrete block to simulate a rusticated stone-type construction.
4. Wood siding must be bevel, shingle siding or channel siding and must not be applied in a diagonal or herringbone pattern. T-111 style siding is not permitted.
(5) Preferred colors for exterior building finishes are earth tones, creams and pastels of earth
tones. High-intensity primary colors and metallic colors may be utilized as trim and detail colors but
shall not be used as primary wall colors.

(f) Roof materials, parapets and roof pitch.
   (1) Pitched roof structures shall have a minimum roof pitch of 6:12.
   (2) Flat roofs are permitted with detailed parapets or detailed brick coursing.
   (3) Visible sloped roofs must be a “non-color”: gray; black; or dark brown.
   (4) Visible roof materials must be slate, tile, wood or architectural grade composition shingle,
or sheet metal with standing or batten seam.
(5) All roof and wall-mounted mechanical, electrical, communications and service equipment,
including satellite dishes and vent pipes, must be screened from public view by parapets, walls or by
other approved means consistent and compatible with the architectural style of the building.
(6) The design should be applicable to a variety of business and/or residential uses and not
specific to one business or corporate entity. Roof outlines or materials, which serve as a business or
corporate identity, are not permitted.

(g) Building facades.
   (1) Building entrances must be architecturally emphasized and visible from the street.
   (2) Ornamental devices, such as molding, entablature and friezes, are encouraged at the
roofline.
   (3) Alcoves, porches, arcades and the like. Buildings should incorporate features such as
arcades, roofs, porches, alcoves, porticoes and awnings to protect pedestrians from the rain and sun.
Awnings and entrances may be designed to be shared between two structures.
   (4) For buildings designed to house retail, service or office businesses, traditional storefront
elements are required. These elements include:
      (A) Clearly delineated upper and lower facades;
      (B) A lower facade dominated by large display windows and a recessed entry or entries;
      required window areas must be either windows that allow views into working areas, or lobbies,
pedestrian entrances or display windows;
      (C) Smaller, regularly spaced windows in the upper floor(s); and
      (D) Decorative trims, such as window hoods, surrounding upper floor windows.

(h) Windows. All new buildings must provide ground floor windows on any elevation abutting the
street. Windows, which allow views to the interior activity or display areas, are encouraged. Windows
should include architecturally appropriate trim or molding around the perimeter, sills at the bottom and
pediments at the top. If this is not possible, then some compensatory element must be added. Reflective
glass and painted or darkly tinted glass are discouraged.

(i) Landscaping/streetscape.
   (1) Benches, outdoor seating and trash receptacles must complement the existing ornamental
street lighting and be in keeping with the overall architectural character of the downtown.
   (2) Benches and other streetscape items may be placed within the public right-of-way, but must
not block free movement of pedestrians. A minimum pedestrian walkway width of five feet must be
maintained at all times.

(j) Lighting.
   (1) All building entrances and exits must be well lighted.
   (2) Exterior lighting must be an integral part of the architectural design of the structure.
(3) Minimum lighting level in accordance with Art. 1344 and 1346.

(k) External storage. The external storage of merchandise and/or materials directly or indirectly related to a business is prohibited.

(l) Outdoor seasonal displays of merchandise. Outdoor seasonal displays of merchandise are permitted during business hours only. A minimum pedestrian walkway width of five feet must be maintained at all times.

(m) Trash and recycling storage. Each structure shall provide for collection of its trash and recyclable materials within the boundaries of each parcel. All trash collection areas must be located within the structure, or behind the building in an enclosure, in accordance with Art. 1151. On the street level, mechanical elements, refuse storage areas and loading dock areas must be out of view of pedestrians. This should be a part of the building design and not simply added fencing.

(n) Signage. In accordance with § 1346.06(i).

(o) Additional requirements. The above provisions shall be applicable to any construction or change in use subject to site and design review. The Planning Commission of the City of Williamsport will evaluate construction for compliance with these provisions and the zoning ordinance, subject to acceptance by Williamsport City Council.

(Ord. 6133, approved 4-30-2009)

§ 1379.12 CERTIFICATES OF APPROPRIATENESS, APPEALS AND ENFORCEMENT RELATING TO FACADE, SIGNS AND AWNING DESIGN STANDARDS FOR THE CENTRAL BUSINESS DISTRICT.

(a) Recommendation to Council; certificate of appropriateness. Upon receipt of the written advice or recommendations of the Planning Commission relating to facade, signs and awnings, Council shall consider at a regular or special meeting the question of issuing to the Building Inspector a certificate of appropriateness authorizing a permit for the work covered by the application. The City Clerk shall give the applicant not less than five days’ written notice of the time and place of the meeting at which his or her application will be considered and of the fact that he has the right to attend and be heard as to his or her reasons for filing the same. However, the applicant may execute and file a written waiver of the five-day notice requirement if he or she elects to do so in order that the meeting may be scheduled at an earlier date. In determining whether or not to certify to the appropriateness of the proposed erection, reconstruction, alteration, restoration, demolition or razing of all or part of such building, Council shall consider the same factors as the Planning Commission as set forth in the report of the Commission. If Council approves the application, it shall issue a certificate of appropriateness authorizing the Building Inspector to issue a permit for the work covered. If Council disapproves, it shall do so in writing, giving reasons therefor; and a copy thereof shall be given to the applicant and to the Building Inspector. The disapproval shall indicate what changes in the plans and specifications would meet the conditions for protecting the distinctive central business district character. In any event, Council shall render its decision no later than 30 days from receipt of the written recommendations of the Board.

(b) Appeal from disapproval. Upon receipt of the written disapproval of Council, the Building Inspector shall disapprove the application for a building permit and so advise the applicant. The applicant may appeal from the disapproval as provided by the Local Agency Law (2 Pa.C.S.A. §§ 101 et seq.).
(c) **Enforcement.** The Building Inspector shall have the power to institute any proceedings at law or in equity necessary for the enforcement of this article in the same manner as in his or her enforcement of other building, zoning or planning legislation or regulations of the city.

(Ord. 6131, approved 4-30-2009)
**Land Development ~ Sub Division ~ Façade Flow Chart**

- Land Developments / Sub Divisions
- Façade Signs / Awnings (CBD only)
- Planning Commission
  
  *Design Standards Apply Only to the CBD*

- Recommendation to Council
  Normal Land Developments
  Review with Appeal*
  *See Exhibit B ~ Appeals Process

- Certificate of Appropriateness*
  Approval/Disapproval with Appeal*
  *See Exhibit C for Form

*Planning Commission meets every two weeks. Flow chart requires no additional processing time.*

Exhibit A
City of Williamsport Bureau of Codes

Building PERMIT APPLICATION

Property Information

Type: O TEST
Owner: Zoning District
Location: 0
Phone: 9

Contractor Information

Name: Phone: 
Address: 
Electrical Inspector: Master Plumber: 

Construction Information

Appliances to be installed as a matter of habitability as indicated by the department and stores permit when deemed to create
information herein and be pursued hereafter be discussed.

Category: Type: Electrical Value: 

Gallons

1. NOTICE: This Permit is valid for 6 months from the date of issuance. This permit is to be used for the construction of a building or structure. Any part of the work not started within 6 months will be subject to a surcharge of 25% for each month that the permit is held.

2. NOTICE: All work must be completed within the time limit for the issuance of the permit. Failure to do so will result in the issuance of a stop work order.

3. NOTICE: All permits must be obtained and used for the construction of the building or structure

Exhibit C

Property Location Data:

Work Must Commence within SIX MONTHS of [Date of CC Approval]
Work To Be Completed: Two years from date of ISSUE.

The Planning Commission APPROVED this request on the ___ day of _________ 2009.

The CITY COUNCIL of the City of Williamsport APPROVED the issuance of this Certificate of Appropriateness for the above named property on the ___ day of _________ 2009.

Attest:

President
Williamsport City Council

City Clerk

Copy: Building Inspector
Chairman of Planning Commission
Secretary of Planning Commission
§ 1381.01 REQUIRED IMPROVEMENTS.

(a) No subdivision of land within the City shall be approved by the Planning Commission until certification has been received from the Director of Community and Economic Development that the improvements proposed therein are sufficient both in extent and quality to satisfy the requirements of the city and that security has been provided in an amount sufficient to ensure completion of the improvements and maintenance thereof for one year.

(b) Improvements to be installed and constructed shall include street grading, street pavement, curbs, utilities, water mains, storm sewers, sanitary sewers, sidewalks, monuments, street signs and such other improvements as may be deemed appropriate by the Commission. Specifications for the improvements covering the design, materials, installation and other conditions shall be as required by the Director of Community and Economic Development.

(Ord. 5025, approved 1-31-1980)

§ 1381.02 MINIMUM STREET IMPROVEMENT STANDARDS.

Data sheet code numbers used herein refer to Federal Housing Administration bulletin “Neighborhood Standards, Eastern Pennsylvania and Delaware” or such other standards as may be established by the city from time to time and are found in Appendix I of these regulations.

(a) Extent of improvements per data sheet SE-102.

(b) Arterial streets existing or proposed as part of Pennsylvania Department of Transportation network shall be determined after consultation with highway officials.

(c) Collector streets: 60-foot right-of-way; 42-foot pavement per data sheet SF-100. Pavement specifications: three inches wearing surface, two course, ten-inch slag base, two-course as per data sheet SL-351; concrete curb. In industrial districts, the above standards shall prevail.
(d) Residential streets: 50-foot right-of-way; 26-foot pavement per data sheet SF-100. Pavement specifications: two-inch wearing surface per data sheet SL-301, two-course eight-inch slag base, two-course concrete curb; or six-inch portland cement concrete per data sheet SL-110 with integral curbs, additional option for collector streets, portland cement concrete per data sheet SL-220 integral curbs.

(e) Marginal access streets: 40-foot right-of-way; 20-foot pavement per data sheet SF-100. Pavement specifications same as for residential streets.

(f) Grading for full right-of-way and paved areas per data sheet SG-201.

(g) Storm sewer system per accepted drainage plan and data sheet SH-201.

(h) Portland cement concrete curb required on all streets. Curbs to be of design and material approved by the Director of Community and Economic Development.

(i) Pavement base: where used with bituminous wearing surface, per data sheet SK-351.

(j) Wearing surface: bituminous concrete per data sheets SL-301 and SL-351 or portland cement concrete pavement per data sheet SL-110.

(k) Nothing in these regulations shall be construed to regulate the location or specifications of storm sewers, fire hydrants, telephone lines, natural gas lines or similar utilities; sanitary sewers shall be placed near the centerline of right-of-way unless authorized otherwise by the Director of Community and Economic Development.

(l) Utility and street improvements shall be provided in each new subdivision in accordance with the standards and requirements described and in accordance with the Comprehensive Plan.

(Ord. 4486, approved 10-14-1971; Ord. 5025, approved 1-31-1980)

§ 1381.03 OPEN SPACE MANAGEMENT.

(a) Preliminary plan. The applicant of any proposed development shall, at the time of submission of the preliminary plan, delineate on the plan those open spaces proposed for common ownership and management by an association of residents or owners and those proposed for public dedication. Council, at the time of approval of the preliminary plan, shall indicate those areas it is willing to accept for public dedication.

(b) Final plan. The applicant of any proposed development containing open space proposed for joint responsibility shall, at the time of submission of the final plan, present documents creating and governing a property owners’ organization and containing the declaration of covenants, restrictions, easements, changes and liens deemed necessary to own, manage and maintain any open space areas and any associated recreational facilities. These documents shall contain the following minimum essential provisions with respect to such organizations:

(1) Powers and duties in maintaining and administering open space and recreational facilities, administering and enforcing all covenants and restrictions and in levying, collecting and disbursing of assessments and changes;

(2) Membership and voting rights;

(3) Establishment of bond as required by § 1381.04 to guarantee the initial construction and installation of all recreation facilities within the open space areas; and

(4) Rights and duties of the city, members of the organization and other residents of the proposed development in the event of breach of any covenant or restriction,
(c) *Failure to maintain*. If any organization established to own and maintain open space or any successor organization shall breach any covenant or restriction or fail to maintain the open space in reasonable order and condition, the organization, the city and any other parties in interest shall be guided by the provisions of § 705(d) of the Pennsylvania Municipalities Planning Code.

(Ord. 4486, approved 10-14-1971)

§ 1381.04 GUARANTY.

(a) A performance bond or escrow account of sufficient size to cover the installation cost and one year’s maintenance of all street and storm drainage improvements, sanitary waste collection and treatment facilities, water mains, curbs and sidewalks, street lights, street signs and any other common improvements or facilities deemed necessary by Council and contained in the final plan shall be required before Council approves the plan for recording. Such bond or escrow shall be accompanied by a written agreement to complete all improvements indicated on the final plan.

(b) The developer shall be released from the performance bond or escrow account after all improvements have been completed and such improvements have been inspected and approved by the Director of Community and Economic Development. The Director shall file a report, in writing, with Council indicating recommended approval or rejection. In case of a subsequent rejection by Council, the developer shall be required to complete such improvements or be subject to conditions Council may impose.

(c) In the event that any required improvements are not installed as required by these regulations or in accord with the final plan or improvement agreement, the city may, at its option, install such improvements in all or part, utilizing the funds contained in such bond or escrow account. If the funds are insufficient to pay the cost, Council may institute legal action to recover the moneys necessary to complete the remainder of the improvements.

(Ord. 4486, approved 10-14-1971; Ord. 5025, approved 1-31-1980)
§ 1383.01 PURPOSE AND INTENT.
The purpose and intent of this article is to define the appropriate landscaping requirements, by use and function, for various types of regulated land uses and activities within the City of Williamsport. (Ord. 5868, approved 5-16-2002)

§ 1383.02 CITYWIDE APPLICATION OF ARTICLE; ENFORCEMENT BY CITY.
(a) This article shall be a minimum standard and shall apply to all areas within the city limits. It shall be enforced in conjunction with the Trees Ordinance, Part Nine, Title Three, §§ 915.01 through and including 915.99; the Zoning Ordinance, Part Thirteen, Art. 1311 through and including 1346; and the Subdivision and Land Development Ordinance, Part Thirteen, Title Nine, Art. 1371 through and including 1381.
(b) The provisions of this article shall apply to new construction, subdivisions and land developments, additions increasing the ground floor area of an existing structure by 50% or more, substantial exterior rehabilitation of a structure improvement to an existing vehicle use area or any activity which creates a new vehicle use area, and such other activities to which these regulations may apply.
(c) The provisions of this article shall be subject to other applicable regulations where such regulations are more restrictive.
(Ord. 5868, approved 5-16-2002)

§ 1383.03 DEFINITIONS.

In construing the provisions of this article and each word, term, phrase or part thereof, where the context will permit, the following definitions shall apply.

**BUFFERYARD.** A unit of land, possibly including an open area of plantings, surrounding a less restrictive land use (such as industrial), which screens or blocks, thus reducing or eliminating conflict with a more restrictive land use (such as residential).

**CERTIFICATE OF OCCUPANCY.** A document issued by Bureau of Codes authorizing human habitation of a structure for its intended use and purpose.

**GROUND COVER.** Contractor’s mix grass or equivalent.

**LANDSCAPING.** Any of the following or combination thereof: material, such as, but not limited to, grass, ground covers, shrubs, vines, hedges or trees; and non-living durable material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand, walls or fences, but excluding paving

**MAINTENANCE.** Clipping, trimming, fertilizing, spraying or treating for disease or injury and similar acts to promote health, growth or beauty to trees and shrubs.

**MODIFICATION.** Any material change from a presently established or existing requirement, regulation or condition.

**OUTDOOR STORAGE.** The keeping, in an unroofed area any goods, junk, waste or garbage material, merchandise or vehicles, in the same place for more than 24 hours.

**PERMIT.** Documents issued pursuant to city ordinances authorizing a use or construction work to commence.

**PLANTING.** Putting or setting into the ground in preparation for growth and development of landscape material.

**RIGHT-OF-WAY.** The width of a strip of land between property lines set aside for public use or ownership as a street, alley, crosswalk, easement or other facility.

**SCREEN/SCREENING.** A visual method which shields or obscures one abutting or nearby structure or use from another by fencing, walls, berms or planted vegetation and is arranged in off-set, serpentine or linear configurations.

**SHRUBS.** Self-supporting, woody, evergreen and deciduous species, as normally grown in this area, to a height between two feet and usually not exceeding six feet above the parking surface. Using earth berms adds to the overall height, but the plant height at installation is to follow this definition in all arrangements.

**SUBSTANTIAL EXTERIOR REHABILITATION.** Any modification, alteration, reconstruction or improvement of any kind to an existing structure, to an extent or amount of 50% or more of its market value.

**TREES.** Self-supporting woody plants which normally provide one main trunk and produce a distinct and elevated head with many branches.

**VEHICULAR USE AREA (VUA).** An area used for the display, parking or unloading of any and all types of vehicles, whether such vehicles are self-propelled or not, and upon which vehicles traverse the property as a function of the primary use. The **VEHICULAR USE AREA** may be accessory to stores,
§ 1383.04 GENERAL LANDSCAPING REQUIREMENTS FOR CERTAIN BUFFERYARD, OFF-STREET PARKING AND OTHER VEHICULAR USE AREAS.

All areas shall conform to the minimum landscaping requirements hereinafter provided.

(a) Installation.

(1) All landscaping shall be installed in a sound manner and according to accepted good planting procedures with the quality of plant materials as hereinafter described. All elements of landscaping shall be installed so as to meet all other applicable ordinances and code requirements.

(2) All property other than any required landscaped strip lying between the right-of-way and off-street parking area or other vehicular use area shall be landscaped with grass or other ground cover, or acceptable non-living material commonly used in landscaping.

(3) The Bureau of Codes and City Engineer, with the advice of the Shade Tree Commission, where appropriate, shall decide when permanent curbing is necessary to protect landscaped areas from motor vehicles.

(b) Existing plant material. In instances where healthy plant material exists on a site prior to its development and is to be maintained, in part or in whole, for the purposes of meeting the requirements of these regulations, the Bureau of Codes, with the advice of the Shade Tree Commission, where appropriate, may adjust the application of the above-mentioned standards to allow credit for such plant material if, in its opinion, such an adjustment is in keeping with and will preserve the intent of this article.

(c) Berms and fencing. Earthen berms or opaque fencing may also be substituted for or combined with any of the landscaping requirements. They may be substituted in whole or in part where a natural buffer strip is considered to be impractical or inappropriate. They may be combined with the natural buffer strip as part of an overall landscaping plan.

(d) Maintenance. The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance, and shall be kept free from refuse and debris.

(e) Plant material.

(1) Quality plant materials and seed used in conformance with provisions of this article shall be clean and reasonably free of weeds and noxious pests or diseases. Plant material and grass seed shall be delivered to the jobsite with appropriate certification.

(2) Trees shall be species having an average mature spread of crown of greater than 15 feet and having a single stem trunk which can be maintained in a clean condition over six feet of clear wood. Trees having an average mature spread of crown less than 15 feet may be substituted by grouping same so as to create the equivalent of a 15-foot crown spread.

(3) Species known to cause damage to public vehicles, roadways or other public works shall not be planted. A list of such tree species shall be maintained and amended as necessary by the Director of Streets and Parks for the guidance of the public.
(4) Shrubs and hedges shall be a minimum of one foot in height when measured at planting. Such shrubs and hedges, where required, shall be installed and continuously maintained at a height as indicated in § 1383.05(a) or (b). Gaps or spaces between plants or fence/walls are acceptable, but the aggregate of gaps or spaces may not exceed more than one-third of the total length for such gaps or spaces.

(5) Vines shall be a minimum of 30 inches in height immediately after planting and may be used in conjunction with fences, screen plantings or walls to meet physical requirements as specified.

(6) Ground covers used in lieu of grass in whole or in part shall be planted or placed in such a manner as to present a finish appearance and reasonably complete coverage within 12 months after planting.

(7) Grass areas shall be planted in species grown as permanent lawns in this area. Grass areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales or other areas subject to erosion.

(Ord. 5868, approved 5-16-2002)

§ 1383.05 SPECIFIC LANDSCAPE REQUIREMENTS FOR VEHICULAR USE AREAS ABUTTING PUBLIC RIGHTS-OF-WAY, AND RESIDENTIAL OR INSTITUTIONAL PROPERTIES.

(a) Required screening when vehicular use areas abut public rights-of-way. On the site of a building or structure or lot providing off-street parking areas or other vehicular use area, there shall be provided landscaping between such area and such right-of-way, as follows: a strip of land at least four feet in depth located between the abutting right-of-way and the off-street parking area or other vehicular use area which is exposed to an abutting right-of-way shall be landscaped. Such landscaping shall include one small or medium tree for each 35 lineal or 45 feet for a large tree or fraction thereof within the four foot strip or within the right-of-way areas reserved for the planting of street trees. Except as required for sight distance, the landscape strips along the public rights-of-way shall be presentations which will be varied through color, shape and texture of landscape material. The remainder of the required landscaped areas shall be landscaped with grass, ground cover or other landscape treatment.

(b) Required screening between vehicular use areas and abutting residential and institutional uses. All buildings or structures or lots providing and off-street parking area or vehicular use area of five spaces or more, shall be provided with a wall or hedge or other landscape barrier not greater than six feet in height nor less than four feet in height and a minimum width of four feet, to form a continuous screen between the off-street parking area or vehicular use area and any abutting residential use. Such landscape screen shall be located between the common lot line and the off-street parking area or other vehicular use area exposed to the abutting property, except when lack of visibility renders such screening unnecessary. If the screen consists all or in part of plant materials, such plant materials shall be planted in a planting strip of not less than four feet in width. Fence material may be substituted for the above which meets the range of height limits and may consist of up to 50% gaps in the material. Chain link and plastic construction fencing material is not acceptable.
(c) **Planting requirements.** Planting requirements applying to subsections (a) and (b) above shall include:

1. Evergreen and semi-evergreen shrubs planted at a maximum of four-foot center spacing, which shall be maintained at a maximum height of six feet at maturity. A few examples of plants in this category are: Compact Juniper; Yew; Holly; except as provided for in § 1383.04;
2. Broad leaf evergreen shrubs planted at a maximum three-foot center spacing, which shall be maintained at a maximum height of six feet at maturity. A few examples of plants in this category are: Cotoneaster and Rhododendron, except as provided for in § 1383.04;
3. Columnar evergreen trees planted at a maximum three-foot center spacing. A few examples of plants in this category are: Columnar Chinese Juniper, Dark American Arbovitae and Juniper;
4. Pyramidal evergreen trees planted at a maximum ten-foot center spacing. A few examples of plants in this category are: Canadian Hemlock, Serbian Spruce and Pyramidal White Pine; and
5. Small or medium trees shall be planted at a maximum of 35 feet on center. Large trees shall be planted a maximum of 45 feet on center. Shrubs, flowers, flowering shrubs and evergreens shall vary in height.

(Ord. 5868, approved 5-16-2002)

§ 1383.06 LARGER VEHICULAR USE AREAS: INTERIOR LANDSCAPING.

(a) Vehicular use areas which provide for 20 or more vehicles shall, in addition to all other requirements, have a minimum of 3% of VUA reserved for landscaping. This landscaping shall be reasonably distributed within the vehicular use area. Landscaped areas shall include suitable ground cover to discourage the growth of weeds. The base of each tree shall be left free of pavement not less than 20 square feet.

(b) Trees and other plantings shall receive the following credit toward meeting the required square footage of landscape area cited above:

1. Large trees, for example Red Oak, Zelkova and Green or White Ash: 200 square feet credit;
2. Medium trees, for example Red Maple, White Pine, Honey Locust and American or European Hornbean: 150 square feet credit;
3. Small trees, for example Flowering Dogwood, Kwanzan or Canadian Red Cherry, Serviceberry, Japanese Tree Lilac and Washington Thornless Hawthorne: 100 square feet credit; and
4. Shrubs and flower beds, only that area which is occupied by suitable plantings shall be credited. In the case of shrubs, a 30-square-foot credit for each shall apply, while the credit for flower beds shall be credited on a 1:1 basis.

(Ord. 5868, approved 5-16-2002)

§ 1383.07 ON-SITE LANDSCAPING BY PRINCIPAL USE.

Principal uses shall be landscaped in the manner listed below.

(a) Developments involving multi-family and townhouse uses shall have a minimum of 10% of the total site reserved for the planting of trees and shrubs which shall be reasonably distributed throughout the area and shall include suitable shrubbery in a planting bed in the front and the sides of the
building(s). These requirements are in addition to any requirements for off-street parking and loading areas, and outside storage areas.

(b) All industrial uses shall have a minimum area equivalent of 10% of the gross ground floor area of all buildings located on the site reserved for and/or covered by approved plantings. This requirement is in addition to buffer, street tree and vehicular use area or landscaping requirements. Outdoor storage areas shall be enclosed by a dense evergreen planting, wall or fence which shall be in harmony with the buildings and surroundings. Such landscaping shall be in addition to the 10% of gross ground floor area.

(c) All commercial and institutional uses shall have a minimum area of 10% of all the areas not covered by buildings and vehicular use areas reserved for and/or covered by approved plantings. This requirement is in addition to buffer, street tree and vehicular use area landscaping requirements. In addition, outdoor storage areas shall be enclosed by a dense evergreen planting, wall or fence which shall be in harmony with the buildings and surroundings. Such landscaping is in addition to the 10% requirement indicated earlier in this section.

(Ord. 5868, approved 5-16-2002)

§ 1383.08 SIGHT DISTANCE.

(a) No fence, wall, hedge, shrub or other planting shall be maintained between two and one-half feet above curb level and ten feet above curb level within the triangular area formed by the street or alley property line and a line connecting them at points 12 feet from the intersection of the property lines, or in the case of a rounded property corner, from the intersection of the property lines extended. The same sight line limitations shall apply on any lot within ten feet from the intersection of a street property line and an alley property line.

(b) On any lot where a private drive enters a street, no obstruction between the 30 inches above curb level and ten feet above curb level shall be located within the triangular area formed by the street property line, the private drive line and a line connecting them at points ten feet from their intersection.

(Ord. 5868, approved 5-16-2002)

§ 1383.09 PERMITTING AND APPLICATION.

(a) Prior to the issuance of any permit which is included under the provisions of this article, a plot plan to a scale of one inch equals 50-foot minimum, or size as approved by the Bureau of Codes and City Engineer, shall be submitted for review by the Bureau of Codes and City Engineer, and, at their discretion, the Shade Tree Commission.

(b) Each site plan submitted for approval shall provide for:

(1) The preservation of desirable existing trees and shrubs;

(2) The preservation, insofar as possible, of natural rock outcroppings and natural topographic features;

(3) Adequate planting density;

(4) A variety of plant species to provide interest throughout the year with color and texture of foliage, bark, flowers and fruit that are displayed at various seasons;

(5) Proper selection and diversification of plant species to minimize the possibility of damage due to insects and disease;
(6) Plant species which are suitable for use in Williamsport soil conditions (see list available from Bureau of Codes and Shade Tree Commission); and
(7) Proper planting information at the time of installation to ensure a successful planting. Such information shall include:
   (A) Location, size, species (both common and scientific names shall be given), quantity
   and variety of existing trees over three inches in caliper. Trees of suitable species that are in good
   condition shall be retained on the site whenever possible;
   (B) Location, size, species (both common and scientific names shall be given), quantity
   and variety of trees and shrubs to be planted;
   (C) Foundation planting in an enlarged scale of 1:20 or larger if necessary to clearly
   illustrate plant locations or spacing;
   (D) All adjacent uses, structures, walkways, driveways, parking areas and garbage
   receptacles; also, fences or buffers with dimensions and including front and rear elevations; and
   (E) Lot area in acreage or square feet.
(Ord. 5868, approved 5-16-2002)

§1383.10 PROCEDURE, ENFORCEMENT AND PENALTIES.

(a) Procedure. A certificate of occupancy shall not be issued until such time as all the landscaping
requirements are actually installed unless a performance guarantee of 110% of the cost has been
deposited with the city. The amount of the guarantee shall be based upon an estimate of cost of
completion of the required landscaping submitted by the applicant and as approved by the Director of
Streets and Parks or his or her designee. Such guarantee shall be in a form acceptable to the City
Solicitor. The depositor shall agree in making the deposit, that if performance is not completed within
six months from the date of the certificate of occupancy issuance, the city may complete the requirements
and charge the cost against the deposit; otherwise, the deposit shall be returned in full after the
satisfactory completion of the work. Extensions requested in writing may be considered by the Bureau
of Codes and City Engineer. If a certificate of occupancy is not required, then the performance guarantee
noted above applies with work to be completed within the next growing season.

(b) Enforcement remedies and penalties.

(1) Any person, partnership or corporation who or which has violated the provisions of this
article upon being found liable therefor in a civil enforcement proceeding commenced by the Bureau of
Codes and City Engineer pays a judgement of not more than $500, plus all court costs, including
reasonable attorney fees incurred by the city as a result thereof. No judgement 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 judgement, the city may enforce the judgement pursuant
to the applicable rules of civil procedure. Each day that a violation continues that shall constitute a
separate violation, unless the district justice determining that there has been a violation further
determines that there was a good faith basis for the person, partnership or corporation violating the
article to have believed that there was no such violation, in which event there shall be deemed to have
been only one such violation until the fifth day following the date of the determination of a violation by
the district justice and thereafter each day that a violation continues shall constitute a separate violation.
(2) The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgement pending a final adjudication of the violation and judgement.  
(Ord. 5868, approved 5-16-2002)

§ 1383.11 SEVERABILITY.  
If any sentence, phrase, clause or other part of this article shall be declared unconstitutional or enforceable or invalid, it shall not be construed to affect the remainder of the article and the remainder of this article shall be enforceable.  
(Ord. 5868, approved 5-16-2002)

§ 1383.12 PROCEDURE FOR ADJUSTMENT OF STANDARDS.  
Modifications to the landscape requirements must be requested in writing and with design drawings.  
(a) The requested modification(s) shall be approved only if it is determined that the modification(s) would not be contrary to the public interest and that it would be in keeping with and would preserve the intent of this article, and that literal enforcement of the standards would be impractical or unreasonable. A committee comprised of the Codes Administrator, the Director of Streets and Parks, the City Engineer shall review, modify, approve or deny all such requests with the advice of the Shade Tree Commission and a member of the Planning Commission (where appropriate).  
(b) Hardship standards shall include physical impossibility caused by irregularity, narrowness or shallowness of lot size or slope; exceptional topographical circumstances; or other conditions where applicant has not created such conditions. Hardship may also accrue if environmental factors mitigated against a literal interpretation of the standards of this article.  
(Ord. 5868, approved 5-16-2002; Ord. 6136, approved 4-30-2009)
§ 1391.01 SHORT TITLE.
This title shall be known and may be cited as the “City of Williamsport Storm Water Management Ordinance”.
(Ord. 6211, approved 4-15-2012)

§ 1391.02 STATEMENT OF FINDINGS.
The City of Williamsport finds that:

(a) Inadequate management of accelerated runoff of storm water resulting from development throughout a watershed increases flows and velocities, contributes to erosion and sedimentation, overtaxes the carrying capacity of streams and storm sewers, greatly increases the cost of public facilities to carry and control storm water, undermines floodplain management and flood control efforts in downstream communities, reduces groundwater recharge, threatens public health and safety and increases non-point source pollution of water resources;

(b) A comprehensive program of storm water management, including reasonable regulation of development and activities causing accelerated runoff, is fundamental to the public health, safety and welfare and the protection of people of the Commonwealth, their resources and the environment;

(c) Storm water is an important water resource. Less runoff provides for increased groundwater recharge for water supplies and base flow of streams, which also protects and maintains surface water quality; and

(d) Federal and state regulations require certain municipalities to implement a program of storm water controls. These municipalities are required to obtain a permit for storm water discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES).
(Ord. 6211, approved 4-15-2012)
§ 1391.03 PURPOSE.

The purpose of this title is to promote health, safety, and welfare within the City of Williamsport and its watershed by minimizing the harms and maximizing the benefits described in § 1391.02 of this title, through provisions designed to:

(a) Meet legal water quality requirements under state law, including regulations at 25 Pa.Code, Ch. 93, to protect, maintain, reclaim and restore the existing and designated uses of the waters of this Commonwealth;

(b) Authorize a comprehensive program of storm water management designated to preserve and restore the flood carrying capacity of commonwealth streams; to preserve to the maximum extent practicable natural storm water runoff regimes and natural course, current and cross-section of water of the Commonwealth; and to protect and conserve ground waters and ground water recharge areas;

(c) Manage storm water runoff close to the source;

(d) Provide procedures and performance standards for storm water planning and management;

(e) Maintain groundwater recharge, to prevent degradation of surface and groundwater quality and to otherwise protect water resources;

(f) Prevent scour and erosion of stream banks and streambeds;

(g) Provide proper operations and maintenance of all permanent Storm Water Management (SWM) best management practices (BMPs) that are implemented within the City of Williamsport;

(h) Provide standards to meet NPDES permit requirements;

(i) Encourage the provision or upgrade of storm water BMPs for existing development; and

(j) Facilitate the development of Chesapeake Bay nutrient credits for retrofit storm water facilities or regulated activities that exceed the minimum nutrient reduction standards.

(Ord. 6211, approved 4-15-2012)

§ 1391.04 STATUTORY AUTHORITY.

(a) Primary authority. The City of Williamsport is empowered to regulate these activities by the authority of the Act of 10-4-1978, P.L. 864 (Act 167), 32 P.S. §§ 680.1 et seq., as amended, the Storm Water Management Act and the (appropriate municipal code).

(b) Secondary authority. The City of Williamsport also is empowered to regulate land use activities that affect runoff by the authority of the Act of 7-31-1968, P.L. 805, No. 247, the Pennsylvania Municipalities Planning Code, as amended.

(Ord. 6211, approved 4-15-2012)

§ 1391.05 APPLICABILITY.

All regulated activities and all activities that may affect storm water runoff, including land development and earth disturbance, are subject to regulation by this title.

(Ord. 6211, approved 4-15-2012)
§ 1391.06 REPEALER.
Any other ordinance provision(s) or regulation of the City of Williamsport inconsistent with any of the provisions of this title is hereby repealed to the extent of the inconsistency only.
(Ord. 6211, approved 4-15-2012)

§ 1391.07 SEVERABILITY.
In the event that a court of competent jurisdiction declares any section or provision of this title invalid, such decision shall not affect the validity of any of the remaining provisions of this title.
(Ord. 6211, approved 4-15-2012)

§ 1391.08 COMPATIBILITY WITH OTHER ORDINANCE REQUIREMENTS.
Approvals issued and actions taken under this title do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other code, law, regulation or ordinance.
(Ord. 6211, approved 4-15-2012)

§ 1391.09 EFFECT OF WATERSHED STORM WATER PLANS.
(a) After adoption and approval of a watershed storm water plan in accordance with this act, the location, design and construction within the watershed of storm water management systems, obstructions, flood control projects, subdivisions and major land developments, highways and transportation facilities, facilities for the provision of public utility services and facilities owned or financed in whole or in part by funds from the Commonwealth shall be conducted in a manner consistent with the watershed storm water plan.

(b) Within six months following adoption and approval of the watershed storm water plan, each City of Williamsport shall adopt or amend, and shall implement such ordinances and regulations, including zoning, subdivision and development, building code and erosion and sedimentation ordinances, as are necessary to regulate development within the City of Williamsport in a manner consistent with the applicable watershed storm water plan and the provisions of this act.
(Ord. 6211, approved 4-15-2012)
§ 1392.01 DEFINITIONS.
For the purposes of this title, certain terms and words used herein shall be interpreted as follows.

(a) Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender; and words of feminine gender include masculine gender.

(b) The word “includes” or “including” shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like kind and character.

(c) The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.

AGRICULTURAL ACTIVITY. The work of producing crops including tillage, land clearing, plowing, disking, harrowing, planting, harvesting crops or pasturing and raising of livestock and installation of conservation measures. Construction of new buildings or impervious area is not considered an AGRICULTURAL ACTIVITY.

APPLICANT. A landowner, developer or other person who has filed an application to the City of Williamsport for approval to engage in any regulated activity at a project site in the City of Williamsport.

BEST MANAGEMENT PRACTICE (BMP). Activities, facilities, designs, measures or procedures used to manage storm water impacts from regulated activities, to meet state water quality requirements, to promote groundwater recharge and to otherwise meet the purposes of this title. STORM WATER BMPs are commonly grouped into one of two broad categories or measures: “structural” or “non-structural”. In this title, non-structural BMPs or measures refer to operational and/or behavior-related practices that attempt to minimize the contact of pollutants with storm water runoff whereas structural BMPs or measures are those that consist of a physical device or practice that is installed to capture and treat storm water runoff. STRUCTURAL BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale retention ponds and constructed wetlands, to small- scale underground treatment systems, infiltration facilities, filter strips, low impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, rain gardens, sand filters, detention basins and manufactured devices. STRUCTURAL STORM WATER BMPs are permanent appurtenances to the project site.

BUFFER, STREAM BUFFER, RIPARIAN BUFFER or AQUATIC BUFFER. An area of permanent native vegetation, including trees, shrubs and herbaceous vegetation, that exists or is established to protect a stream system, lake, reservoir or coastal estuarine area.
CITY OF WILLIAMSPORT. City of Williamsport, Lycoming County, Pennsylvania, or its designee.

CONSERVATION DISTRICT. A conservation district, as defined in § 3(c) of the Conservation District Law (3 P.S. § 851(c)), which has the authority under a delegation agreement executed with the Department to administer and enforce all or a portion of the erosion and sediment control program in this commonwealth.

DESIGN STORM. The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., a five-year storm) and duration (e.g., 24 hours), used in the design and evaluation of storm water management systems. Also see RETURN PERIOD.

DETENTION. The volume of runoff that is captured and released into the waters of this commonwealth at a controlled rate.

DEP. The Pennsylvania Department of Environmental Protection.

DEVELOPMENT SITE (SITE). See PROJECT SITE.

DISCONNECTED IMPERVIOUS AREA (DIA). An impervious or impermeable surface which is disconnected from any storm water drainage or conveyance system and is redirected or directed to a pervious area which allows for infiltration, filtration and increased time of concentration as specified in Appendix B, “Disconnected Impervious Area”.

DISTURBED AREA. An unstabilized land area where an earth disturbance is occurring or has occurred.

EARTH DISTURBANCE. A construction or other human activity which disturbs the surface of the land, including, but not limited to: clearing and grubbing; grading; excavations; embankments; road maintenance; building construction; the moving, depositing, stockpiling or storing of soil, rock or earth materials.

EROSION. The natural process by which the surface of the land is worn away by water, wind or chemical action.

EXISTING CONDITION. The dominant land cover during the five-year period immediately preceding a proposed regulated activity.

FEMA. Federal Emergency Management Agency.

FLOODPLAIN. Any land area susceptible to inundation by water from any natural source or delineated by applicable FEMA maps and studies as being a special flood hazard area. Included are lands adjoining a river or stream that have been or may be expected to be inundated by a 100-year flood. Also included are areas that comprise Group 13 Soils, as listed in Appendix A of the Pennsylvania Department of Environmental Protection (PADEP) Technical Manual for Sewage Enforcement Officers (as amended or replaced from time to time by PADEP).

FLOODWAY. The channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the 100-year flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance, studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

FOREST MANAGEMENT TIMBER OPERATIONS. Planning and activities necessary for the management of forestland. These include conducting a timber inventory, preparation of forest management plans, silvicultural treatment, cutting budgets, logging road design and construction, timber harvesting, site preparation and reforestation.
HYDROLOGIC SOIL GROUP (HSG). Infiltration rates of soils vary widely and are affected by subsurface permeability as well as surface intake rates. Soils are classified into four HSGs (A, B, C and D) according to their minimum infiltration rate, which is obtained for bare soil after prolonged wetting. The NRCS defines the four groups and provides a list of most of the soils in the United States and their group classification. The soils in the area of the development site may be identified from a soil survey report that can be obtained from local NRCS offices or conservation district offices. Soils become less pervious as the HSG varies from A to D (NRCS 3, 4).

IMPERVIOUS SURFACE (IMPERVIOUS AREA). A surface that prevents the infiltration of water into the ground. IMPERVIOUS SURFACES (OR AREAS) shall include, but not be limited to, roofs, additional indoor living spaces, patios, garages, storage sheds and similar structures, and any new streets or sidewalks. Decks, parking areas and driveway areas are not counted as impervious areas if they do not prevent infiltration.

KARST. A type of topography or landscape characterized by surface depressions, sink holes, rock pinnacles/uneven bedrock surface, underground drainage and caves. KARST is formed on carbonate rocks, such as limestone or dolomite.

LAND DEVELOPMENT (DEVELOPMENT). Inclusive of any or all of the following meanings:

1. The division of a parcel of land into two or more parcels;
2. The construction, reconstruction, conversion, structural alteration, relocation or enlargement of any buildings, structures or accessory structures;
3. Any use or change in use of buildings or land;
4. Any extension of the use of land;
5. Any clearing, grading, or other movement of land;
6. Mining, dredging, filling, grading, paving, excavation or drilling operations; and
7. The storage, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities; for which permission may be required pursuant to a municipal land development ordinance.

NRCS–USDA. Natural Resources Conservation Service (previously SCS).

PEAK DISCHARGE. The maximum rate of storm water runoff from a specific storm event.

PERVIOUS AREA. Any area not defined as impervious.

PROJECT SITE. The specific area of land where any regulated activities in the City of Williamsport are planned, conducted or maintained.

QUALIFIED PROFESSIONAL. Any person licensed by the Pennsylvania Department of State or otherwise qualified by law to perform the work required by this title.

REGULATED ACTIVITIES. Any earth disturbances or any activities that involve the alteration or development of land in a manner that may affect storm water runoff.

REGULATED EARTH DISTURBANCE ACTIVITY. Activity involving earth disturbance subject to regulation under 25 Pa.Code Ch. 92a, Ch. 102, or the Clean Streams Law.

RETENTION/REMOVED RUNOFF. The volume of runoff that is captured and not released directly into the surface waters of this commonwealth during or after a storm event.

RETURN PERIOD. The average interval, in years, within which a storm event of a given magnitude can be expected to occur one time. For example, the 25-year return period rainfall would be expected to occur on average once every 25 years. The probability of a 25-year storm occurring in any one year is 0.04 (i.e., a 4% chance).

RUNOFF. Any part of precipitation that flows over the land.
SEDIMENT. Soils or other materials transported by surface water as a product of erosion.

STATE WATER QUALITY REQUIREMENTS. The regulatory requirements to protect, maintain, reclaim, and restore water quality under Pennsylvania Code, Title 25, and the Clean Streams Law.

STORM WATER. Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.

STORM WATER MANAGEMENT FACILITY. Any structure, natural or human-made, that, due to its condition, design or construction, conveys, stores or otherwise affects storm water runoff. Typical STORM WATER MANAGEMENT FACILITIES include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes and infiltration structures.

STORM WATER MANAGEMENT PLAN. The City of Williamsport’s Storm Water Management Plan for managing storm water runoff adopted by the County of Lycoming as required by the Act of 10-4-1978, P.L. 864, (Act 167), as amended, and known as the Storm Water Management Act.

STORM WATER MANAGEMENT BEST MANAGEMENT PRACTICES. Abbreviated as SWM BMPs throughout this title.

STORM WATER MANAGEMENT SITE PLAN. The plan prepared by the developer or his or her representative indicating how storm water runoff will be managed at the development site in accordance with this title. STORM WATER MANAGEMENT SITE PLAN will be designated as SWM site plan throughout this title.

STREAM. For purposes of administration of this title (other regulatory agencies such as the United States Army Corps of Engineers have a different definition), a stream is defined as a perennial and intermittent watercourses identified through site inspection and U.S. Geological Survey (U.S.G.S.) maps. PERENNIAL STREAMS are those which are depicted on a U.S.G.S. map with a solid blue line. INTERMITTENT STREAMS are those which are depicted on a U.S.G.S. map with a dotted blue line.


USDA. United States Department of Agriculture.

WATERS OF THIS COMMONWEALTH. Rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs and other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this commonwealth.

WATERSHED. Region or area drained by a river, watercourse or other surface water of the commonwealth.

WETLAND. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens and similar areas.

(Ord. 6211, approved 4-15-2012)
§ 1393.01 GENERAL REQUIREMENTS.
   (a) For all regulated activities, unless preparation of a SWM site plan is specifically exempted in § 1393.02:
      (1) Preparation and implementation of an approved SWM site plan is required; and
      (2) No regulated activities shall commence until the City of Williamsport issues written approval of a SWM site plan, which demonstrates compliance with the requirements of this title.
   (b) SWM site plans approved by the City of Williamsport, in accordance with § 406, shall be on site throughout the duration of the regulated activity.
   (c) The City of Williamsport may, after consultation with DEP, approve measures for meeting the state water quality requirements other than those in this title; provided that, they meet the minimum requirements of, and do not conflict with, state law including, but not limited to, the Clean Streams Law.
   (d) For all regulated activities, implementation of the volume controls in § 1393.03 is required unless exempt under § 1393.02.
   (e) For all regulated earth disturbance activities, erosion and sediment control BMPs shall be designed, implemented, operated and maintained during the regulated earth disturbance activities (e.g., during construction), to meet the purposes and requirements of this title and to meet all requirements under Pennsylvania Code, Title 25, and the Clean Streams Law. Various BMPs and their design standards are listed in the Erosion and Sediment Pollution Control Program Manual (E&S Manual), Commonwealth of Pennsylvania, Department of Environmental Protection, No. 363-2134-008 (2000), as amended and updated.
   (f) Impervious areas.
      (1) The measurement of impervious areas shall include all of the impervious areas in the total proposed development even if development is to take place in stages.
      (2) For development taking place in stages, the entire development plan must be used in determining conformance with this title.
(3) For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this title; except the volume controls in § 1393.03 and the peak rate controls of § 1393.04 do not need to be retrofitted to existing impervious area.

(g) Storm water flows onto adjacent property shall not be created, increased, decreased, relocated or otherwise altered without written notification to the adjacent property owner(s). Such storm water flows shall be subject to the requirements of this title.

(h) All regulated activities shall include such measures as necessary to:
   (1) Protect health safety, and property;
   (2) Meet state water quality requirements as defined in Art. 1392;
   (3) Meet the water quality goals of this title by implementing measures to:
      (A) Minimize disturbance to floodplains, wetlands, natural slopes over 8% and existing native vegetation;
      (B) Preserve and maintain trees and woodlands. Maintain or extend riparian buffers and protect existing forested buffer. Provide trees and woodlands adjacent to impervious areas whenever feasible;
      (C) Establish and maintain non-erosive flow conditions in natural flow pathways;
      (D) Minimize soil disturbance and soil compaction. Cover disturbed areas and replace topsoil to a depth sufficient to achieve vegetated cover or four inches, whichever is greater. Use tracked equipment for grading when feasible; and
      (E) Disconnect impervious surfaces by directing runoff to pervious areas, wherever possible.

(i) The design of all facilities over Karst shall include an evaluation of measures to minimize adverse effects. Infiltration BMPs should be spread out, made as shallow as practicable, and located to maximize use of natural on-site infiltration features while still meeting the other requirements of this Title.

(j) Storage facilities should completely drain both the volume control and rate control capacities over a period of time not more than 72 hours from the end of the design storm, or otherwise be treated.

(k) For all regulated activities, SWM BMPs shall be designed, implemented, operated and maintained to meet the purposes and requirements of this title and to meet all requirements under Pennsylvania Code, Title 25, the Clean Streams Law, the Storm Water Management Act and § 1391.03 of this title.

(l) Various BMPs and their design standards are listed in the PA BMP Manuals.

(m) All materials, workmanship and methods of work shall comply with the Pennsylvania Department of Transportation Publication 408 Specifications, as accepted and commonly used by the City of Williamsport, and shall be considered to be incorporated into this article as if copied in full. In the event a conflict arises between the requirements of this Title and the PA DOT Publication 408 Specifications, the City of Williamsport shall resolve the difference, and said opinion shall be binding.

(n) Supplemental standards and criteria contained in Art. 1399 are hereby incorporated into this title to govern the hydrologic and hydraulic design provisions contained herein.
(o) The signature and seal of a registered professional engineer, if required, must be provided at the time of plan submission.
(Ord. 6211, approved 4-15-2012)

§ 1393.02 EXEMPTIONS.

(a) The following activities are specifically exempt from the plan preparation and submission provisions of this title, but remain subject to the requirements in § 1393.01(e) through (l) of this title (and erosion and sedimentation pollution control requirements):

1. Regulated activities that create impervious areas smaller in area than 1,000 square feet and regulated activities that disturb less than 5,000 square feet are exempt from the peak rate control and the SWM site plan preparation requirement of this title. Refer to the storm water management plan (SMP) requirements in Appendix C;

2. Regulated activities that create disconnected impervious areas equal to or greater than 1,000 square feet and less than 5,000 square feet, and regulated activities that disturb equal to or greater than 5,000 square feet and less than 20,000 square feet without point source discharge to surface waters may be exempt from the SWM plan requirements of this title; provided that:
   (A) The regulated activity is disconnected from impervious areas as specified in Appendix B of this title; and
   (B) The regulated activity will not alter or be located within any existing swale or drainageway. Refer to the storm water management plan (SMP) requirements in Appendix C.

3. Agricultural plowing and tilling are exempt from the rate control and SWM site plan preparation requirements of this Title provided the activities are performed according to the requirements of 25 Pa.Code, Ch. 102, “Erosion and Sediment Control”;

4. Forest management and timber operations are exempt from the rate control and SWM site plan preparation requirements of this title provided the activities are performed according to the requirements of 25 Pa.Code, Ch. 102, “Erosion and Sediment Control”;

(b) The City of Williamsport shall require an acceptable minor SWM Plan, as described in § 1393.05(n) and Appendix C, be submitted; provided that:

1. Regulated activities that create impervious areas, if connected to impervious areas, equal to or greater than 1,000 square feet and less than 5,000 square feet;

2. Regulated activities that disturb equal to or greater than 5,000 square feet and less than 20,000 square feet with point source discharge to surface waters; and

3. Refer to the storm water management plan (SMP) requirements in Appendix C. A sample minor storm water management plan can be found in Appendix D.

(c) Exemptions from any provisions of this title shall not relieve the applicant from the requirements in § 1393.01(e) through (l).

(d) The City of Williamsport may include permit conditions to specify that regulated activities maintain a minimum distance between proposed impervious areas/storm water management facility outlets and down slope property line(s).
(Ord. 6211, approved 4-15-2012)
§ 1393.03 VOLUME CONTROLS.

Water volume controls shall be implemented using the design storm method in subsection (a) or the simplified method in subsection (b) below. For regulated activity areas equal or less than one acre that do not require hydrologic routing to design the storm water facilities, this title establishes no preference for either methodology; therefore, the applicant may select either methodology on the basis of economic considerations, the intrinsic limitations on applicability of the analytical procedures associated with each methodology and other factors.

(a) The Design Storm Method (CG-1 in the PA BMP Manual) is applicable to any size of regulated activity. This method requires detailed modeling based on site conditions.

(1) Do not increase the post-development total runoff volume for all storms equal to or less than the two-year 24-hour duration rainfall; and

(2) For modeling purposes:
   (A) Existing (pre-development) non-forested pervious areas must be considered meadow or its equivalent; and
   (B) Twenty percent of existing impervious area, when present, shall be considered meadow in the model for existing conditions for redevelopment.

(b) The Simplified Method (CG-2 in the PA BMP Manual) provided below is independent of site conditions and should be used if the design storm method is not followed. This method is not applicable to activities that disturb greater than one acre, or for projects that require design of storm water storage facilities. For new impervious surfaces:

(1) Storm water facilities shall be sized to capture at least the first two inches of runoff from all new impervious surfaces;

(2) At least the first one inch of runoff from new impervious surfaces shall be permanently removed from the runoff flow (i.e., it shall not be released into the surface waters of this commonwealth). Removal options include reuse, evaporation, transpiration and infiltration;

(3) Wherever possible, infiltration facilities should be designed to accommodate infiltration of the entire permanently removed runoff; however, in all cases at least the first one-half inch of the permanently removed runoff should be infiltrated; and

(4) This method is exempt from the requirements of § 1393.04.

(Ord. 6211, approved 4-15-2012)

§ 1393.04 RATE CONTROLS.

(a) Areas not covered by a release rate map from an approved Act 167, Storm Water Management Plan: post-development discharge rates shall not exceed the predevelopment discharge rates for the one-, two-, five-, ten-, 25-, 50- and 100-year, 24-hour, storms. If it is shown, that the peak rates of discharge indicated by the post-development analysis are less than or equal to the peak rates of discharge indicated by the pre-development analysis for one-, two-, five-, ten-, 25-, 50- and 100-year, 24-hour storms, then the requirements of this section have been met. Otherwise, the applicant shall provide additional controls as necessary to satisfy the peak rate of discharge requirement.

(b) Areas covered by a release rate map from an approved Act 167 Storm water Management Plan: for the one-, two-, five-, ten-, 25-, 50- and 100-year storms, the post-development peak discharge rates
will follow the applicable approved release rate maps. For any areas not shown on the release rate maps, the post-development discharge rates shall not exceed the predevelopment discharge rates. 
(Ord. 6211, approved 4-15-2012)

§ 1393.05 TECHNICAL DESIGN STANDARDS.

All regulated activities shall be conducted in conformance with the following standards.

(a) (1) After installation of impervious cover, peak discharges for the two-, five-, ten-, 25-, 50- and 100-year frequency storms from the site shall not exceed the respective peak discharge performance standards in this title.

(2) Storm water runoff shall be managed so that no downstream increases in flood damages or impairment of streets and other public facilities occur. The City of Williamsport may require that downstream impacts be evaluated at critical locations such as dams, tributaries, existing developments, undersized culverts and flood-prone areas. The City of Williamsport shall make the final determination with respect to the degree of management required for any site. The applicant shall evaluate the effects of the proposed plan on such critical locations by providing computed water surface elevations (WSEL) for the ten- and 100-year storms. Methods of computation shall have prior approval of the City of Williamsport. At such downstream critical locations, storm water management may be exercised by:

(A) Providing off-site improvements to downstream conveyances in order to contain flow increases; and

(B) Providing downstream drainage easements with sufficient widths to contain the flood limits.

(b) The City of Williamsport may impose storm water quality measures in accordance with this title to protect against ground or surface water pollution where the type of business or the nature of the storm water runoff and soils underlying storm water management facilities would constitute a substantial risk of contamination.

(c) In establishing the site conditions for calculating storm water runoff prior to development, the following assumptions shall apply:

(1) Woodland or meadow in good condition shall be used for all undeveloped areas;

(2) Average antecedent moisture conditions as defined by the Natural Resource Conservation Service (NRCS); and

(3) Determining pre-development peak discharges from Karst geologic areas apply either:

(A) Peak adjustment factors in accordance with the U.S.G.S. Water Resources Investigations Report 00-4189, Techniques for Estimating Magnitude and Frequency of Peak Flows for Pennsylvania Streams; or

(B) Drainage area reductions equal to the area of undrained depressions or pond factor adjustments in accordance with the Urban Hydrology for Small Watersheds, Technical Release No. 55 (TR-55, USDA, NRCS).

(d) All plans and designs for storm water management facilities shall be reviewed by the City of Williamsport. Plans for facilities other than storm sewers should determine storm water peak discharge and storm water runoff by the use of the PennDOT Drainage Manual, Publication Number 13, DM-2, Ch. 10, as amended. The City of Williamsport may permit the use of the modified rational method or
other methods for calculation of the storage capacity of a storm water management facility from drainage areas of 20 acres or less.

(1) Coefficients:
   (A) Acceptable runoff coefficient values for use in the rational method equation are identified in Appendix E of this title. When applying the rational method coefficients in Table A-3, “open space” coefficients shall be used for undeveloped, densely vegetated (non-forest) areas instead of “meadow” coefficients. Refer to PennDOT Drainage Manual, Publication Number 13, DM-2, Ch. 10, as amended, for permissible curve numbers; and
   (B) The Rational Formula may be used in lieu of the Soil Cover Complex method to compute design flows for the sizing of storm sewers, inlets and swales.

(2) Rainfall amounts for the return periods specified shall be determined using the Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2 (as amended), U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Hydrometeorological Design Studies Center, Silver Spring, Maryland, 20910. Rainfall duration for hydrograph generation shall be selected for the specified recurrence intervals on the basis of twice the computed time of concentration for the given watershed and subwatersheds. In no case shall the duration be less than 24 hours.

(3) Time of concentration shall be determined in accordance with the methods presented in PennDOT Drainage Manual, Publication Number 13, DM-2 Ch. 10, as amended.

(4) In order to reduce storm water runoff volumes from developed areas and encourage groundwater recharge, underground basin drains, infiltration trenches and cisterns are permitted to which roof leaders may be connected. These drains consist of stone-filled basins which temporarily store and release water below ground surface. Plans for such facilities shall be submitted to the City of Williamsport for approval, and the basins shall be used only in those areas where soils, geologic, and water table conditions permit.

(e) Storm water management facilities and related installations shall be provided:
   (1) To permit unimpeded flow of natural watercourses. Such flow may be redirected as required, subject to the approval of the Pennsylvania Department of Environmental Protection;
   (2) To ensure adequate drainage of all low points along the curb line of streets;
   (3) To intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained, and to prevent substantial flow of water across intersections or flooded intersections during storms, in accordance with the procedures in the PennDOT Drainage Manual, Publication Number 13, DM-2, Ch. 10, as amended;
   (4) To ensure adequate and unimpeded flow of storm water under driveways in, near, or across natural watercourses or drainage swales. Suitable pipes or other waterways shall be provided as necessary; and
   (5) To properly drain storm water runoff from all land development projects. All lot and open areas shall be designed to drain to the nearest practical street or drainage system, existing or proposed, as defined by the City of Williamsport, with no impact on adjoining properties, unless an area specifically designed for storm water detention is provided.

(f) Storm sewers and related installations:
   (1) Storm sewers, where required by zoning and land use densities, shall be placed under or immediately adjacent to the roadway side of the curb, or as directed by the City of Williamsport, when parallel to the street within the right-of-way.
Storm Water Management Standards

(2) When located in undedicated land, they shall be placed within a drainage easement not less than 20 feet wide as approved by the City of Williamsport.

(3) The use of properly designed, graded, and turfed drainage swales is encouraged in lieu of storm sewers in commercial and industrial areas and, where approved by the City of Williamsport, in residential areas. Such swales shall be designed not only to carry the required discharge without excessive erosion, but also to increase the time of concentration, reduce the peak discharge and velocity, and permit the water to percolate into the soil, where appropriate. Criteria related to the use and design of drainage swales are as follows:

(A) Where vegetated drainage swales are used in lieu of or in addition to storm sewers, they shall be designed to carry the ten-year discharge without erosion, and also to increase the time of concentration, reduce the peak discharge and velocity and permit the water to percolate into the soil.

(B) The maximum encroachment of water on the roadway pavement along roadside swales in cut areas shall not exceed half of a through traffic lane during a ten-year frequency storm of five-minute duration. Frequent and/or sustained flooding of the sub-base shall be avoided.

(C) Swales shall be designed in accordance with PennDOT Drainage Manual, Publication Number 13, DM-2, Ch. 10, as amended. Inlets shall be provided to limit the shoulder encroachment and water velocity.

(D) The side slope for any vegetated drainage channel requiring mowing of the vegetation shall have a maximum grade of three horizontal to one vertical on those areas to be mowed.

(E) Erosion prevention. All drainage swales shall be designed to prevent the erosion of the bed and bank areas. Suitable temporary and/or permanent stabilization during vegetative cover establishment shall be provided to prevent erosion.

(F) Storm sewers or drainage swales shall discharge to a detention or retention basin to attenuate the peak rate and volume, respectively of storm water runoff, except as provided in the plan.

(G) Because of the critical nature of vegetated drainage channels, the design of all vegetated channels shall, as a minimum, conform to the design procedures outlined in the PennDOT Drainage Manual, Publication Number 13, DM-2, Ch. 10, as amended.

1. Deed restrictions may be required on property(ies) containing drain age swales and/or perennial streams. When required, these deed restrictions shall specify that no property owner obstruct or alter any drainage swale or perennial stream identified in the storm water management plan.

2. The design capacity of storm sewers shall be in accordance with PennDOT Drainage Manual, Publication Number 13, DM-2, Ch. 10, as amended. Storm drainage systems shall be designed without surcharging inlets to provide conveyance of storm water runoff into a detention basin or similar facility utilized to manage the rate of storm water runoff. To avoid surcharging inlets, and to ensure that inlets will receive storm water runoff, the hydraulic grade line at the inlet should be at least six inches below the elevation of the inlet grate. Where site grading will direct storm water runoff from the 100-year design storm to a detention basin or similar facility utilized to manage the rate of storm water runoff, then the storm sewer may be designed for the ten-year design storm. Where site grading will not direct storm water runoff from the 100-year design storm to a detention basin or similar facility utilized to manage the rate of storm water runoff, then the storm sewer shall be designed for the 100-year design storm. Conveyance of storms to the detention basin, up to and including the 100-year frequency, shall be provided so as not to endanger life or seriously damage property.
3. Storm inlet types and inlet assemblies shall conform to the Pennsylvania Department of Transportation Standards for Roadway Construction, as approved by the City of Williamsport.

(4) Inlets shall, at a minimum, be located at the lowest point of street intersections to intercept the storm water before it reaches pedestrian crossings; or at sag points of vertical curves in the street alignment which provide a natural point of ponding of surface storm water.

(5) Where the City of Williamsport deems it necessary because of special land requirements, special inlets may be approved.

(6) The interval between inlets collecting storm water runoff shall be determined in accordance with the PennDOT Drainage Manual, Publication Number 13, DM-2, Ch. 10, as amended.

(7) In curbed sections, the maximum encroachment of water on the roadway pavement shall not exceed half of a through traffic lane or one inch less than the depth of curb during the ten-year design storm of five-minute duration. Inlets shall be provided to limit the encroachment of water on the pavement. When inlets are used in a storm system within the right-of-way limits of a street in lieu of manholes, the spacing of such inlets shall not exceed the maximum distance of 450 feet.

(8) The design of storm inlets shall be in accordance with Penn DOT Drainage Manual, Publication Number 13, DM-2, Ch. 10, as amended.

(9) Accessible drainage structures shall be located on a continuous storm sewer system at all vertical dislocations, at all locations where a transition in storm sewer pipe sizing is required, at all vertical and horizontal angle points exceeding 5 degrees, and at all points of convergence of two or more influent storm sewer mains. The construction locations of accessible drainage structures shall be as indicated on the subdivision drainage plan or area drainage plan approved by the City of Williamsport.

(10) When evidence available to the City of Williamsport indicates that existing storm sewers have sufficient capacity as determined by hydrograph summation and are accessible, proposed storm water facilities may connect to the existing storm sewers so long as the peak rate of discharge does not exceed the amount permitted by this article.

(g) Bridges and culverts shall have ample waterway opening to carry expected flows, based on the PennDOT Drainage Manual, Publication Number 13, DM-2, Ch. 10, as amended, or as required by the City of Williamsport.

(h) Detention or retention basins for the management of storm water peak discharges shall meet the following requirements.

(1) Basins shall be installed prior to or concurrent with any earthmoving or land disturbances which they will serve. The phasing of their construction shall be noted in the narrative and on the plan.

(2) The design of all facilities over limestone formations shall include measures to prevent groundwater contamination and, where required, sinkhole formation. Soils used for the construction of basins shall have moderate to low erodibility factors (i.e., "K" factors of 0.32 or less).

(3) Energy dissipaters and/or level spreaders shall be installed at points where pipes or drainageways discharge to or from basins.

(4) (A) Outlet structures within detention/retention basins shall incorporate child proof, non-clogging trash racks or grates over all horizontally oriented openings. All vertically oriented openings over 12 inches or larger in any dimension where entry by a child could cause injury or death shall be covered with childproof, non-clogging trash racks, except where such openings carry perennial stream flows. Design openings less than six inches in any dimension shall be covered with a pipe screen (e.g., Neenah R-7512 or equivalent). Measures to completely drain detention/retention basins in the
event of clogging of the primary design opening(s) shall be incorporated into the design of basin outlet structures. Basin outlet pipes shall have a minimum inside diameter of 15 inches or a cross-sectional area of 176 square inches; except that, pipes under a 25-foot or greater fill shall not be less than 24 inches or a cross-sectional area of 453 square inches, and shall consist of reinforced concrete.

(B) Outlet aprons shall be designed and shall extend at a minimum to the toe of the basin slope. Where spillways will be used to manage peak discharges in excess of the ten-year storm, such spillways shall be constructed to withstand the pressures of impounded waters and convey flows at computed outlet velocities without erosion.

(5) When the Pennsylvania Department of Environmental Protection requires facilities to be permitted, the designer shall submit all information to the PA DEP Regional Office, and obtain all necessary approvals and permits pursuant to Pennsylvania Code, Title 25, Ch. 105, Dam Safety and Encroachment Act.

(6) Downstream analysis.

(A) Where deemed necessary by the City of Williamsport, the applicant shall submit an analysis of the impacts of detained storm water flows on downstream areas within the watershed, established with the concurrence of the City of Williamsport. The analysis shall include hydrologic and hydraulic calculations necessary to determine the impact of peak discharge modifications of the proposed development on critical locations such as dams, tributaries, existing developments; undersized culverts, and flood-prone areas.

(B) Review and comment of the analysis by the downstream City of Williamsport shall be obtained as deemed necessary.

(7) Detention basins may be waived by the City of Williamsport at sites in close proximity to larger receiving streams, depending on the hydrology of the watershed. This is to facilitate drainage prior to main stream flooding. It shall be incumbent upon the applicant to demonstrate that no downstream increase in stream flooding or channel erosion will result in accordance with this article, and that no increases in peak discharge within the receiving stream will occur as outlined in this article.

(8) Multiple use basins. The design and construction of multiple use storm water detention facilities are strongly encouraged. In addition to storm water management; where appropriate, facilities allow for recreational uses included: ball fields; play areas; picnic grounds; and the like. Provision for parking facilities within basins and permanent wet ponds with storm water management capabilities may also be appropriate. Prior approval and consultation with the City of Williamsport are required before design. Multiple use basins should be constructed so that potentially dangerous conditions are not created.

(9) Multiple development basins. Storm water management facilities designed to serve more than one property or development in the same watershed are encouraged. Staged construction of existing or proposed multiple-use detention facilities by several developers in conjunction with watershed development is encouraged. Each applicant shall be responsible for the incremental increase in storm water runoff generated by the respective development and incremental construction improvements necessary for the overall detention facility. Prior approval and consultation with the City of Williamsport is required before design of such facilities.

(10) Alternative detention facilities. Alternative storm water detention facilities including roof top, subsurface basins or tanks and in-pipe detention storage, or other approved alternative designs are permitted as determined by the City of Williamsport.
(i) (1) All calculations shall be submitted to the City of Williamsport on computation sheets acceptable to the reviewer for approval. If the City of Williamsport determines through review and independent computation that the size(s) of storm pipes or detention basins is insufficient, the City of Williamsport may require the applicant to increase the size(s) of said storm pipes or detention basins.

(2) If the storm drainage system design is completed on a computer installation, sufficient supporting data shall be provided to allow comprehensive review by city officials.

(j) When the elevation of any existing or proposed entrance to a structure, including windows, is lower than the elevation of the public cartway serving that site, a drainage plan shall be submitted, reviewed and approved as part of the zoning permit process for the proposed structure.

(k) The City of Williamsport may require that storm water management facilities located outside of existing or proposed right-of-ways shall be located within and accessible by easements as follows.

1. Drainage easements.
   (A) Where a tract is traversed by a watercourse, drainage way, channel or stream, there shall be provided a drainage easement, paralleling the line of such watercourse, drainage way, channel or stream. The width of the drainage easement will be adequate to preserve the unimpeded flow of natural drainage in the 100-year floodplain.
   (B) Drainage easements shall provide for maintenance, and for the purpose of widening, deepening, improving or protecting such drainage facilities.

2. Access easements. Where proposed storm water management facilities are not adjacent to proposed or existing public right-of-ways or are not accessible due to physical constraints, as determined by the City of Williamsport, a 20-foot wide passable access easement specifying rights of entry shall be provided. Access easements shall provide for vehicle ingress and egress on grades of less than 10% for carrying out inspection or maintenance activities.

3. Maintenance easements. A maintenance easement shall be provided which encompasses the storm water facility and appurtenances and provides for access for maintenance purposes. The maintenance easement must be located at least 20 feet outside of the 100-year surface elevation and the storm water facility and appurtenances.

4. Easements shall stipulate that no trees, shrubs, structures, excavation or fill be placed, and no regrading is to be performed within the area of the easement without written approval from the City of Williamsport. Upon approval, such landscaping may be placed in maintenance easements, provided it does not impede access.

5. Whenever practicable, easements shall be parallel to width and linked to property lines of the subdivision.

6. All easement agreements shall be recorded with a reference to the recorded easement indicated on the site plan. The format and content of the easement agreement shall be reviewed and approved by the City of Williamsport.

(l) Sinkhole protection.

1. Storm water from roadways, parking lots, storm sewers, roof drains or other concentrated storm water runoff paths shall not be discharged directly into sinkholes.

2. To protect sensitive Karst areas, the City of Williamsport may require basins to contain an impervious liner. The liner may be of the impervious membrane type, placed in accordance with the manufacturer’s recommendations, or an approved alternative as approved by the City of Williamsport.
(m) Erosion and sedimentation control.


(2) It shall be the responsibility of the applicant to submit the E&SPC plan, application and other necessary material to the Conservation District or DEP Office, as appropriate. A copy of the transmittal letter shall be provided to the City of Williamsport. Comments shall be received and E&SPC plan approval obtained from the Conservation District prior to storm water plan approval.

(n) Minor SWM Plan. A minor SWM plan is required per § 1393.02(c) and as outlined in Appendix C. Minor SWM plans shall consist of the following, and are not subject to §§ 1393.03 and 1393.04 of this Title. Minor plan preparation steps are as follows:

(1) Prepare a scaled drawing showing key features of the site. The plan can be developed from a tax map, site survey or other accurate drawing of the site. The property and boundaries should be accurate in scale. The plan should include:

(A) A line showing the limit and location of area(s) that will be cleared for regulated activities such as buildings, driveways and lawns;
(B) The location of all structures, existing and proposed (house, shed, garage and the like). Include driveways, parking areas, any other impervious surfaces, well and septic system locations;
(C) The location of property boundaries, any streams or wetlands, and separation distances of structure(s) to any water body or stream; and
(D) The angle/slope of the property in relation to any water body or stream.

(2) Calculate the volume of storm water runoff created by the project. Identify the newly created impervious areas. Note on the plan the area of each proposed structure and impervious surface (paved, walkways and the like) and calculate the sum of the areas. For example:

(A) Twenty feet by 20 feet shed = 400 sf;
(B) Six feet by 60 feet sidewalk = 360 sf; and
(C) Total impervious area = 760 sf.

(3) Calculate the volume of storm water runoff. For minor projects, multiply the total square footage of newly created total impervious area by (2.85 in/12 in/ft). For example:

$$760 \text{ sf} \times (0.2375 \text{ ft}) = 180.5 \text{ cubic feet}$$

(2.85 in is the two-year, 24-hour rainfall for Williamsport, PA, taken from NOAA’s Hydrometeorological Design Studies Center Precipitation Frequency Data Server for Point Precipitation Frequency Estimates from NOAA Atlas 14).

(4) Identify/choose the appropriate storm water control measures. Size and place the measures on the project site and add the measures to the SWM plan.

(A) The volume of storm water runoff calculated in Step #3 is now used to size the storm water control storage devices. Vegetative controls and structural measures can be used individually or in combination to provide the required storage volume. The PA BMP Manual identifies structural and non-structural control measures that may be used, as well as instructions to calculate the volume provided by each.

(B) Please note that all minor storm water management plans should provide appropriate erosion control measures. Refer to subsection (m) above. The PA Erosion and Sediment Pollution Control Program Manual is available for guidance. Please contact the Lycoming County Conservation District for additional information.
(C) A sample minor storm water management plan can be found in Appendix D.

(o) All regulated activities that do not fall under the exemption criteria referenced herein shall submit a drainage plan to the City of Williamsport for review. These criteria shall apply to the total proposed development even if development is to take place in stages. Impervious cover shall include, but not be limited to, any roof, parking or driveway areas and any new streets and sidewalks. Any areas designed to initially be gravel or crushed stone shall be considered to be impervious for the purposes of comparison to the waiver criteria, unless they are installed and maintained as provided for in the PA BMP Manual.

1. Storm water drainage systems shall be provided in order to permit unimpeded flow along natural watercourses, except as modified by storm water management facilities or open channels consistent with this title.

2. Areas of existing diffused drainage discharge shall be subject to any applicable discharge criteria in the general direction of existing discharge, whether proposed to be concentrated or maintained as diffused drainage areas, except as otherwise provided by this title. If diffused flow is proposed to be concentrated and discharged onto adjacent property, the applicant must document that adequate downstream conveyance facilities exist to safely transport the concentrated discharge, or otherwise prove that no erosion, sedimentation, flooding or other harm will result from the concentrated discharge.

3. Where a development site is traversed by watercourses, drainage easements shall be provided conforming to the line of such watercourses. The terms of the easement shall prohibit excavation, the placing of fill or structures and any alterations that may adversely affect the flow of storm water within any portion of the easement. Also, maintenance, including mowing of vegetation within the easement shall be required, except as approved by the appropriate governing authority.

4. When it can be shown that, due to topographic conditions, natural drainage ways on the site cannot adequately provide for drainage, open channels may be constructed conforming substantially to the line and grade of such natural drainageways. Work within natural drainageways shall be subject to approval by PA DEP through the joint permit application process or, where deemed appropriate by PA DEP, through the general permit process.

5. Any storm water management facilities regulated by this title that would be located in or adjacent to waters of the Commonwealth or wetlands shall be subject to approval by PA DEP through the joint permit application process, or where deemed appropriate by PA DEP, the general permit process. When there is a question whether wetlands may be involved, it is the responsibility of the applicant or his or her agent to show that the land in question cannot be classified as wetlands, otherwise approval to work in the area must be obtained from PA DEP.

6. Any storm water management facilities regulated by this title that would be located on State highway rights-of-way shall be subject to approval by the Pennsylvania Department of Transportation (PA DOT).

7. Minimization of impervious surfaces and infiltration of storm water runoff through seepage beds, infiltration trenches and the like are encouraged, where soil conditions permit, to reduce the size or eliminate the need for detention facilities.

8. In order to promote overland flow and infiltration, roof drains should not discharge directly to streets or storm sewers. Roof drains may discharge directly to streets or storm sewers when deemed necessary by the City of Williamsport. Under no circumstances shall roof drains discharge directly to sanitary sewer systems.

(Ord. 6211, approved 4-15-2012)
TITLE ELEVEN: STORM WATER MANAGEMENT

ARTICLE 1394: STORM WATER MANAGEMENT (SWM) SITE PLAN REQUIREMENTS

Section

1394.01 Plan contents.
1394.02 Plan submission.
1394.03 Plan review.
1394.04 Modification of plans.
1394.05 Resubmission of disapproved storm water management site plans.
1394.06 Authorization to construct and term of validity.
1394.07 As-built plans, completion certificate and final inspection.

§ 1394.01 PLAN CONTENTS.

The following items shall be included in the SWM site plan:

(a) Appropriate sections from the Municipal Subdivision and Land Development Ordinance, and other applicable local ordinances, shall be followed in preparing the SWM site plans. In instances where the City of Williamsport lacks subdivision and land development regulations, the content of SWM site plans shall follow the county’s Subdivision and Land Development Ordinance;

(b) The City of Williamsport shall not approve any SWM site plan that is deficient in meeting the requirements of this title. At its sole discretion and in accordance with this article, when a SWM site plan is found to be deficient, the City of Williamsport may either disapprove the submission and require a resubmission, or in the case of minor deficiencies the City of Williamsport may accept submission of modifications;

(c) Provisions for a permanent access or maintenance easement for all physical SWM BMPs, such as ponds and infiltration structures, as necessary to implement the operation and maintenance plan discussed in subsection (i)(9) below;

(d) The following signature block for the City of Williamsport:

“ (Municipal official or designee) , on this date (date of signature) has reviewed and hereby certifies that the SWM site plan meets all design standards and criteria of the Municipal Ordinance No. (number assigned to the ordinance).”

(e) The following signature block for the registered professional preparing the plan:

“I, _______________ , hereby certify on this date (date of signature) that the storm water management plan meets all design standards and criteria of the Ordinance No. (Number assigned to the ordinance).”
(f) The following statement by the owner:

“I/we hereby acknowledge that I/we and/or my/our assignees/grantees shall be responsible for maintenance of the storm water management system shown hereon, in accordance with approved storm water management ownership and maintenance plan for this project, and that such storm water system shall remain as a permanent fixture that cannot be altered, replaced, or removed without prior written approval from the City of Williamsport.”

(g) A note indicating that as-built plans will be submitted by a qualified professional for all storm water facilities prior to occupancy, or the release of the surety bond. The City of Williamsport reserves the right to authorize the Municipal Engineer to review said as-built plans;

(h) All permits required by the Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation (PA DOT) and U.S. Army Corps of Engineers (USACE) and other regulatory agencies; and

(i) The SWM site plan shall provide the following information:

1. The overall storm water management concept for the project;
2. A determination of site conditions in accordance with the PA BMP Manual. A detailed site evaluation shall be completed for projects proposed in areas of carbonate geology or karst topography, and other environmentally sensitive areas such as brownfields;
3. Storm water runoff design computations and documentation as specified in this title, or otherwise necessary to demonstrate that the maximum practicable measures have been taken to meet the requirements of this Title, including the recommendations and general requirements in § 1393.01;
4. Expected project time schedule;
5. A soil erosion and sediment control plan, where applicable, as prepared for and approved by the approval authority;
6. The effect (in terms of runoff volumes, water quality and peak flows) on surrounding properties and aquatic features and on any existing storm water conveyance system that may be affected by the project;
7. Plans and profile drawings of all SWM BMPs including open channel structures, pipes, open channels, and swales shall be at the discretion of the City of Williamsport;
8. SWM site plan shall show the locations of existing watercourses and existing and proposed on-lot wastewater facilities, water supply wells and infiltration areas;
9. The SWM site plan shall include an operation and maintenance (O&M) plan. for all existing and proposed physical storm water management facilities. This plan shall address long-term ownership and responsibilities for operation and maintenance;
10. Horizontal and vertical profiles of any existing and proposed watercourses, drainageways, channels or streams, including hydraulic capacity;
11. Hydrologic and hydraulic computations for all existing and proposed storm water management facilities and measures;
12. Storm water management both during and after development; and
(13) Unless specifically exempted in writing, the following must also be shown on the SWM site plan, prepared in a form which meets the requirements for recording in the Office of the Register and Recorder of Lycoming County, Pennsylvania:

(A) Annotated maps, drawings, engineering plans and construction details. Said plan shall be prepared by a registered professional land surveyor, qualified geologist, landscape architect, architect or engineer licensed in the State of Pennsylvania, with said preparer’s seal and registration number affixed to the plan. Plans for tracts of less than 20 acres shall be drawn at a scale of one inch equals no more than 50 feet; for tracts of 20 acres or more, plans shall be drawn at a scale of 1 inch equals no more than 200 feet. Plans shall be submitted on the following sheet sizes: 18 inches by 24 inches; 24 inches by 36 inches; or 36 inches by 42 inches. All lettering shall be drawn to a size to be legible if the plans are reduced to half size. All sheets comprising a submission shall be on one size;

(B) The name of the proposed development and the name and address of the owner of the property and the individual or firm preparing the plan;

(C) Date of submission and revision, graphic scale and North arrow;

(D) Total tract boundary with distances marked to the nearest foot and bearings to the nearest degree and the total acreage of the tract;

(E) Key map (drawn to scale) showing all existing natural and human-made features beyond the property boundary affected by the project and the extent of the watershed or sub-basin which drains through the project site for 1,000 feet or as specified by the City of Williamsport;

(F) Existing and proposed topographic contours shall be provided at intervals not greater than five feet for existing and proposed conditions. Topographic contours at intervals less than five feet may be required for flat sites, and to depict certain existing and future storm water management features. The reference datum used to develop topographic contours shall be stated on the plans;

(G) Existing and proposed use, including the total area of impervious surfaces after construction;

(H) Location and selected plant material used for vegetative filter paths to sinkholes, stream buffers, buffer yards, wetlands, streams and other waters of the commonwealth, and the location of all notices to be posted, as specified in this title; and

(I) If storm water management facilities are off-site, a note on the plan referring to location and agreements indicating responsibility for conveyance to and maintenance of the facilities; all such off-site facilities shall meet the design standards and criteria specified in this title, and details of the facilities shall be included with the plan.

(Ord. 6211, approved 4-15-2012)

§ 1394.02 PLAN SUBMISSION.

(a) Five copies of the SWM site plan shall be submitted to the City of Williamsport or Ordinance Administrator for distribution to the City Engineer, County Conservation District, County Planning Commission and other agencies as applicable.

(b) Additional copies shall be submitted as requested by the City of Williamsport, Ordinance Administrator or DEP.

(Ord. 6211, approved 4-15-2012)
§ 1394.03 PLAN REVIEW.

(a) The SWM site plan shall be reviewed by a qualified professional for the City of Williamsport for consistency with the provisions of this title. After review, the qualified professional shall provide a written recommendation for the City of Williamsport to approve or disapprove the SWM site plan. If it is recommended to disapprove the SWM site plan, the qualified professional shall state the reasons for the disapproval in writing. The qualified professional also may recommend approval of the SWM site plan with conditions and, if so, shall provide the acceptable conditions for approval in writing. The SWM site plan review and recommendations shall be completed within the time allowed by the Municipalities Planning Code for reviewing subdivision plans.

(b) The City of Williamsport shall notify the applicant in writing within 45 calendar days whether the SWM site plan is approved or disapproved. If the SWM plan involves a subdivision or land development plan, the notification period is 90 days. If a longer notification period is provided by other statute, regulation or ordinance, the applicant will be so notified by the City of Williamsport. If the City of Williamsport disapproves the SWM plan, the City of Williamsport shall cite the reasons for disapproval in writing.

(c) The City of Williamsport’s approval of a SWM site plan shall be valid for a period not to exceed five years. This five-year time period shall commence on the date that the City of Williamsport signs the approved SWM site plan. If storm water management facilities included in the approved SWM site plan have not been constructed, or if an as-built survey (if required) of these facilities has not been approved within this five-year time period, then the City of Williamsport may consider the SWM site plan disapproved and may revoke any and all permits. SWM site plans that are considered disapproved by the City of Williamsport shall be resubmitted in accordance with § 1394.05 of this title. The five-year time period may be renewed for a single five-year term upon request of the applicant if there have been no adopted or pending revisions to the SWM Ordinance.

(d) A SWM site plan may be adjusted revised and resubmitted in accordance with above.

(e) Failure of the City of Williamsport or ordinance administrator to render a decision and communicate it to the applicant within 90 days (except when a plan is being reviewed concurrently with another development approval), in which case the time limit for the concurrent development permit shall apply, shall be deemed an approval of the plan.

(Ord. 6211, approved 4-15-2012)

§ 1394.04 MODIFICATION OF PLANS.

A modification to a submitted SWM site plan that involves a change in SWM BMPs or techniques, or that involves the relocation or re-design of SWM BMPs, or that is necessary because soil or other conditions are not as stated on the SWM site plan as determined by the City of Williamsport, shall require a resubmission of the modified SWM site plan in accordance with this article.

(Ord. 6211, approved 4-15-2012)
§ 1394.05 RESUBMISSION OF DISAPPROVED STORM WATER MANAGEMENT SITE PLANS.

A disapproved SWM site plan may be resubmitted, with the revisions addressing the City of Williamsport’s concerns, to the City of Williamsport in accordance with this article. The applicable review fee must accompany a resubmission of a disapproved SWM site plan.
(Ord. 6211, approved 4-15-2012)

§ 1394.06 AUTHORIZATION TO CONSTRUCT AND TERM OF VALIDITY.

The City of Williamsport’s approval of a SWM site plan authorizes the regulated activities contained in the SWM site plan for a maximum term of validity of five years following the date of approval unless otherwise authorized by the City of Williamsport. The City of Williamsport may specify a term of validity shorter than five years in the approval for any specific SWM site plan. Terms of validity shall commence on the date the City of Williamsport signs the approval for a SWM site plan. If an approved SWM site plan is not completed according to § 1394.07 within the term of validity, then the City of Williamsport may consider the SWM site plan disapproved and may revoke any and all permits. SWM site plans that are considered disapproved by the City of Williamsport shall be resubmitted in accordance with § 1394.05 of this title.
(Ord. 6211, approved 4-15-2012)

§ 1394.07 AS-BUILT PLANS, COMPLETION CERTIFICATE AND FINAL INSPECTION.

(a) The developer shall be responsible for completing an as-built plan(s) of all SWM BMPs included in the approved SWM site plan. The as-built plans and an explanation of any discrepancies with the construction plans shall be submitted to the City of Williamsport.

(b) The as-built submission shall include a certification of completion signed by a qualified professional verifying that all permanent SWM BMPs have been constructed according to the approved plans and specifications. If any licensed qualified professionals contributed to the construction plans, then a licensed qualified professional must sign the completion certificate.

(c) After receipt of the completion certification by the City of Williamsport, the City of Williamsport may conduct a final inspection.
(Ord. 6211, approved 4-15-2012)
TITLE ELEVEN: STORM WATER MANAGEMENT
ARTICLE 1395: OPERATION AND MAINTENANCE

Section

1395.01 Responsibilities of developers and landowners.
1395.02 Operation and maintenance agreements.

§ 1395.01 RESPONSIBILITIES OF DEVELOPERS AND LANDOWNERS.
   (a) The City of Williamsport shall make the final determination on the continuing maintenance responsibilities prior to final approval of the SWM site plan. The City of Williamsport may require a dedication of such facilities as part of the requirements for approval of the SWM site plan. Such a requirement is not an indication that the City of Williamsport will accept the facilities. The City of Williamsport reserves the right to accept the ownership and operating responsibility for any or the entire storm water management controls.
   (b) Facilities, areas or structures used as storm water management BMPs shall be enumerated as permanent real estate appurtenances and recorded as deed restrictions or conservation easements that run with the land.
   (c) The operation and maintenance plan shall be recorded as a restrictive deed covenant that runs with the land.
(Ord. 6211, approved 4-15-2012)

§ 1395.02 OPERATION AND MAINTENANCE AGREEMENTS.
   (a) The owner is responsible for operation and maintenance of the SWM BMPs. If the owner fails to adhere to the operation and maintenance agreement, the City of Williamsport may perform the services required and charge the owner appropriate fees. Non-payment of fees may result in a lien against the property.
   (b) Each storm water management plan shall contain provisions which clearly set forth the ownership and maintenance responsibility of all permanent storm water management and erosion and sediment control facilities. Including:
      (1) Description of maintenance requirements;
      (2) Establishment of suitable easements for access to all facilities by public officials, in accordance with this article;
      (3) Municipalities are exempt from the requirement to sign and record an operation and maintenance agreement; and
      (4) Identification of the responsible party or entity for ownership and maintenance of both temporary and permanent storm water management, and erosion and sediment pollution control facilities.
In meeting this requirement, the following options are hereby provided for upon approval by the City of Williamsport.

(c) Facilities may be incorporated within individual lots so that the respective lot owners will own and be responsible for maintenance in accordance with recorded deed restriction. A description of the facility or system and the terms of the required maintenance shall be incorporated as part of the deed to the property.

(d) Ownership and maintenance may be the responsibility of a property owners association. The stated responsibilities of the property owners association in terms of owning and maintaining the storm water management facilities shall be submitted with final plans for determination of their adequacy and, upon their approval, shall be recorded with the approved subdivision plan among the deed records of Lycoming County, Pennsylvania. In addition, the approved subdivision plan and any deed written from said plan for a lot or lots shown herein shall contain a condition that it shall be mandatory for the owner or owners of said lot to be members of said property owners association.

(e) For storm water management facilities that are proposed as part of the site development plan, the applicant will be required to execute a developer agreement and a maintenance agreement with the City of Williamsport for the construction and continued maintenance of the facilities prior to the signature approval on the final plan. Access for inspection by the City of Williamsport of all such facilities deemed critical to the public welfare at any reasonable time shall be provided.

(f) In the event the above priorities cannot be achieved, or where it is required, the facilities may be dedicated to the City of Williamsport in accordance with this title. As a condition of City of Williamsport acceptance of said facilities, the applicant shall provide 15% of the cost of improvements, in the form of a maintenance bond, as estimated by the applicant’s qualified professional, and approved by the City of Williamsport, to cover contingency maintenance costs for 18 months from the date of storm water management facilities acceptance of dedication. The 15% bond shall be based on the construction costs of the detention basin and outlet structure within the area dedicated to the City of Williamsport.

(Ord. 6211, approved 4-15-2012)
§ 1396.01 GENERAL.
(a) The City of Williamsport may include all costs incurred in the review fee charged to an applicant.
(b) The review fee may include, but not be limited to, costs for the following:
   (1) Administrative/clerical processing;
   (2) Review of the SWM site plan;
   (3) Attendance at meetings; and
   (4) Inspections.
§ 1397.01 PROHIBITED DISCHARGES AND CONNECTIONS.

(a) Any drain or conveyance, whether on the surface or subsurface, which allows any non-storm water discharge including sewage, process wastewater and wash water to enter the waters of this commonwealth is prohibited.

(b) No person shall allow, or cause to allow, discharges into surface waters of this Commonwealth which are not composed entirely of storm water, except:

(1) As provided in subsection (c) below; and

(2) Discharges allowed under a state or federal permit.

(c) The following discharges are authorized unless they are determined to be significant contributors to pollution to the waters of this commonwealth:

<table>
<thead>
<tr>
<th>Discharges from firefighting activities</th>
<th>Flows from riparian habitats and wetlands</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potable water sources including water line flushing</td>
<td>Uncontaminated water from foundations or from footing drains</td>
</tr>
<tr>
<td>Irrigation drainage</td>
<td>Lawn watering</td>
</tr>
<tr>
<td>Air conditioning condensate</td>
<td>Dechlorinated swimming pool discharges</td>
</tr>
<tr>
<td>Springs</td>
<td>Uncontaminated groundwater</td>
</tr>
<tr>
<td>Water from crawl space pumps</td>
<td>Water from individual residential car washing</td>
</tr>
<tr>
<td>Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spill material has been removed) and where detergents are not used</td>
<td>Routine external building wash down (which does not use detergents or other compounds)</td>
</tr>
</tbody>
</table>

(d) In the event that the City of Williamsport or DEP determines that any of the discharges identified in subsection (c), significantly contribute to pollution of the waters of this commonwealth, the City of Williamsport or DEP will notify the responsible person(s) to cease the discharge.

(Ord. 6211, approved 4-15-2012)
§ 1397.02 ROOF DRAINS.
   Roof drains and sump pumps shall discharge to infiltration or vegetative BMPs to the maximum extent practicable to satisfy the criteria for disconnected impervious area.
   (Ord. 6211, approved 4-15-2012)

§ 1397.03 ALTERATION OF SWM BMPs.
   No person shall modify, remove, fill, landscape or alter any SWM BMPs, facilities, areas or structures, without the prior written approval of the City of Williamsport.
   (Ord. 6211, approved 4-15-2012)
§ 1398.01 RIGHT-OF-ENTRY.
Upon presentation of proper credentials, the City of Williamsport may enter at reasonable times upon any property within the City of Williamsport to inspect the condition of the storm water structures and facilities in regard to any aspect regulated by this title.
(Ord. 6211, approved 4-15-2012)

§ 1398.02 INSPECTION.
SWM BMPs should be inspected by the landowner, or the owner’s designee (including City of Williamsport for dedicated and owned facilities) according to the following list of minimum frequencies:
(a) Annually for the first three years;
(b) Biannually thereafter; and
(c) During or immediately after the cessation of a storm event.
(Ord. 6211, approved 4-15-2012)

§ 1398.03 ENFORCEMENT.
(a) It shall be unlawful for a person to undertake any regulated activity except as provided in an approved SWM site plan, unless specifically exempted in § 1393.02.
(b) It shall be unlawful to violate § 1397.03 of this title or to alter or remove any control structure required by the SWM site plan.
(c) Inspections regarding compliance with the SWM site plan are a responsibility of the City of Williamsport.
(d) If the City of Williamsport determines at any time that any permanent storm water management facility has been eliminated, altered or improperly maintained, the City of Williamsport shall advise the responsible party of required corrective measures, and shall provide said responsible party with a specific time to implement the required corrective measures. If such action is not taken by the property owner,
the City of Williamsport may cause the work to be done and back-charge all costs to the property owners in accordance with this title.
(Ord. 6211, approved 4-15-2012)

§ 1398.04 SUSPENSIONS AND REVOCATION.
(a) Any approval or permit issued may be suspended or revoked by the City of Williamsport for:
(1) Non-compliance with or failure to implement any provision of the approved SWM site plan or operation and maintenance agreement;
(2) A violation of any provision of this title or any other applicable law, ordinance, rule or regulation relating to the regulated activity; and
(3) The creation of any condition or the commission of any act during the regulated activity which constitutes or creates a hazard or nuisance, pollution or which endangers the life or property of others.
(b) A suspended approval may be reinstated by the City of Williamsport when:
(1) The City of Williamsport has inspected and approved the corrections to the violations that caused the suspension; and
(2) The City of Williamsport is satisfied that the violation has been corrected.
(c) An approval that has been revoked by the City of Williamsport cannot be reinstated. The applicant may apply for a new approval under the provisions of this title.
(d) If a violation causes no immediate danger to life, public health or property, at its sole discretion, the City of Williamsport shall provide a reasonable timeframe for the owner to correct the violation. In these cases, the City of Williamsport will provide the owner, or the owner’s designee, with a written notice of the violation and the time period allowed for the owner to correct the violation. If the owner does not correct the violation within the allowed time period, the City of Williamsport may revoke or suspend any, or all, applicable approvals and permits pertaining to any provision of this title.
(Ord. 6211, approved 4-15-2012)

§ 1398.05 PENALTIES.
Any person who fails to comply with this title within the period stated in the notice of the designated municipal representative shall, upon conviction thereof, be guilty of a summary offense, and shall be sentenced to pay a penalty of not more than $300. Each and every day of continued violation and of each specific violation shall constitute a separate violation.
(a) In the event that the owner, developer, occupant, applicant, property manager or other person responsible fails to comply with the terms of this title within the time specified by the municipal representative, the City of Williamsport may take any actions necessary to remove the public nuisance. The costs of removal of the violation shall be in addition to any penalties for violations for failure to comply.
(b) In addition to the fines for violations, costs, and penalties provided for by this article, the City of Williamsport may institute proceedings in Courts of Equity to require owners and/or occupants of real estate to comply with the provision of this title.
(c) The cost of removal, fine, and penalties hereinabove mentioned may be entered by the City of Williamsport as a lien against such property, or properties of individual members of a property owners association, in accordance with existing provisions of law.
(Ord. 6211, approved 4-15-2012)

§ 1398.06 APPEALS.

(a) Any person aggrieved by any action of the City of Williamsport or its designee, relevant to the provisions of this title, may appeal to the Municipal Appeals Board within 30 days of that action. The Municipal Appeals Board may include a committee of storm water professionals designated and authorized by the City of Williamsport.

1) The City of Williamsport Appeals Board that is authorized, may grant an appeal to modify the requirements of one or more provisions if the application of this title will exact undue hardship due to peculiar conditions pertaining to the land in question; providing, such modification will not be contrary to the public interest and that the purpose and intent of the ordinance is observed.

2) All requests to the Appeals Board shall be in writing. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision(s) of the ordinance and the minimum modification necessary.

3) Any request may be referred to the respective municipal planning commission and governing body for advisory comments.

(b) Any person aggrieved by any decision of the City of Williamsport, relevant to the provisions of this title, may appeal to the County Court of Common Pleas in the county where the activity has taken place within 30 days of the City of Williamsport’s decision.
(Ord. 6211, approved 4-15-2012)
§ 1399.01 REFERENCES.
(g) PennDOT Drainage Manual, Publication Number 13, DM-2, Chapter 10, as amended.
(h) Commonwealth of Pennsylvania, Storm Water Management Act No. 167. (Ord. 6211, approved 4-15-2012)
TITLE THIRTEEN: STORM WATER MANAGEMENT
APPENDIX A: OPERATION AND MAINTENANCE AGREEMENT

OPERATION AND MAINTENANCE AGREEMENT
STORMWATER MANAGEMENT BEST MANAGEMENT PRACTICES (SWM BMP)

THIS AGREEMENT, made and entered into this __________ day of __________, 200__, by and between ________________________, (hereinafter the “Landowner”), and ________________________, Lycoming County, Pennsylvania, (hereinafter “City of Williamsport”);

WITNESSETH

WHEREAS, the Landowner is the owner of certain real property as recorded by deed in the land records of Lycoming County, Pennsylvania, Deed Book __________ at Page __________, (hereinafter “Property”).

WHEREAS, the Landowner is proceeding to build and develop the Property, and

WHEREAS, the SWM BMP Operation and Maintenance Plan approved by the City of Williamsport (hereinafter referred to as the “Plan”) for the property identified herein, which is attached hereto as Appendix A and made part hereof, as approved by the City of Williamsport, provides for management of stormwater within the confines of the Property through the use of BMPs; and

WHEREAS, the City of Williamsport, and the Landowner, his successors and assigns, agree that the health, safety, and welfare of the residents of the City of Williamsport and the protection and maintenance of water quality require that on-site stormwater BMP be constructed and maintained on the Property; and

WHEREAS, the City of Williamsport requires, through the implementation of the SWM Site Plan, that SWM BMP’s as required by said Plan and the Municipal Stormwater Management Ordinance be constructed and adequately operated and maintained by the Landowner, his successors and assigns.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

223
1. The Landowner shall construct the BMPs in accordance with the plans and specifications identified in the SWM Site Plan.

2. The Landowner shall operate and maintain the BMPs as shown on the Plan in good working order accordance with the specific maintenance requirements noted on the approved SWM Site Plan.

3. The Landowner hereby grants permission to the City of Williamsport, its authorized agents and employees, to enter upon the property, at reasonable times and upon presentation of proper credentials, to inspect the BMPs whenever necessary. Whenever possible, the City of Williamsport shall notify the Landowner prior to entering the property.

4. In the event the Landowner fails to operate and maintain the BMPs per paragraph 2, the City of Williamsport or its representatives may enter upon the Property and take whatever action is deemed necessary to maintain said BMP(s). This provision shall not be construed to allow the City of Williamsport to erect any permanent structure on the land of the Landowner. It is expressly understood and agreed that the City of Williamsport is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the City of Williamsport.

5. In the event the City of Williamsport, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the City of Williamsport for all expenses (direct and indirect) incurred within 10 days of receipt of invoice from the City of Williamsport.

6. The intent and purpose of this Agreement is to ensure the proper maintenance of the existing BMPs by the Landowner; provided, however, that this Agreement shall not be deemed to create or affect any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.

7. The Landowner, its executors, administrators, assigns, and other successors in interest, shall release the City of Williamsport from all damages, accidents, casualties, occurrences or claims which might arise or be asserted against said employees and representatives from the construction, presence, existence, or maintenance of the BMP(s) by the Landowner or City of Williamsport.

This Agreement shall be recorded at the Office of the Recorder of Deeds of Lycoming County, Pennsylvania, and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Landowner, his administrators, executors, assigns, heirs and any other successors in interests, in perpetuity.
ATTEST:

WITNESS the following signatures and seals:

(SEAL) For the City of Williamsport:

(SEAL) For the Landowner:

ATTEST:

__________________________ (City, Borough, Township)

County of Lycoming, Pennsylvania

I, ____________________________, a Notary Public in and for the County and State aforesaid, whose commission expires on the _______ day of ____________, 20___, do hereby certify that ____________________________, whose name(s) is/are signed to the foregoing Agreement bearing date of the _______ day of ________________, 20___, has acknowledged the same before me in my said County and State.

GIVEN UNDER MY HAND THIS _______ day of ____________, 20___.

__________________________ ____________________________

NOTARY PUBLIC (SEAL)
DISCONNECTED IMPERVIOUS AREA (DIA)

B.1. Rooftop Disconnection

When rooftop downspouts are directed to a pervious area that allows for infiltration, filtration, and increased time of concentration, the rooftop may qualify as completely or partially Disconnected Impervious Area (DIA) and a portion of the impervious rooftop area may be excluded from the calculation of total impervious cover.

A rooftop is considered to be completely or partially disconnected if it meets the requirements listed below:

- The contributing area of rooftop to each disconnected discharge is 500 square feet or less, and
- The soil is not designated as hydrologic soil group “D” or equivalent, and
- The overland flow path from roof water discharge area has a positive slope of 5% or less.

For designs that meet these requirements, the portion of the roof that may be considered disconnected depends on the length of the overland path as designated in Table B.1.

<table>
<thead>
<tr>
<th>Table B.1: Partial Rooftop Disconnection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of Pervious Flow Path * (ft)</td>
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<tr>
<td>--------------------------------------</td>
</tr>
<tr>
<td>0 – 14</td>
</tr>
<tr>
<td>15 – 29</td>
</tr>
<tr>
<td>30 – 44</td>
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<tr>
<td>45 – 59</td>
</tr>
<tr>
<td>60 – 74</td>
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<td>75 or more</td>
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</tbody>
</table>

* Flow path cannot include impervious surfaces and must be at least 15 feet from any impervious surfaces.
B.2. Pavement Disconnection

When pavement runoff is directed to a pervious area that allows for infiltration, filtration, and increased time of concentration, the contributing pavement area may qualify as Disconnected Impervious Area (DIA) and that area may be excluded from the calculation of total impervious cover. This applies generally only to small or narrow pavement structures such as driveways and narrow pathways through otherwise pervious areas (e.g. a walkway or bike path through a park).

Pavement is disconnected if the pavement, or area adjacent to the pavement, meets the requirements below:

- The contributing flow path over impervious cover is not more than 75 feet, and
- The length of overland flow is greater than or equal to the contributing length, and
- The soil is not designated as hydrologic soil group “D” or equivalent, and
- The slope of the contributing impervious area is 3% or less, and
- The slope of the overland flow path is 5% or less.

If the discharge is concentrated at one or more discrete points, no more than 1000 square feet may discharge to any one point. In addition, a gravel strip or other spreading device is required for concentrated discharges. For non-concentrated discharges along the entire edge of pavement, this requirement is waived; however, there must be provision for the establishment of vegetation along the pavement edge and temporary stabilization of the area until vegetation becomes stabilized.

REFERENCE

### TITLE THIRTEEN: STORM WATER MANAGEMENT

#### APPENDIX C: STORM WATER MANAGEMENT PLAN (SMP) REQUIREMENTS

<table>
<thead>
<tr>
<th>Plan Requirement</th>
<th>Impervious Area*</th>
<th>Disturbed Area*</th>
<th>References</th>
</tr>
</thead>
<tbody>
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<td>Exempt</td>
<td>&lt;1,000 sq. ft.</td>
<td>&lt;5,000 sq. ft.</td>
<td>§1393.02(a)</td>
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<td>May Be Exempt</td>
<td>1,000 sq. ft. to &lt;5,000 sq. ft. if disconnected from impervious areas</td>
<td>5,000 sq. ft. to &lt;20,000 sq. ft. without point source to surface waters</td>
<td>§1393.02(b) Appendix B</td>
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<td>Minor SMP</td>
<td>1,000 sq. ft. to &lt;5,000 sq. ft. if connected to impervious areas</td>
<td>5,000 sq. ft. to &lt;20,000 sq. ft. with point source to surface waters</td>
<td>§1393.05(m) Appendix B Appendix C</td>
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<td>SMP</td>
<td>5,000 sq. ft. or greater</td>
<td>20,000 sq. ft. or greater</td>
<td>Appendix C</td>
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* The measurement of impervious or disturbed areas shall include all of the impervious or disturbed areas in the total proposed development even if development is to take place in stages (§1393.01(f)).
### Runoff Coefficients for the Rational Formula

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>0-2%</td>
<td>2-5%</td>
<td>5%+</td>
<td>0-2%</td>
<td>2-5%</td>
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<td>0.24</td>
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<td>0.23</td>
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<td>0.97</td>
<td>0.94</td>
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</tbody>
</table>

<sup>a</sup> Runoff coefficients for storm recurrence intervals less than 25 years.

<sup>b</sup> Runoff coefficients for storm recurrence intervals of 25 years or more.
