
HONEY BROOK TOWNSHIP
CHESTER COUNTY, PA
ORDINANCE #172 - 2014

AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE HONEY BROOK TOWNSHIP ZONING ORDINANCE OF 2003, AS AMENDED, TO AMEND MISCELLANEOUS DEFINITIONS, SOIL SURVEY REFERENCES, AND STORMWATER REQUIREMENTS TO BE CONSISTENT WITH OTHER TOWNSHIP ORDINANCES.

SECTION 1. Amend §27-202, *Definitions*, by

1. Deleting the existing definition of “*Alluvial Soils*” and replacing it with “*Alluvial soils*– Any soil inventoried or described as alluvial or as a soil with alluvial inclusions for Chester County by the U.S. NRCS Soil Survey.”
2. Deleting the existing definition of “Flood” in its entirety and replacing it with “*Flood* - A temporary condition of partial or complete inundation of land areas from the overflow of streams, rivers, and other waters of this Commonwealth.”
3. Deleting the existing definition of “Floodplain area” in its entirety.
4. Adding the following definition between the existing definitions for “*Flood hazard*” and “*Floodproofing*”, “*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.”
5. Deleting, in its entirety, the existing definition of “*Floodway*” and replacing it with the following “*Floodway* - The channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the one hundred (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 one hundred (100)-year floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the centerline of the stream and to fifty (50) feet beyond the top of the bank of the stream on both sides.”
6. Deleting the existing definition of “*Hydric Soils*” and replacing it with “*Hydric soils*– Any soil inventoried or described as hydric or as a soil with hydric inclusions for Chester County by the U.S. NRCS Soil Survey.”
7. Delete the existing definition of “*Impervious surface*” and replace it with the following: “**Impervious Surface** - A surface that has been compacted or covered with a layer of material so that it prevents or is resistant to infiltration of water, including but not limited to: structures such as roofs, buildings, storage sheds; other solid, paved or concrete areas such as streets, driveways, sidewalks, parking lots, patios, tennis or other paved courts; or athletic playfields comprised of synthetic turf materials.”
8. Amending the definition of “*Lot area, net*” as follows:
 - a. Deleting subsection D reading “Any area comprising a stormwater management basin and above ground stormwater conveyances, a lake, or a pond, but not including on-lot berms.”

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- b. Amending subsection H to read “Any area designated as a wetland, lake or pond, except where such area already is excluded under paragraph E above.”
 - c. Relettering subsections E to I as D to J, respectively.
 - d. Revising the reference to paragraphs “.A and .D” at the end of the subsection to read “.A and .C”.
9. Deleting the existing definition of “Stormwater management basin” in its entirety.
 10. Adding a definition of “*Stormwater Management Facility*” between the definitions of “*Storage Shed*” and “*Story and half story*” to read: “*Stormwater management facility* – Any feature, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff quality, rate, or quantity. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and Infiltration Facilities.”
 11. Replacing the existing definition of “*Wetland*” in its entirety and replacing it with the following: “*Wetland* – Those areas that are inundated or saturated by surface or groundwater 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. Wetlands generally include swamps, marshes, bogs, fens, and similar areas; or as further defined by the Pennsylvania Department of Environmental Protection.”

SECTION 2. Amend Part 13 Natural Features Conservation Standards, as follows:

1. Delete the existing wording of Section 1302.2.B in its entirety and replace it with the following: “Any water or drainage course or body of water, and the lowlands adjoining, which may be subject to periodic flooding or overflow. The district shall include all lands designated by the following soil map symbols and mapping unit names for Chester County as designated by the U.S. NRCS Soil Survey: Ba/BaB/BbB – Baile silt loam, CpA/CpB/CqB – Cokesbury silt loam; Ha – Hatboro silt loam; Th- Thorndale silt loam, ToA/ToB/TxB – Towhee silt loam, WaA – Watchung silt loam.”
2. Replacing the existing language of Section 1304.2.B.(1)(c) in its entirety with the following: “All watercourses bordered by the following alluvial soils, and/or local alluvium soils, as mapped in the most recent U.S. NRCS Soil Survey for Chester County, provided the local alluvium soil is connected to one of the following alluvial soils: Ba/BaB/BbB – Baile silt loam, CpA/CpB/CqB – Cokesbury silt loam; Ha – Hatboro silt loam; Th- Thorndale silt loam, ToA/ToB/TxB – Towhee silt loam, WaA – Watchung silt loam.
3. Adding Section 1304.2.B.(1)(e) to read: “In the case where a dispute is based upon soils classification, the initial determination may be overruled upon the submission of a report prepared by a soil scientist or other individual with appropriate expertise on behalf of the application which demonstrates that the soils are not any of those listed above in subsection .2.B.(1)(c).”
4. Amend Section 1305.10.G.(4) in its entirety to read: “Compliance by the applicant with the provisions of the Township Subdivision and Land Development Ordinance [Chapter 22] and Township Stormwater Management Ordinance [Chapter 20] then in effect pertaining to sanitary sewage disposal, water supply, stormwater management, utilities and easements and subsurface carbonate areas.”

SECTION 3. Amend Part 16, Section 27-1604 Uses Permitted as Conditional Uses, Subsection 1604.N.(12)(a) by deleting the existing language in its entirety and replacing it with “Mobile home parks

shall be designed in accordance with the requirements of the Honey Brook Township Subdivision and Land Development Ordinance, as amended [Chapter 22, Part 7].”

SECTION 4. Amend Part 17, Section 27-1712 Site Improvements and Surface Water Runoff, by deleting the existing language in its entirety and replacing it with the following: “Site improvements on any property that include new or expansion of existing impervious cover, including new buildings, accessory structures, driveways and off-street parking facilities, patios, etc., shall comply with the requirements of the Honey Brook Township Stormwater Management Ordinance [Chapter 20]. For the purposes of this Section, in addition to the surfaces listed in the definition of Impervious Surface (Section 27-202), compacted soils or stone surfaces used for vehicle parking and movement shall be considered impervious. Surfaces that were designed to allow infiltration (i.e. areas of porous pavement) will be considered on a case-by-case basis by the Municipal Engineer, based on appropriate documentation and condition of the material, etc.

SECTION 5. Amend Part 19, Section 27-1910 Conditional Use Procedures and General Standards, as follows:

1. In the last sentence of Section 27-1910.2.B, replace the words “Five copies” with “Eighteen copies”.
2. At the end of Section 1910.4.C, after the words “Ordinance [Chapter 22]” add, “and the Township Stormwater Management Ordinance [Chapter 20]”.

SECTION 6. Amend Part 20, Section 27-2003 Special Exception Plan, Procedures, and Conditions, Subsection 27-2003.B.3) by replacing the existing language in its entirety to read “The Subdivision and Land Development Ordinance [Chapter 22], as amended, and the Stormwater Management Ordinance [Chapter 20], as amended, except that the Zoning Hearing Board shall defer to the Board of Supervisors for determination of technical compliance with such ordinances.

SECTION 7. Amend Part 24, Section 27-2406 Design Standards, Subsection 27-2406.7.I, by replacing the words “Permanent Stormwater Management Controls” with “Stormwater Management Ordinance”.

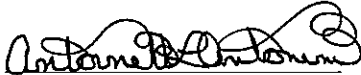
SECTION 8. SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 9. REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

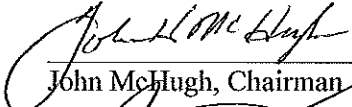
SECTION 10. EFFECTIVE DATE. This Ordinance shall become effective five days after enactment as provided by law.


SO IT IS ENACTED AND ORDAINED this 14th day of MAY, 2014.

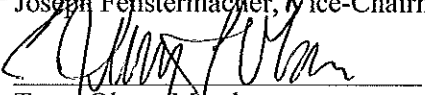
ATTEST:


Antoinette Antonini, Secretary

HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS


John McHugh, Chairman


Joseph Fenstermacher, Vice-Chairman


Tracy Olsen, Member