

OFFICIAL  
TOWNSHIP OF BENNER  
ORDINANCE NO. 108

AN ORDINANCE OF THE TOWNSHIP OF BENNER, COUNTY OF CENTRE, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 104 (BENNER TOWNSHIP ZONING ORDINANCE) TO ESTABLISH A SPRING CREEK CANYON CONSERVATION OVERLAY AND TO ADD AND AMEND CERTAIN DEFINITIONS IN ORDINANCE SECTION 113.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Benner Township, Centre County, Pennsylvania as follows:

1. The Benner Township Zoning Ordinance, Ordinance No. 104, (the "Ordinance") shall be amended to add the language attached hereto as Exhibit "A" as Section 250 to the Ordinance to create a Spring Creek Canyon Conservation Overlay. The language set forth in Exhibit "A" is incorporated into and made part of this Ordinance as if set forth in full.

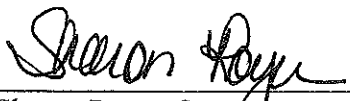
2. Section 113 of the Ordinance entitled "Specific Words and Phrases" is hereby amended to add the definitions set forth in Exhibit "B" and to amend those definitions previously existing as stated in Exhibit "B." The language set forth in Exhibit "B" is incorporated into and made part of this Ordinance as if set forth in full.

3. In all other respects, The Benner Township Zoning Ordinance, Ordinance No. 104, remains in full force and effect, and is not in any way affected or modified by this amendment.

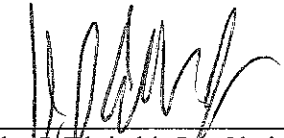
4. Upon adoption of this Ordinance, Benner Township Ordinance No. 107 adopted September 2, 1010, is repealed effective immediately.


ORDAINED AND ENACTED as an ordinance of the Township of Benner this 7th  
day of February, 2010.

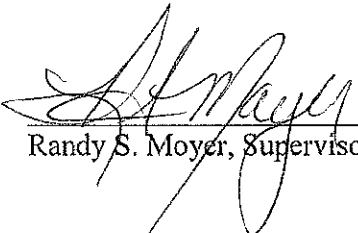
ATTEST:

  
Sharon Royer, Secretary  
(SEAL)

BENNER TOWNSHIP

  
John J. Elnitski, Jr., Chairman

  
David C. Breon, Supervisor

  
Randy S. Moyer, Supervisor

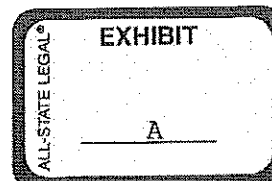
SECTION 250 SPRING CREEK CANYON CONSERVATION OVERLAY ZONE (SCCC)

250.1. PURPOSE AND INTENT OF ZONE

1. Purpose. The Purpose of the Spring Creek Canyon Conservation Overlay is to implement the land use and land development-related goals, objectives and principles of the *Spring Creek Canyon Conservation Strategy: A Master Plan and Management Plan for the Spring Creek Canyon [Conservation Strategy]* (inclusive of any subsequent update and/or revision). Based on research, mapping and analyses by the Commonwealth and others, the Conservation Strategy identifies sensitive and ecologically diverse natural and cultural resources as well as recommendations to safeguard such resources from negative impacts of human activity and/or development.
2. Intent Statements. The Intent of the Spring Creek Canyon Conservation Overlay is to:
  - A. Complement the stated Intent of the Township's Conservation District;
  - B. Minimize site disturbance in order to promote conservation and restoration of native plant communities and promote suitable buffers in proximity to critical habitat areas;
  - C. Preserve cultural and historical resources;
  - D. Safeguard groundwater infiltration and protect surface and groundwater quality conditions for local and regional residents;
  - E. Provide educational opportunities that are based on sustainable resource management;
  - F. Protect the economic value and importance of Spring Creek to the community and the Centre Region; and
  - G. Balance passive recreation opportunities with site capacity and sensitive environments.

250.2 BOUNDARY

The boundaries of the Spring Creek Canyon Conservation Overlay Zone are delineated in two Zones: a Primary Canyon Zone and a Secondary Canyon Zone. The Overlay Zones are designated on the Benner Township Official Zoning Map. Within the Primary Canyon Zone, lines regulating specific Conservation, Restoration and Agriculture Research/Education Areas shall be in accordance with the Areas defined in the most current Spring Creek Canyon Conservation Strategy Master Plan as adopted by Benner Township.



**250.3 SPRING CREEK CANYON CONSERVATION PRIMARY CANYON ZONE REQUIREMENTS**

The following provisions shall not apply to an existing lot of record upon which a single family dwelling exists or a single family home is proposed so long as the existing lot of record has no further subdivision or land development following the date of enactment of this Ordinance.

**1. Land Uses**

For lands located within the Spring Creek Canyon Conservation Primary Canyon Zone Overlay, the following primary uses are permitted by Conditional Use.

**A. Conservation Area**

1. Hatchery (including ancillary uses)
2. Forestry – Non-Commercial
3. Passive Parks/Recreation
4. Trails
5. Visitor/Education Center
6. Administrative Office associated with Conservation Uses
7. Support Parking

**B. Restoration Area**

1. Forestry – Non-Commercial
2. Trails
3. Passive Parks/Recreation

**C. Agriculture Research / Education Area**

1. Agriculture/Production - Non-Tillable
2. Agriculture/Production - Tillable
3. Livestock Range
4. Grasslands/Pasture
5. Forestry – Sustainable
6. Visitor/Education Center
7. Passive Parks/Recreation
8. Ancillary Equipment Storage Buildings
9. Administrative Office associated with Agriculture Research / Education
10. Support Parking

**2. PNDI Requirements.**

- A. The provisions of Section 514 of this Ordinance shall be applicable to land within the Spring Creek Canyon Conservation Overlay unless a stricter provision exists as part of Article 6.
- B. For species identified as part of the PNDI, no structures shall exist within two hundred (200) feet of the identified species' habitat zone.

3. Site Disturbance Restrictions/Limitations.

- A. The purpose of the Township establishing limitations on site disturbance is to optimize protection of the water quality of Spring Creek and the species which exist within the Creek and its vicinity.
- B. The Site Disturbance Analysis provides a rational methodology for:
  - 1. Inventorying, mapping and evaluating the resource sensitivity of a lot based on the Existing Conditions found on said lot.
  - 2. Establishing standards to define and determine the amount of disturbance (permissible disturbance) that a lot can reasonably support. Disturbance includes the portions of a lot where grading and construction activities can occur.
- C. The use of the Site Disturbance Analysis process is intended to enable:
  - 1. Landowners to identify, early in the process, lot(s) resource sensitivity.
  - 2. Protection of persons and lots from hazards resulting from the inappropriate use of land in areas that contain sensitive existing resource conditions including soils, carbonate geology, floodplains, steep slopes, drainage ways, riparian buffers, springs and vernal pools.
- D. As part of the required Natural and Cultural Features Plan, an Applicant shall illustrate topography according to the following:
  - 1. Slopes < 10% = One (1) foot contour interval
  - 2. Slopes > 10% = Two (2) foot contour interval
- E. Within the Primary Canyon Zone, riparian buffers shall be a minimum of one hundred and fifty (150) feet.
- F. This Ordinance protects specific natural resources that are sensitive to disturbance. These existing resources include:
  - 1. Springs;
  - 2. Vernal Pools;
  - 3. Wetlands;
  - 4. Floodplains (existing undisturbed);
  - 5. Floodplains (existing [previous] disturbed);
  - 6. Slopes  $\geq$  10%;
  - 7. Drainageways;
  - 8. Carbonate Geology;
  - 9. Riparian buffers (existing undisturbed); and
  - 10. Riparian buffers (existing [previous] disturbed);

- G. For the purpose of carrying out the provisions of this Ordinance, a Site Disturbance Analysis shall be completed and submitted as part of any Zoning Ordinance application in the Primary Canyon Zone.
- H. The Site Disturbance Analysis shall be completed on the official Township forms provided by the Township Zoning Officer. The official forms required by this Article and other applicable analyses defined by the Township shall be completed and submitted as part of any Zoning Application. No application shall be processed or accepted as administratively complete unless or until the Township Zoning Officer, or any other professional that the Township deems appropriate, determines that the Site Disturbance Analysis has been properly completed.
- I. Official copies of Table A: Site Disturbance Analysis Worksheet-Primary Canyon Zone of this Ordinance, as available through the Township, shall be completed to determine the initial net disturbable area of the lot. Values of acreage documented on the Site Disturbance Analysis Worksheet-Primary Canyon Zone shall be identified to the nearest one-tenth of an acre. Allowable impervious area can be calculated using the acreage of all adjoining lands within the respective overlay district held under single ownership. If properties are contained within both overlays, only the lands within the overlay where the disturbance is to occur can be combined for the purposes of this overlay district.

**Table A: Site Disturbance Analysis Worksheet-Primary Canyon Zone**

	<b>Sensitive Existing Conditions</b>	<b>Gross Lot/Site Area (acres)</b>		<b>Permitted Disturbance Ratio</b>		<b>Net Disturbable Area (acres)</b>
<i>Line 1</i>	All floodplains (existing undisturbed), wetlands, and hydric soils	_____	x	0.0	=	0.0
<i>Line 2</i>	All floodplains (existing [previous] disturbed)	_____	x	0.5	=	0.0
<i>Line 3</i>	All waterbodies and natural drainageways/streams	_____	x	0.0		0.0
<i>Line 4</i>	All springs and vernal pools (including 100 ft buffer)	_____	x	0.0	=	0.0
<i>Line 5</i>	Carbonate Geology	_____	x	0.1	=	0.0
<i>Line 6</i>	Slopes $\geq$ 10%	_____	x	0.05	=	0.0
<i>Line 7</i>	Riparian buffers (existing undisturbed)	_____	x	0.05	=	0.0
<i>Line 8</i>	Riparian buffers (existing [previous] disturbed)	_____	x	0.2	=	0.0
<i>Line 9</i>	Slopes 0% to 9%	_____	x	0.8	=	0.0
<i>Line 10</i>	<i>Sum of Lines 1+2+3+4+5+6+7+8+9</i>	0.0				0.0

(Total Net Disturbable Area)

- J. In areas of existing undisturbed land, no new disturbance shall occur within twenty-five (25) feet of the top of bank (floodway) of Spring Creek. In areas of existing (previous) undisturbed land, no new disturbance shall occur within fifteen (15) feet of the top of bank (floodway) of Spring Creek.
- K. See 250.3 5.H. for Site Restoration Requirements.

4. **Impervious Surface Restrictions.**

For disturbable areas, the following maximum impervious surface restrictions apply:

- A. **Conservation Area**
  - 1. Ten percent (10%) impervious surface square footage of the permissible disturbance area for all land uses except hatchery and previously disturbed floodplain.
  - 2. Forty percent (40%) impervious surface square footage of the permissible disturbance area of the hatchery
  - 3. Twenty percent (20%) impervious surface square footage of the permissible disturbance area of previously disturbed floodplain
- B. **Restoration Area**  
Zero percent (0%) impervious surface square footage of the permissible disturbance area
- C. **Agriculture Research / Education Area**  
Five percent (5%) impervious surface square footage of the permissible disturbance area.

5. **Conditional Use Requirements.**

The following provisions shall apply to all uses within the Primary Canyon Zone:

- A. An Applicant shall submit written approval of Land Use Stewardship Plan by the PA DCNR Bureau of Forestry and the Spring Creek Canyon Land Management Partnership (LAMP), or approved equivalent.
- B. A Forest Canopy Plan shall be provided for all forestry activity. The Forest Canopy Plan shall identify locations of removal and reforestation. The Forest Canopy Plan shall delineate both the existing and the proposed area(s) covered by tree canopy based on proposed activity, disturbance and/or development on the lot.

The net density of established forest canopy existing at the time of the application is filed shall not be reduced. The following shall be illustrated on a Forest Canopy Plan; existing and proposed information shall be identified as applicable.

- 1. Property lines;
- 2. Footprints of all buildings/structures;

3. Pedestrian and vehicular circulation routes;
  4. Overall Tree Canopy coverage;
  5. Tree species, trunk locations and diameter at breast height; and
  6. General Health (Condition) of each tree.
- C. As part of any permanent and/or temporary agriculture-related activities, exhibits and the like, the following shall apply:
1. All building and/or equipment storage location(s), configuration(s) and vehicular access shall be subject to Township review and approval to ensure site disturbance is minimized to the greatest extent possible.
  2. In addition to building(s) existing at the time of the adoption of this Ordinance, no more than eight (8) buildings for agriculture-related activities shall exist in the Primary Canyon Area. Said limit shall be inclusive of expanded existing buildings.
  3. The maximum size of each building, inclusive of existing, proposed and expanded square footage, shall be ten thousand (10,000) square feet.
- D. As part of any permanent and/or temporary hatchery operations, any building square footage expansion shall not exceed forty percent (40%) of existing building square footage.
- E. All new structures and/or renovation of existing structures should meet the criteria of the United States Green Building Council's for LEED® New Construction and Major Renovation Projects or Core and Shell Projects.
- F. Signage, including but not limited to location and quantity, shall be subject to approval based upon its consistency with the overall Primary Canyon Zone signage system.
- G. A letter identifying that the Applicant has successfully completed a Phase I Cultural Resource Assessment and any other subsequent required studies as per the guidelines of the Pennsylvania Historic and Museum Commission shall be submitted with any application for Township approval. The Applicant shall utilize and provide a listing of documentation utilized as part of the Phase I Cultural Resource Assessment and identify where said materials can be readily obtained by the Township if necessary.
- H. Resource Protection and Restoration Plan.
1. All Applicants shall be required to submit a plan which denotes the areas which will be disturbed, areas which will remain undisturbed (resource protection) and those areas where restoration will occur on the lot or site as applicable. The Applicant shall identify locations for restoration of lands that contain invasive species beyond those (in addition to) proposed for disturbance.
  2. Restoration (removal of invasive species) shall be equivalent to or greater than the square footage of disturbed area identified on said Plan.



- (a) For disturbance on a site that utilizes impervious materials for all structures and paving, the disturbance: restoration ratio shall be 1:3 on slopes <15% that are disturbed. The disturbance : restoration ratio shall be 1:1 on slopes >15% that are disturbed. Methods and timing of said restoration shall be identified on said Plan.
    - (b) For disturbance on a site that utilizes greater than 25% but less than 50% pervious materials (e.g. pervious paving), said disturbance : restoration ratio shall be 1: 2.25 on slopes <15% that are disturbed. The disturbance : restoration ratio shall be 1:0.75 on slopes >15% that are disturbed. Methods and timing of said restoration shall be identified on said Plan.
    - (c) For disturbance on a site that utilizes greater than 50% pervious materials (e.g. pervious paving), said disturbance: restoration ration shall be 1: 2 on slopes <15% that are disturbed. The disturbance : restoration ratio shall be 1: 0.5 on slopes >15% that are disturbed. Methods and timing of said restoration shall be identified on said Plan.
  - 3. Unless a legal agreement has been prepared and executed outlining an alternative approach for Restoration or payment for such Restoration, identified area(s) for Restoration do not need to be located adjoining the area proposed for disturbance but shall be within the Primary Canyon Zone.
  - 4. Identified area(s) for Restoration shall be consistent with the restoration parameters included within the *Spring Creek Canyon Conservation Strategy*. Identified area(s) for Restoration shall be proposed by the Applicant and shall be approved by the Township Board of Supervisors.
6. **Parking Standard Requirements.**
- A. To optimize the effects of effective stormwater management and groundwater recharge, main access roads, support parking area cartways (drive aisles) and ADA accessibility, a parking space may be constructed of materials which enable 4-season access. Other areas of support parking and access shall be constructed of pervious paving material.
  - B. The maximum number of spaces (employees and visitors) for the following land uses shall apply to the Spring Creek Canyon Conservation Primary Canyon Zone. At no point shall the number of spaces of any one support parking lot accessed from Shiloh Road exceed ten (10) spaces. At no point shall the number of spaces of any one support parking lot accessed from Rock Road exceed twenty (20) spaces.

*Conservation Area* Parking shall not exceed a total of 30 spaces per lot (parcel) or contiguous lots under common ownership

Hatchery (including ancillary uses)	20 spaces
Forestry – Non-Commercial	2 spaces
Passive Parks/Recreation	10 spaces
Trails	10 spaces
Visitor/Education Center	15 spaces
Administrative Office (Conservation Uses)	2 spaces

*Restoration Area* Parking shall not exceed a total 20 spaces per lot (parcel) or contiguous lots under common ownership

Forestry – Non-Commercial	2 spaces
Trails	10 spaces
Passive Parks/Recreation	10 spaces

*Agriculture Research / Education Area* Not to exceed a total of 50 spaces per lot (parcel) or contiguous lots under common ownership

C. Parking spaces shall not be permitted to be calculated as part of any portion of a street, alley or access drive.

D. In order to minimize grading and/or disturbance within the Primary Canyon Zone, the Township encourages that any Applicant with proposed parking spaces to retain existing trees species and construct said spaces. If said spaces are constructed in such a manner then the provisions of Section 250.3. 6.E. shall not be applicable and the disturbance : restoration ratio identified in Section 250.3. 5.H shall be reduced by 50% (e.g. original 1:1 to proposed 1:0.5)

E. Heat island reduction and parking (Tree Canopy Plan)

1. An Applicant shall strive to minimize the amount of solar reflectance created by human activity and maximize the extent to which a tree canopy is established within (5) years over areas designated for vehicular circulation and/or parking created by the Applicant.
2. An Applicant shall establish a tree canopy or otherwise utilize materials within the construction of the lot that shall create the equivalent effect of what the five- (5-) year tree canopy would produce.
3. All paving in a parking area shall be under tree canopy within 5 years.

- (a) On the Plan included within the application, the Applicant shall show the canopy for the following:
  - i. At original planted condition
  - ii. Projected at 5 years
  - iii. Projected at 20 years
- (b) If an Applicant is unable demonstrate that any portion of a parking area shall be under tree canopy in 5 years then the Applicant shall construct said portion(s) of the parking area with material(s) that has a Solar Reflectance Index of at least 29.

7. **Additional Sustainability Incentives.**

- A. The purpose of these incentives is to promote sustainable development practices and resource conservation through encouraging consistency with the principles of the United States' Green Building Council's for existing buildings and new construction. Green buildings improve air and water quality, reduce solid waste, conserve natural resources, reduce operation costs, optimize life-cycle economic performance and minimize the strain on local infrastructure. Given that buildings are responsible for a large portion energy and resource use, the provisions of this section are intended to promote sustainable developments that reduce the impact of human activity in the vicinity of Spring Creek Canyon.
- B. **Special Definitions.**  
LEED® Certified Building shall mean a building certified under the Leadership in Energy and Environmental Design (LEED®) program of the United States Green Building Council that meets LEED® standards for either New Construction and Major Renovation Projects or Core and Shell Projects.
- C. **Bonuses.**  
In the event that a building or structure is determined to be a LEED® Certified building, the building square footage shall be permitted to increase by a minimum of 25%. If Certification of Silver is achieved, the permitted square footage shall be 50%. If Certification of Gold or Platinum is received, the permitted square footage increase shall be 75%.

8. **Dark Sky Lighting Requirements.**

- A. All exterior lighting shall be full cut-off.
- B. Exterior lighting shall have an average of 0.25 footcandles.
- C. Exterior lighting shall not exceed 1.5 foot candles.
- D. Lighting shall not exceed 0.0 footcandles at a property line as determined by the Township or cause any other spill over onto a lot not within the Primary Canyon Zone.

9. **Landscaping Requirements.**

Required Plant Palette – Plants permissible for planting in any disturbed area shall be as those defined as part of the Pennsylvania Department of Conservation and Natural Resources' "Landscaping with Native Plants" publication 8100-pa-dcnr3055.

10. **Stormwater Management and Infiltration Requirements.** In addition to existing Township standards, the following shall apply:

- A. All stormwater shall be infiltrated, recycled for a domestic non-potable use or for irrigation so that no on-site detention facilities and their related appurtenances are necessary as is practical. This shall be applicable to all land uses unless the Applicant can demonstrate he has no other means for managing stormwater.
- B. Infiltration shall be designed and constructed in accordance with Best Management Practices as endorsed by the Pennsylvania Department of Environmental Protection and/or the Pennsylvania Department of Conservation and Natural Resources.
- C. Any landowner and any person engaged in the alteration or development of land which may affect stormwater runoff characteristics shall implement such measures consistent with the provisions of the applicable watershed stormwater management plan as are reasonably necessary to prevent personal injury to health and safety, or damage to adjacent property. Such measures shall include such actions as are required:
  - 1. to assure that the maximum rate of stormwater runoff is no greater after development than prior to development activities;
  - 2. to manage the quantity, velocity and direction of resulting stormwater runoff in a manner which otherwise adequately protects health and property from possible injury.
- D. All stormwater runoff easements and detention controls shall be located and designed by a person qualified and/or experienced in the location and design of such structures.
- E. The method used in calculating stormwater runoff shall be the method designated in the applicable stormwater management plan, or an equal method (approved by DEP) if said plan has not been completed or adopted.
- F. Stormwater roof drains and pipes shall discharge water into cisterns, french drains (where soils are suitable), sheet drains or other stormwater runoff dispersion and absorption control device and not into storm sewers.
- G. No discharge of toxic materials into any stormwater management system is permitted.

11. Regulated Materials and Chemicals shall be as listed within the Benner Township Wellhead Protection Ordinance Contaminant Source List.

**250.4 SPRING CREEK CANYON CONSERVATION SECONDARY CANYON ZONE  
REQUIREMENTS**

The following provisions shall not apply to an existing lot of record upon which a single family dwelling exists or a single family home is proposed so long as the existing lot of record has no further subdivision or land development following the date of enactment of this Ordinance.

1. **Land Uses**

For lands within the Secondary Canyon Zone, land uses shall be defined by the existing base zoning districts.

2. **PNDI Requirements.**

A. The provisions of Section 514 of this Ordinance shall be applicable to land within the Spring Creek Canyon Conservation Overlay unless a stricter provision exists as part of Article 6.

B. For species identified as part of the PNDI, no structures shall exist within two hundred (200) feet of the identified species' habitat zone.

3. **Site Disturbance Restrictions/Limitations.**

A. The purpose of the Township establishing limitations on site disturbance is to optimize protection of the water quality of Spring Creek and the species which exist within the Creek and its vicinity.

B. The Site Disturbance Analysis provides a rational methodology for:

1. Inventorying, mapping and evaluating the resource sensitivity of a lot based on the Existing Conditions found on said lot.
2. Establishing standards to define and determine the amount of disturbance (permissible disturbance) that a lot can reasonably support. Disturbance includes the portions of a lot where grading and construction activities can occur.

C. The use of the Site Disturbance Analysis process is intended to enable:

1. Landowners to identify, early in the process, lot(s) resource sensitivity.
2. Protection of persons and lots from hazards resulting from the inappropriate use of land in areas that contain sensitive existing resource conditions including soils, carbonate geology, floodplains, steep slopes, drainage ways, riparian buffers, springs and vernal pools.

D. As part of the required Natural and Cultural Features Plan, an Applicant shall illustrate topography according to the following:

1. Slopes  $\leq 15\%$  = One (1) foot contour interval

2. Slopes > 15% = Two (2) foot contour interval
- E. Within the Secondary Canyon Zone, riparian buffers shall be a minimum of one hundred (100) feet.
- F. This Ordinance protects specific natural resources that are sensitive to disturbance. These existing resources include:
  1. Springs;
  2. Vernal Pools;
  3. Wetlands;
  4. Floodplains (existing undisturbed)
  5. Slopes  $\geq 15\%$
  6. Drainageways
  7. Carbonate Geology
- G. For the purpose of carrying out the provisions of this Ordinance, a Site Disturbance Analysis shall be completed and submitted as part of any Zoning Ordinance application within the Secondary Canyon Zone.
- H. The Site Disturbance Analysis shall be completed on the official Township forms provided by the Township Zoning Officer. The official forms required by this Article and other applicable analyses defined by the Township shall be completed and submitted as part of any Zoning Application. No application shall be processed or accepted as administratively complete unless or until the Township Zoning Officer, or any other professional that the Township deems appropriate, determines that the Site Disturbance Analysis has been properly completed.
- I. Official copies of Table B: Site Disturbance Analysis Worksheet-Secondary Canyon Zone of this Ordinance, as available through the Township, shall be completed to determine the initial net disturbable area of the lot. Values of acreage documented on the Site Disturbance Analysis Worksheet-Secondary Canyon Zone shall be identified to the nearest one-tenth of an acre. Allowable impervious area can be calculated using the acreage of all adjoining lands within the respective overlay district held under single ownership. If properties are contained within both overlays, only the lands within the overlay where the disturbance is to occur can be combined for the purposes of this overlay district.
- J. See 250.4. 5.B. for Site Restoration Requirements.

**Table B: Site Disturbance Analysis Worksheet-Secondary Canyon Zone**

Spring Creek Canyon Zoning  
Benner Township

EPD, LLC  
Advertised

	Sensitive Existing Conditions	Gross Lot/ Site Area (acres)		Permitted Disturbance Ratio		Net Disturbable Area (acres)
Line 1	All floodplains (existing undisturbed), wetlands, and hydric soils		x	0.0	=	0.0
Line 2	All waterbodies and natural drainageways/streams		x	0.0		0.0
Line 3	All springs and vernal pools (including 100 ft buffer)		x	0.0	=	0.0
Line 4	Carbonate geology		x	0.1	=	0.0
Line 5	Slopes $\geq$ 15%		x	0.5	=	0.0
Line 6	Slopes 0% to 15%		x	1.0	=	0.0
Line 7	Sum of Lines 1+2+3+4+5+6	0.0				0.0
					(Total Net Disturbable Area)	

4. **Impervious Surface Restrictions.**

Twenty percent (20%) impervious surface square footage of the permissible net disturbable area.

5. **Conditional Use Requirements.**

The following provisions shall apply to all uses within the Secondary Canyon Zone:

- A. A fifteen percent (15%) density reduction shall be applicable to all proposed residential subdivisions following the adopted date of this Ordinance.
- B. A Forest Canopy Plan shall be provided for all forestry activity. The Forest Canopy Plan shall identify locations of removal and reforestation. The Forest Canopy Plan shall delineate both the existing and the proposed area(s) covered by tree canopy based on proposed activity, disturbance and/or development on the lot.

The net density of established forest canopy existing at the time the application is filed may be increased but shall not be reduced. The following shall be illustrated on a Forest Canopy Plan; existing and proposed information shall be identified as applicable.

- 1. Property lines;
- 2. Footprints of all buildings/structures;
- 3. Pedestrian and vehicular circulation routes;
- 4. Overall Tree Canopy coverage;
- 5. Tree species, trunk locations and diameter at breast height; and
- 6. Health (Condition) of each tree.

6. **Parking Standard Requirements.**

- A. To optimize the effects of effective stormwater management and groundwater recharge, the Township encourages all parking areas and access drives to be constructed of pervious paving material.
- B. For any parking within the Secondary Canyon Zone constructed following the date of this Ordinance, a maximum ratio of parking spaces shall be equivalent to that of the minimum parking ratio for the respective land use as identified by this Ordinance.
- C. Heat Island Reduction - Any disturbed area for parking shall have an average 0.9 or greater solar reflectance index (SRI). An alternative option for achieving this shall include restoration of tree canopy to reduce reflectance to an equivalent level.



7. **Additional Sustainability Incentives.**

- A. The purpose of these bonuses is to promote sustainable development practices and resource conservation through encouraging consistency with the principles of the United States' Green Building Council's for existing buildings and new construction. Green buildings improve air and water quality, reduce solid waste, conserve natural resources, reduce operation costs, optimize life-cycle economic performance and minimize the strain on local infrastructure. Given that buildings are responsible for a large portion energy and resource use, the provisions of this section are intended to promote sustainable developments that reduce the impact of human activity in the vicinity of Spring Creek Canyon.
- B. **Special Definitions.**  
LEED® Certified Building shall mean a building certified under the Leadership in Energy and Environmental Design (LEED®) program of the United States Green Building Council that meets LEED® standards for either New Construction and Major Renovation Projects or Core and Shell Projects.
- C. **Bonuses.**  
In the event that a building or structure is determined to be a LEED® Certified building, the building square footage shall be permitted to increase by a minimum of 25%. If Certification of Silver is achieved, the permitted square footage shall be 50%. If Certification of Gold or Platinum is received, the permitted square footage increase shall be 75%.

8. **Dark Sky Lighting Requirements.**

- A. All exterior lighting shall be full cut-off.
- B. Exterior lighting shall be a maximum average of 1 footcandle.
- C. Exterior lighting shall not exceed 3 foot candles.
- D. Nothing in this section shall be construed to override the lighting requirements of Section 309.B.3.

9. **Landscaping Requirements.**

- A. **Parking Lot Landscaping** – For every eight (8) parking spaces, a landscape area consisting of a minimum of 300 square feet and two (2) trees found in the Required Plant Palette shall be planted.
- B. **Required Plant Palette** – Plants permissible for planting in any disturbed area shall be as those defined as part of the Pennsylvania Department of Conservation and Natural Resources' "Landscaping with Native Plants" publication 8100-pa-dcnr3055.

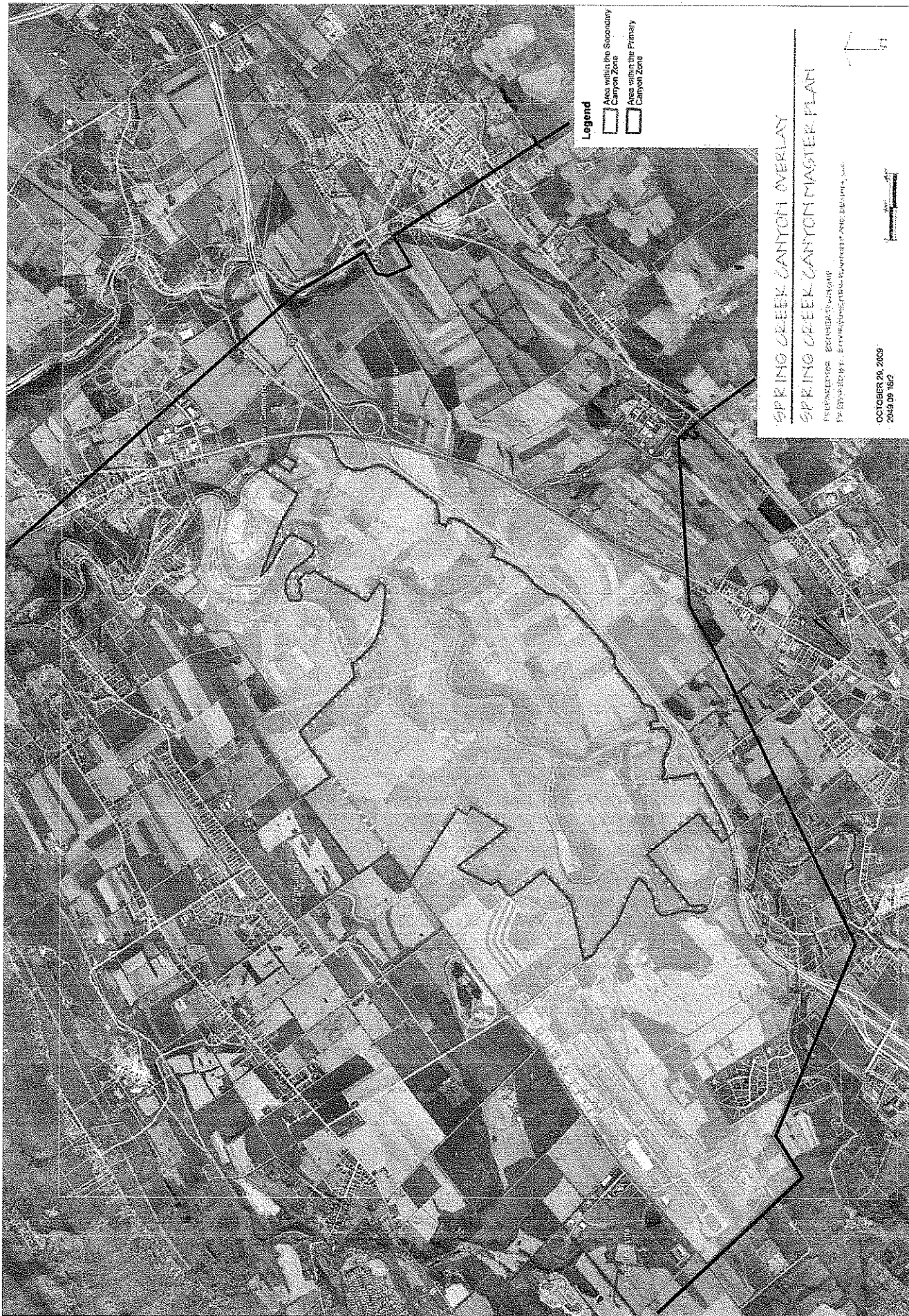
10. **Stormwater Management and Infiltration Requirements.** In addition to existing Township standards, the following shall apply:
- A. All stormwater shall be infiltrated, recycled for a domestic non-potable use or for irrigation so that no on-site detention facilities and their related appurtenances are necessary. This shall be applicable to all land uses unless the Applicant can demonstrate he has no other means for managing stormwater.
  - B. Infiltration shall be designed and constructed in accordance with Best Management Practices as endorsed by the Pennsylvania Department of Environmental Protection and/or the Pennsylvania Department of Conservation and Natural Resources.
  - C. Any landowner and any person engaged in the alteration or development of land which may affect stormwater runoff characteristics shall implement such measures consistent with the provisions of the applicable watershed stormwater management plan as are reasonably necessary to prevent personal injury to health and safety, or damage to adjacent property. Such measures shall include such actions as are required:
    - 1. to assure that the maximum rate of stormwater runoff is no greater after development than prior to development activities;
    - 2. to manage the quantity, velocity and direction of resulting stormwater runoff in a manner which otherwise adequately protects health and property from possible injury.
  - D. All stormwater runoff easements and detention controls shall be located and designed by a person qualified and/or experienced in the location and design of such structures.
  - E. The method used in calculating stormwater runoff shall be the method designated in the applicable stormwater management plan, or an equal method (approved by DEP) if said plan has not been completed or adopted.
  - F. Stormwater roof drains and pipes shall discharge water into cisterns, french drains (where soils are suitable), sheet drains or other stormwater runoff dispersion and absorption control device and not into storm sewers.
  - G. No discharge of toxic materials into any stormwater management system is permitted.
11. Regulated Materials and Chemicals shall be as listed within the Benner Township Wellhead Protection Ordinance Contaminant Source List.

**250.5. Approval Requirements**

As applicable for the Primary and Secondary Canyon Zone submissions, the following items shall be submitted for Township review.

1. Natural and Cultural Resource Plan in accordance with this Article and other applicable portions of this Ordinance.
2. Site Plan in accordance with Township Standards
3. Conservation Plan in accordance with Township Standards
4. Site Disturbance Analysis Worksheet.
5. Resource Protection and Restoration Plan. All Applicants shall be required to submit a plan which denotes the areas which will be disturbed, areas which will remain undisturbed (resource protection) and those areas where restoration will occur on the lot or site as applicable.
6. Forest Canopy Plan (forestry activities)
7. Tree Canopy Plan associated with parking areas.
8. Lighting Plan inclusive of proposed light locations, types, height and footcandle measurements.
9. Certificates of Compliance/Clearance as required by Township Standards.
10. A letter identifying that the Applicant has successfully completed a Phase I Cultural Resource Assessment
11. Chemical Application Permit. In order to minimize negative impacts of agricultural run-off, a plan for the application (spraying) of herbicides and/or pesticides or other non-household chemicals shall be submitted. The plan shall outline the seasons of the year, quantity and the materials to be utilized as part of said application(s). The plan shall identify applicable on-site systems used to appropriately contain applied chemicals.

250.6. Spring Creek Canyon Overlay Map



- Legend**
- Area within the Secondary Canyon Zone
  - Area within the Primary Canyon Zone

**SPRING CREEK CANYON OVERLAY**  
**SPRING CREEK CANYON MASTER PLAN**

PREPARED FOR: BENTON COUNTY  
BY: JEFFREY D. ELLIOTT, P.E., JEFFREY D. ELLIOTT & ASSOCIATES, INC.

OCTOBER 20, 2009  
2009.09.16.02



**Section 113: Definitions added or amended.**

- a. **ADMINISTRATIVE OFFICE ASSOCIATED WITH AGRICULTURE RESEARCH / EDUCATION** - A room or facility used by personnel engaged in the planning, management and/or operation of the research, education and/or business affairs of the agriculture research/education.
- b. **ADMINISTRATIVE OFFICE ASSOCIATED WITH CONSERVATION USES** - A room or building used by personnel engaged in the planning, management and/or operation of the business affairs of conservation.
- c. **AGRICULTURE / PRODUCTION – NON-TILLABLE** - The science, art or business of cultivating soil for purposes other than those associated with crop production.
- d. **AGRICULTURE / PRODUCTION – TILLABLE** - The science, art or business of cultivating soil for purposes associated with crop production.
- e. **ANCILLARY EQUIPMENT STORAGE BUILDINGS** - Any structure used for storage of equipment as related to the primary use and or structure of a lot.
- f. **FORESTRY – NON-COMMERCIAL** - Methods of forest management that seek to preserve or promote significant native ecological species , location of said species or a vulnerable ecological presence of forest species and where rotating and/or harvesting of species occurs only for benefit to the lot on which said use occurs.
- g. **FORESTRY – SUSTAINABLE** - Methods of forest management that do not interfere with natural cycles or damage the ecological balance of forest species while still allowing for rotating and/or harvesting of trees through sustainable management strategies for commercial, educational and/or research activity.
- h. **GRASSLANDS / PASTURE** - Land where warm and/or cool season grass species as defined by the Pennsylvania Conservation Reserve Enhancement Program (CREP) predominate for the purposes of ecological diversification
- i. **HATCHERY** - A principal use devoted to the raising of fish for wholesale distribution and/or wholesale public release.
- j. **HEAT ISLAND** - The thermal gradient differences between developed and undeveloped areas.
- k. **HEAT ISLAND REDUCTION** - The process for lowering the thermal gradient differences between developed and undeveloped areas
- l. **LIVESTOCK RANGE** - A tract of land with or without accompanying equipment storage facilities needed for the raising and grazing of livestock.
- m. **PARKING SPACE** – An off-street space available for the parking of one (1) motor vehicle and having usable access to a street, alley or access drive.

- n. **PASSIVE PARKS / RECREATION** - Outdoor passive recreation facilities, including picnic pavilions, hiking, biking and fitness trails, park benches, fountains, statues and other memorials, barbecue grills, ponds, natural and cultural exhibits, amphitheaters, navigable and intermittent waters, publicly operated scenic sites and other similar uses
- o. **PREVIOUSLY DISTURBED** - Land that has been altered by paving, construction, and/or land use that would typically have required regulatory permitting to have been initiated, including a platted lot on which a building was constructed. Land that is not previously developed but altered landscapes resulting from clearing or filling is considered previously disturbed land.
- p. **SUPPORT PARKING** - An area which contains parking spaces used to support activity within the Spring Creek Canyon Conservation Primary and/or Secondary Zones.
- q. **TRAIL** - A route used for pedestrian-scale purposes of walking, cycling, cross-country skiing, or other similar non-motorized activities.
- r. **VISITOR / EDUCATION CENTER** - A specific structural attraction and related supporting amenities to display and/or convey information about nearby site features.
- s. **SOLAR REFLECTANCE INDEX** - A measure of a roof's ability to reject solar heat, as shown by a small temperature rise.