

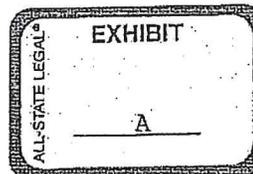
SECTION 250 SPRING CREEK CANYON CONSERVATION OVERLAY ZONE (SCCC)

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

ONE The boundaries of the Spring Creek Canyon Conservation Overlay Zone ¹⁵ 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.



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TITLE SHEET

CONSERVATION

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.~~

OF THE NPPDS PERMIT INCLUDING
SUBMISSION OF A PNDI SEARCH
MUST BE FOLLOWED. COPY OF THE
PNDI SEARCH AND AGENCY
RESPONSE
MUST BE PROVIDED TO
TOWNSHIP

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. *CONSERVATION OVERLAY*
- 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

	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 floodplains (existing [previous] disturbed)	_____	x 0.5	= _____ 0.0
Line 3	All waterbodies and natural drainageways/streams	_____	x 0.0	= _____ 0.0
Line 4	All springs and vernal pools (including 100 ft buffer)	_____	x 0.0	= _____ 0.0
Line 5	Carbonate Geology	_____	x 0.1	= _____ 0.0
Line 6	Slopes ≥ 10%	_____	x 0.05	= _____ 0.0
Line 7	Riparian buffers (existing undisturbed)	_____	x 0.05	= _____ 0.0
Line 8	Riparian buffers (existing [previous] disturbed)	_____	x 0.2	= _____ 0.0
Line 9	Slopes 0% to 9%	_____	x 0.8	= _____ 0.0
Line 10	Sum of Lines 1+2+3+4+5+6+7+8+9	_____ 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 1 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.

<i>Conservation Area</i>	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

<i>Restoration Area</i>	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

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

A. IN AREAS WHERE INFILTRATION CANNOT BE ACCOMPLISHED DUE TO EITHER LOW INFILTRATION RATES OR DUE TO POTENTIAL SINK HOLE FORMATION THE GUIDELINES CONTAINED IN DEP WHITE PAPER "MANAGED RELEASE CONCEPT", DATED DECEMBER 13, 2018 MUST BE FOLLOWED

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:

ACT 167 STORMWATER MANAGEMENT

- 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.