

STORMWATER MANAGEMENT ORDINANCE

ORDINANCE NUMBER 090622

**ENACTED OCTOBER 4, 2022
EFFECTIVE OCTOBER 9, 2022**

**GREENE TOWNSHIP
CLINTON COUNTY, PENNSYLVANIA**

issuance of a zoning permit shall be contingent upon the submission of a Stormwater Management Plan and other materials specified herein, and approval of the Stormwater Management Plan in accordance with provisions of this Ordinance.

REVIEW BY MUNICIPAL ENGINEER: All Stormwater Management Plans shall be submitted to the Municipal Engineer for review and comment. Such review shall include a statement by the Municipal Engineer specifying any provisions of this Ordinance that have not been met.

VALIDITY OF APPROVED PLAN: Once a Stormwater Management Plan has been approved, together with a subdivision or land development plan approval, or together with the issuance of a zoning permit, said Stormwater Management Plan shall be valid only for the subdivision or land development plan that was approved by the Municipality, or for the zoning permit that was issued to the Applicant/Developer. Any further development on the lot or lots requiring a revision of the approved Stormwater Management Plan, or other construction or activities, as defined by Municipal zoning regulations, shall require the submission of a new, amended, or revised Stormwater Management Plan, and other information specified herein.

1.1 Exemptions From Plan Preparation: The criteria for exemption applies to the total development proposed, including instances in which the development is proposed to take place in phases. The date of enactment of this Ordinance shall be the starting point from which future development and the respective exemption criteria shall be cumulatively considered and regulated.

Impervious area, as it relates to exemption criteria, 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 assumed to be impervious.

The following activities may be exempt from the plan preparation and submission provisions of this Ordinance, but shall remain subject to the minimum design standards and criteria specified in this Ordinance (and any erosion and sediment pollution control requirements):

1.1.1 Non-commercial home gardening.

1.1.2 Agricultural Activity, when operated in accordance with an approved conservation plan, or erosion and sediment pollution control plan.

1.1.3 Regulated Activity(ies) where the total impervious area associated with such activity(ies) will be less than 5,000 square feet.

1.1.4 Regulated Activity(ies) where the Applicant/Developer can satisfactorily demonstrate that downstream property(ies), groundwater, and waters of the Commonwealth will not be harmed if the total impervious area(s) associated with such activity(ies) would exceed 5,000 square feet.

1.1.5 Forest management/timber operations, when conducted in accordance with 25 PA Code, Chapter 102, may be exempt from the plan preparation and submission provisions of this Ordinance; however, a sketch plan showing the location, extent, and description of the proposed forest management/timber operations must be submitted to the Municipality for review, and for a determination regarding the requirement to prepare and submit a Stormwater Management Plan in accordance with this Ordinance. In making a determination regarding the requirement to prepare and submit a Stormwater Management Plan in accordance with this Ordinance, the Municipality will consider, at a minimum, the following factors: proximity of forest management/timber operations to adjacent developed properties and roadways, the type of operations (clear cut versus select cut), the aerial extent of the forest management/timber operations, construction of proposed haul/skid roads and landings, the type of terrain where the forest management/timber operations will occur, the potential for damage to downstream properties and/or structures, and any plans for proposed re-vegetation of cleared/disturbed areas.

Under certain circumstances, the Municipality may allow forest management/timber operations to commence prior to the review of the sketch plan by the Municipality; however, in the event that the Municipality determines that the forest management/timber operations are not exempt from the plan preparation and submission provisions of this Ordinance, then any required Stormwater Management Plan must be submitted to the Municipality for review within thirty (30) calendar days after the determination date, and the approved Stormwater Management Plan must be fully implemented within thirty (30) calendar days after approval of same by the Municipality.

Forest management/timber operations involving timber harvesting in preparation for future land development are not exempt from the plan preparation and submission provisions of this Ordinance.

The Municipality shall review all Regulated Activities to determine if the activity or activities may be exempt from the plan preparation and submission provisions of this Ordinance.

As previously stated, activities that are deemed by the Municipality to be exempt from the plan preparation and submission provisions of this Ordinance remain subject to the minimum design standards and criteria specified in this Ordinance (and any erosion and sediment pollution control requirements). Therefore, any and all BMPs that may be required to meet the minimum design standards and criteria specified in this Ordinance (and any erosion and sediment pollution control requirements) must be designed by a Registered Professional. Also, a Registered Professional must provide a written certification to the Municipality that any and all required BMPs were installed in accordance with the design of these BMPs.

- 1.2** All Regulated Activities that do not fall under the exemption criteria referenced above shall submit a Stormwater Management Plan to the Municipality for review.
 - 1.2.1** Stormwater Management Facilities shall be provided in order to permit unimpeded flow along natural watercourses, except as modified by Stormwater Management Facilities or open channels consistent with this Ordinance.
 - 1.2.2** The existing points of concentrated drainage that discharge onto adjacent property shall not be altered without permission of the affected property owner(s), and shall be subject to any applicable discharge criteria specified in this Ordinance.
 - 1.2.3** Areas of existing diffused drainage discharge shall be subject to any applicable discharge criteria in the general direction of the existing discharge, whether proposed to be concentrated or maintained as diffused drainage areas, except as otherwise provided by this Ordinance. If diffused flow is proposed to be concentrated and discharged onto adjacent property, the Applicant/Developer must document that adequate downstream conveyance facilities exist to safely convey the concentrated

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worship services, and uses customarily accessory and incidental thereto. For the purposes of this Ordinance, uses such as schools, child day care or nursery facilities, social halls or similar places of assembly associated with the church shall require separate consideration and approval by Township officials.

CLUB and/or LODGE – Building utilized as a private club offering restaurant and/or bar privileges.

CLINTON COUNTY NATURAL HERITAGE INVENTORY – Adopted February 9, 1994, by the Clinton County Board of Commissioners.

COMMON OPEN SPACE – Common open space as required in a Planned Residential Development shall be defined as that area of land to be maintained for the use and enjoyment of residents and/or the general public. It shall consist of landscaped or natural terrain including lakes and streams and may include such buildings as are necessary to fulfill its permitted functions, but the area of common open space shall not include street rights-of-way or yard or off-street parking areas required for residential or other uses permitted by this Ordinance.

COMMUNICATIONS ANTENNA – Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation omni directional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes or television antennas or amateur radio equipment included without limitation ham or citizen band radio antenna.

COMMUNICATION EQUIPMENT BUILDING – An unmanned Building or cabinet containing communications equipment required for the operation of communications antennas and covering an area on the ground not greater than 250 square feet.

COMMUNICATIONS TOWER - A structure other than a building, such as a monopole, self-supporting or guyed tower, designed and used to support Communications Antennas.

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO) – Agricultural operations where the animal density exceeds two (2) animal equivalent units (AEU) per acre on an annualized basis.

CONCENTRATED ANIMAL OPERATIONS (CAO) – Agricultural operations where the animal density does not exceed 1000 lbs. (one thousand pounds) per acre, but the operation meets the minimum nutrient management requirements established by the Clinton County Soil Conservation District.

- E. Mobile Home Park
- F. Residential Cluster Developments
- G. Day Care Centers or Nursery Schools
- H. Personal Care or Nursing Homes
- I. Industrial Residences
- J. Concentrated Animal Feeding Operations
- K. Agri-Businesses
- L. Crematoriums
- M. Campgrounds
- N. Recreational Vehicle Parks
- O. Mineral Resource Extraction and Processing
- P. Two (2) or more family dwelling units on no less than three (3) acres of land per unit
- Q. A municipal, state or federal office or service facility structure on no less than three (3) acres of land

Section 2.03

Area and Bulk Regulations

1. The following regulations shall apply to permitted uses:

Lot Area (minimum)	1.5 acres
Building Setback Line Front Yard (minimum)	50 Feet
Lot Width at Street Line (minimum)	75 Feet
Rear Yard (minimum)	20 Feet
Side Yard for Agricultural (minimum)	20 Feet
Lot Coverage (maximum)	15 Percent

2. The following regulations shall apply to Conditional Uses:

- A. All commercial uses permitted under section 2.02 (2) shall comply with the Area and Bulk Regulations as specified in section 7.03
- B. The Conditional Uses in this district shall be subject to the following regulations:

Lot coverage (maximum)	15 Percent
Lot Area (minimum)	
Church	3 Acres
Concentrated Animal Feeding Operations (CAFO)	15 Acres
Concentrated Animal Operations (CAO)	15 Acres
(minimum setback from all property lines)	100 Feet
Institution	2 Acres
Residential Cluster Development	15 Acres
School	5 Acres
Building Setback Line (minimum)	50 Feet
Lot Width at Street (minimum)	50 Feet
All Yards (minimum)	50 Feet

Section 2.04

Standards

- 1. All Permitted Uses and Conditional Uses shall be subject to applicable regulations in Article VIII– Use Regulations.
- 2. All mobile homes intended for permanent occupancy must, within thirty (30) days after being placed on a permanent foundation, have skirting installed around said mobile home.

Section 11.02

Permits

1. General –

- A. A permit shall be required prior to the opening of a business or the change of ownership of a business, a change in use of land or buildings, or the erection, construction or enlargement of any building, structure or any portion thereof.
- B. Application for permits shall be submitted in writing to the Zoning Officer designated by the Board and shall contain all information necessary for such officer to ascertain whether the proposed erection, construction, reconstruction, enlargement or use complies with the provisions of this Ordinance.
- C. Such permits shall be granted or refused within thirty (30) days from the date of the submitted application.
- D. No permit shall be issued except in conformity with the regulations of this Ordinance, except after written order from the Zoning Hearing Board or the Courts.
- E. The Zoning Officer shall require all fees be paid prior to the issuance of any permit and that any and all other applicable permits or approvals of any governmental unit or regulatory body be obtained or, in the alternative, and for cause shown, the Zoning Officer may condition a permit upon the obtaining of such permits or approvals.
- F. The parcel or parcels shall be in a single and full ownership or proof of option shall be furnished at the time of application.

2. Site Plan Review –

- A. A site plan, as described below, shall accompany all applications for a zoning permit whenever such application propose the following:
 - 1. A proposed use or structure located in or within fifty feet (50') of a flood plain;
 - 2. A proposed use or structure required to have a parking lot as stipulated in Section 8.05.
 - 3. Whenever development is proposed involving the location of two or more primary uses or structures on a single lot, including but not limited to, apartment, complexes, mobile home parks, shopping