ORDINANCE NO. __481____

TRAPPE BOROUGH

MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE OF TRAPPE BOROUGH, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 283, TITLED "STORMWATER MANAGEMENT" OF THE GENERAL LAWS OF TRAPPE BOROUGH TO AMMEND ARITCLE I, SUBSECTIONS 283-102, RELATING TO A STATEMENT OF FINDINGS, 283-103, RELATING TO PURPOSE, 283-110(B), RELATING TO WAIVERS, ARTICLE II, SUBSECTIONS 283-202, RELATING TO TERMS DEFINED, ARTICLE III, SUBSECTION 283-301, RELATING TO GENERAL REQUIREMENTS, SUBSECTION 283-302, RELATING TO EXEPTIONS, THE ADDITION OF 283-303, RELATING TO DESIGN REQUIREMENTS, AMMENDING SUBSECTIONS 283-304 AND 283-305, AND AMMENDING 283-306, RELATING TO EXISTING SCMS. ALSO AMENDING CHAPTER 340, TITLED "ZONING" OF THE GENERAL LAWS OF TRAPPE BOROUGH TO AMEND ARTICLE I, SUBSECTION 340-6, RELATING TO EXEPTIONS, ARTICLE II, SUBSECTION 340-10 RELATING TO DEFINITIONS AND TO AMEND ARTICLE III, DISTRICTS, ARTICLE XI, INSTITUTING THE IGO INSTITUTIONAL-GOVERNMENT DISTRICT, ARTICLE XVII, SUBSECTION 340-185(H), RELATING TO ENVIRONMENTAL AND PERFORMANCE STANDARDS, ARTICLE XVIII, CREATING A NEW SUBSECTION 340-244, RELATING TO REQUIREMENTS FOR THE SPECIFIC USE OF DATA CENTERS, TO ESTABLISH AND REGULATE DATA CENTER USES BY CONDITIONAL USE IN THE NEW IGO INSTITUTIONAL-GOVERNMENTAL DISTRICT

WHEREAS, the Borough Code vests the Trappe Borough Council with the authority to adopt ordinances necessary for the proper management, care and control, and welfare of the Township; and

WHEREAS, data centers are a rapidly expanding use that is not regulated at the state level in Pennsylvania and may exert significant impacts related to energy demand, water consumption, noise, vibration, and environmental quality; and

WHEREAS, local regulation of data centers through conditional use in the designated industrial zone is necessary to ensure any development is compatible with the surrounding community and infrastructure.

NOW, THEREFORE, be it **ORDAINED** that the Trappe Borough Council amends its General Laws as follows:

SECTION I. **Chapter 283, titled "Stormwater Management," Article I, § 283-102(A), is hereby amended to include the following:**

Inadequate management of accelerated runoff of stormwater resulting from impervious surfaces and development throughout a watershed increases runoff 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 stormwater, undermines floodplain management and flood-control efforts in downstream communities, reduces groundwater recharge, threatens public health and safety, and increases nonpoint source pollution of water resources.

SECTION II. **Chapter 283, titled "Stormwater Management," Article I, § 283-102(B), is hereby amended to include the following:**

A comprehensive program of stormwater management, including reasonable regulation of development and activities causing accelerated runoff and increased pollution, is fundamental to the public health, safety, and welfare and the protection of people of the commonwealth, their resources, and the environment.

SECTION III. **Chapter 283, titled "Stormwater Management," Article I, § 283-102(D), is hereby amended to include the following:**

Federal and state regulations require certain municipalities to implement a program of stormwater controls. These municipalities are required to obtain a permit for stormwater discharges from their separate storm sewer systems to control stormwater pollution to the maximum extent practicable under the National Pollutant Discharge Elimination System (NPDES).

SECTION IV. **Chapter 283, titled "Stormwater Management," Article I, § 283-102(E), is hereby amended to include the following**:

The use of green infrastructure, low impact development (LID) and natural landscape stormwater control measures (SCMs) are intended to address the root cause of water quality impairment by using systems and practices which use or mimic natural processes to: 1) infiltrate and recharge, 2) evapotranspire, and/or 3) harvest and use precipitation near where it falls to earth and 4) reduce the duration of erosive flows Green infrastructure practices, LID and SCMs contribute to the restoration and mitigation of negative impacts or maintenance of pre-development hydrology.

SECTION V. **Chapter 283, titled "Stormwater Management," Article I, § 283-102(F), is hereby added to include the following:**

Federal and state law requires, with certain exceptions, any person proposing an earth disturbance activity that will involve at least one (1) acre of earth disturbance, or an earth disturbance on any portion, part, or during any stage of, a larger common plan of development or sale that involved at least one (1) acre of earth disturbance , to obtain an

NPDES permit for stormwater discharges associated with construction activities prior to commencing the earth disturbance activity.

(☐) State law requires a person proposing a timber harvesting or road maintenance activity involving at least 25 acres of earth disturbance to obtain an Erosion & Sediment Control (E&S) permit prior to commencing the earth disturbance activity.

(☐) State Law requires a person proposing oil and gas activities involving at least five acres of earth disturbance to obtain an E&S permit prior to commencing the earth disturbance activity

(☐) To obtain an NPDES permit or E&S permit, a person must satisfy the requirements of 25 Pa. Code Chapter 102 and prepare an E&S Plan and Post-Construction Stormwater Management (PCSM) Plan, when applicable

SECTION V. Chapter 283, titled "Stormwater Management," Article I, § 283-102(G), is hereby added to include the following:

The Pennsylvania Department of Environmental Protection (DEP) has established requirements, practices, and standards to control pollution during earth disturbance activities at 25 Pa. Code § 102.4 and the Erosion and Sediment Control Pollution Control Program Manual (E&S Manual), as amended. DEP has established requirements, practices, and standards to control stormwater after earth disturbance activities at 25 Pa. Code 102.8 and the Pennsylvania Stormwater BMP Manual (to be replaced by the Pennsylvania Post-Construction Stormwater Management Manual) (PCSM Manual). The E&S Manual and PCSM Manual may be relied upon to satisfy the provisions of this Ordinance or alternative standards may be used that provide equal or better protection to waters of the Commonwealth.

SECTION VI. Chapter 283, titled "Stormwater Management," Article I, § 283-103, hereby amends subsections A, B, C, and G, and hereby adds subsections H, I, J, K, M, and N to include the following:

A. *Meet legal water quality requirements under state law, including regulations at 25 Pa. Code Chapter 93, state permit requirements as applicable, and the Act of October 4, 1978 (P.L. 864, No. 167), as amended, known as the Stormwater Management Act or Act 167, to protect, maintain, reclaim, and restore the existing and designated uses of the waters of this commonwealth.*

B. *Preserve the natural drainage systems as much as possible, including its physical, biological and chemical qualities*

C. *Manage any increase in stormwater runoff volume.*

D. *Provide proper operation, inspection and maintenance of all SWM BMPs (SCMs) that are implemented within the municipality.*

E. *Provide standards to meet NPDES permit requirements.*

F. Minimize impervious areas

SECTION VI. Chapter 283, titled "Stormwater Management," Article I, § 283-103, hereby adds subsections H, I, J, K, M, and N to include the following:

G. Minimize soil compaction

H. Minimize land clearing and grading

I. Manage any increase in the rate of stormwater runoff

J. Maximize the protection of existing drainage features and vegetation

K. Utilize natural landscape and other SCMs that reduce or minimize changes in stormwater runoff.

SECTION VII. Chapter 283, titled "Stormwater Management," Article I, § 283-110, hereby amends subsections B to include the following:

Waivers or modifications of the requirements of this Ordinance may be approved by the Municipality if enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that the modifications will not be contrary to the public interest and that the purpose of the Ordinance is preserved. Cost or financial burden shall not be considered a hardship. Modification may be considered if an alternative standard or approach will provide equal or better achievement of the purpose of the Ordinance. A request for modifications shall be in writing and accompany the Stormwater Management Site Plan submission. The request shall provide the facts on which the request is based, the provision(s) of the Ordinance involved, the proposed modification, the proposed alternative standard, and demonstration that the alternative will be equally as protective of the surface waters, and do not conflict with state, local or Federal laws, including the Clean Streams Law.

SECTION VIII. Chapter 283, titled "Stormwater Management," Article II, § 283-202, is hereby amended to include the following definitions:

ANTIDEGRADATION BEST AVAILABLE COMBINATION OF TECHNOLOGIES (ABACT) – Environmentally sound and cost effective treatment, land disposal, pollution prevention and stomwater reuse of BMPs and SCMs that individually or collectively manage the difference in the next change in stormwater volume, rate, and quality for storm events up to and including the 2 yr/ 24 hour storm when compared to the stormwater rate, volume and quality prior to the earth disturbance activities to maintain and protect the existing quality of the receiving surface waters of this Commonwealth.

BEST MANAGEMENT PRACTICE (BMP) – Activities, facilities, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim and restore the quality of waters and the existing and designated uses of waters within this Commonwealth before, during and after earth disturbance activities.

COTROLLED RELEASE -- A release of stormwater that approximates the expected average rate of interflow after a 2yr / 24 hour storm event for a PA forested non-karst watershed. See

Managed Release Concept (MRC).

CONTINUOUS SIMULATION ANALYSIS – A stormwater management design approach that uses a hydrologic computer model capable of processing long-term precipitation and climate records to determine runoff.

CONVEYANCE – A feature used for transporting or transmitting stormwater form one place to another, including streams, channels, swales, pipes, conduits, culverts, storm sewers, gutters, and similar features.

CRITICAL STAGES – The installation of underground treatment SCMs, structurally engineered SCMs, or other SCM components thereof as deemed appropriate by DEP or a District and that require the oversight of a licensed professional or designee. Recommended critical stages are identified in DEP's PCSM manual.

DISCHARGE POINT (DP) – a location that helps define the outlets of drainage aeras within a project site. DPs aid in the accounting of stormwater entering, flowing through, and discharging from a project site for all flow regimes (Sheet flow, shallow concentrated flow, and channel flow), regardless of whether the drainage area outlets to a surface water or areas other than surface waters.

DIVERT – to direct flows that would exceed the capacity of water quality or volume management SCM to a peak rate control.

DRAINAGEWAY – Any natural or artificial watercourse, trench, ditch, pipe, swale, channel, or similar depression into which surface water flows.

EROSION AND SEDIMENT CONTROL PERMIT (E&S PERMIT) – a permit required for earth disturbance activities where the earth disturbance is associated with timber harvesting, road maintenance activities, or oil and gas activities.

E&S PLAN – A site-specific plan consisting of both drawings and narrative that identifies BMPs to minimize accelerated erosion and sedimentation before, during and after earth disturbance activities.

EVAPOTRANSPIRATION (ET) – The combined processes of evaporation form the water or soil surface and transpiration of water by plants.

GROUNDWATER RECHARGE – Replenishment of existing natural underground water supplies.

HAZARDOUS MATERIALS/SUBSTANCES – Any material, including any substance, waste or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

HIGH TUNNEL – a structure that meets the following:

(1) Is used for the production, processing, keeping, storing, sale or shelter of an agricultural commodity as defined in Section 2 of the Pennsylvania Farmland and Forest Land Assessment Act of 1974, (P.L. 973, No. 319) or for the storage of agricultural equipment or supplies.

(2) Is constructed consistent with all of the following:

- *Has a metal, wood or plastic frame,*
- *When covered, has a plastic, woven textile or other flexible covering*

. Has a floor made of soil, crushed stone, matting, pavers or floating concrete slab.

ILLICIT CONNECTION – means any physical connection to a municipal separate storm sewer system that conveys illicit discharges into the system and/or is not authorized or permitted by the permittee.

IMPAIRED WATERS – surface waters that fail to attain one or more of its designated uses under 25 Pa. Code Chapter 93 and as listed in Categories 4 and 5 of the Pennsylvania Integrated Water Quality Monitoring and Assessment Report.

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; any new streets or sidewalks; and compacted gravel areas and bodies of water, including surface waters and pools. Decks, parking areas, and driveway areas are not counted as impervious areas if they do not prevent infiltration to the pervious surfaces beneath them..

INFILTRATION – The portion of rainfall or surface runoff that moved downward into the sub-surface soil and rock. The entrance of surface water into the soil, usually at the soil/air interface.

KARST — A type of topography or landscape characterized by surface depressions that will not hold water, sinkholes, rock pinnacles/uneven bedrock surface, underground drainage, caves, rolling terrain, swallets, and large springs. Karst is formed on carbonate rocks, such as limestone or dolomite.

LICENSED PROFESSIONAL – Professional Engineers, landscape architects, geologists, and land surveyors licensed to practice in the Commonwealth of Pennsylvania.

LOW IMPACT DEVELOPMENT (LID) – Site design approaches and small-scale stormwater management practices that promote the use of natural systems for infiltration, evapotranspiration, and reuse of rainwater. LID can be applied to new development, urban retrofits, and revitalization projects. LID utilizes design techniques that infiltrate, filter, evaporate, and store runoff close to its source. Rather than rely on costly large-scale conveyance and treatment systems, LID addresses stormwater through a variety of small, cost-effective landscape features located on-site. LID includes natural stormwater features and natural stormwater processes as identified in DEP's PCSM Manual.

MANAGED RELEASE CONCEPT (MRC) – A PCSM strategy involving the capture, filtration, treatment, and controlled release of runoff from an SCM that may be used when there are environmental limitations on a project site and where natural landscape processes, ET and infiltration are implemented on a project site to the maximum extent possible.

MEDIAN OUTFLOW CONCENTRATION (MOC) – A statistically derived concentration of a pollutant that is expected to exist in the outflow of a PCSM SCM based on available literature.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) – All separate storm sewers that are defined as "large" or "medium" or "small" municipal separate storm systems pursuant to 40 CFR §§ 122.26(b)(4), (b)(7), and (b)(16), respectively, or designated under 40 CFR §§ 122.26(a)(1)(v).

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) – The National system for the issuance of permits under Section 402 of the Federal Clean Water Act, including a state or interstate program which has been approved in whole or in part by the EPA, including regulations codified in Chapter 92a, and as specified in 25 Pa. Code Chapter 102.

NATURAL STORMWATER FEATURES – Landscape features included in a SWM or PCSM design that will receive runoff from proposed land disturbance that are designed to potentially enhanced to manage increased runoff.

NATURAL STORMWATER PROCESSES – The functional value landscapes provide in the management of runoff. Landscapes with functional value for the management of runoff include, but are not limited to, forests, orchards, fields, meadows, thickets, gullies, valleys, rangelands, shrublands, riparian areas, or historic areas where flow contacts soil and vegetation for a large portion of the flow path through the landscape. To provide runoff management, in most cases, these areas are not mowed more than once a year and are not tilled or heavily grazed.

NONPOINT SOURCE POLLUTION – Pollution that enters a waterbody or conveyance from diffuse origins in the watershed and does not result from discernible, confined, or discrete conveyances.

NON-STORMWATER DISCHARGE – Any discharge to waters of the Commonwealth that is not composed entirely of stormwater.

NPDES PERMIT – STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES (NPDES PERMIT) – A permit required for the discharge or potential discharge of stormwater into waters of this Commonwealth from construction activities, including clearing and grubbing, grading and excavation activities involving one acre or more of earth disturbance activity or an earth disturbance activity on any portion, part, or during any stage of a large common plan or development or sale that involves one acre or more of earth disturbance over the life of the project.

OFF-SITE CONSTRUCTION SUPPORT ACTIVITIES – Activities providing support for construction and earth disturbance activities, including concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas (spoil), borrow areas, stockpiling of topsoil, transfer of topsoil to other locations and turnaround areas.

OPERATIONS AND MAINTENANCE (O&M) PLAN – A plan that identifies procedures for the long-term operation and maintenance of a BMP, SCM or stormwater management system or program, including repairs, to ensure continued function as intended and designed.

OUTFALL – A point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to surface waters and does not include open conveyances connecting two municipal separate storm sewers, or pipes, or tunnels or other conveyances which connect segments of the same stream or other surface waters and are used to convey surface waters.

PEAK DISCHARGE (PEAK FLOW)— The maximum rate of stormwater runoff or discharge at a location immediately following a specific storm event, usually expressed in reference to a specific return period storm or "design storm".

PERVIOUS AREA — Any area not defined as impervious.

PERMANENT STABILIZATION – Long-term protection of soil and water resources from accelerated erosion.

PERMITTEE – A person who has received approved from the Municipality to engage in a regulated activity at a project site in the Municipality.

PERVIOUS AREA – Any material or structure on or above the ground that permits water to infiltrate into the underlying soil.

PLAT – The map or plan of a subdivision or land development, whether preliminary or final.

POINT SOURCE – A discernible, confined, and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, Concentrated Aquatic Animal Production Facility (CAAP), Concentrated Animal Feeding Operation (CAFO), landfill leachate collection system, or vessel or other floating craft from which pollutants are or may be discharged.

POLLUTANT – Any containment or other alteration of the physical, chemical, biological, or radiological integrity of surface water which causes or has the potential to cause pollution as defined in Section 1 of the act of June 22, 1937 (P.L. 1987) as amended, known as the Pennsylvania Clean Streams Law.

POST-CONSTRUCTION STORMWATER MANAGEMENT (PCSM) MANUAL – the most recent edition of the PA Stormwater BMP manual or its replacement, the PA Post-Construction Stormwater Management Manual, published by DEP, as amended.

POST-CONSTRUCTION STORMWATER MANAGEMENT (PCSM) PLAN – (also SWM site plan) – a site specific plan consisting of both drawings and a narrative that identifies SCMs to manage changes in stormwater runoff volume, rate and water quality after earth disturbance activities have ended and the project site is permanently stabilized.

POST-DEVELOPMENT – The conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land. Post-development refers to the phase of a new development or redevelopment project after completion and does not refer to the construction phase of a project.

PRESCRIPTIVE EASEMENT – An easement created by adverse, open, notorious, continuous, and uninterrupted use of land for a period of twenty-one years. An example would be runoff flowing across a downstream neighbor's property either as sheet flow or through a watercourse.

PROJECT SITE — The entire area of land of activity, development, lease or sale where any regulated activities, or areas which are not subject to an earth disturbance activity, are planned, conducted, or maintained in the municipality.

PROJECT SITE BOUNDRY – A delineation of a project site, and the extent of lands included in a permit application or that are used to satisfy the requirements of the permit. The project site boundary must enclose all earth disturbance, SCMs, and conveyances to SCMs that manage runoff from all earth disturbances, regardless of whether the SCMs are or are not on property owned or under direct control of an applicant.

RECHARGE – Replenishment of groundwater reservoirs by infiltration through permeable soils.

RECORD DRAWINGS – Drawings that wholly and accurately depict as-built conditions of a

project site following completion of an earth disturbance activity including but not limited to land covers, structures, grades, and SCMs and components thereof.

REDEVELOPMENT – Earth disturbance activities on land that has previously been developed.

REGULATED ACTIVITIES — Any earth disturbance activities or any activities that involve the alteration or development of land in a manner that may affect stormwater runoff and are subject to regulation under the Clean Streams Law and 25 Pa. Code Chapters 92a and 102.

RETURN PERIOD — The common metric for probably that rain fall or runoff volume will be equaled or exceeded in any one year. The return period that such a storm will occur in any given year is equal to the reciprocal of the probability (e.g. there is a 50% chance that a 2 year storm event will occur in any given year, but only a 10% chance that a 10 year storm event will occur).

RIPARIAN BUFFER – A BMP or SCM that is an area of permanent vegetation along surface waters.

RUNOFF — Any part of precipitation or snow melt that flows over the land or in the upper soil layer towards a surface water or conveyance.

SITE RESTORATION PROJECT – Activities regulated under 25 Pa. Code § 102.8(n)STATE WATER QUALITY REQUIREMENTS — The regulatory requirements and combination of water uses to be protected, maintained, reclaimed, restored and water quality criteria to protect those uses under Title 25 of the Pennsylvania Code, Chapter 93 and the Clean Streams Law.

STORM OF RECORD – A historic rainfall distribution record of an event used for SCM design using continuous simulation.

STORMWATER — Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.

STORMWATER CONTROL MEASURE (SCM) – Any natural feature or manmade structure designed or utilized to reduce or manage the volume, pollutant load, or the peak rate of stormwater runoff and achieve the objectives of the PCSM manual. SCMs are BMPs that are used to treat impervious surfaces and/or post-construction stormwater.

STORMWATER MANAGEMENT BEST MANAGEMENT PRACTICES (BMPs) —

Activities, facilities, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim, and restore the quality of waters and the existing and designated uses of waters within the commonwealth before, during and after earth disturbance.

STORMWATER MANAGEMENT- Planning, designing, constructing, operating, maintaining, financing, and regulating constructed and natural systems that collect, store, control, treat and/or convey runoff.

SURFACE WATERS – Perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, excluding water at facilities approved for wastewater treatment such as wastewater treatment impoundments, cooling water ponds and constructed wetlands used as part of a wastewater treatment process.

UNDETAINED AREA- An area of a project site in which stormwater will not drain to an SCM for treatment.

WATERSHED — Region or area drained by a river, watercourse, structure or other surface water whether natural or artificial of this commonwealth.

SECTION IX. **Chapter 283, titled "Stormwater Management," Article III, § 283-301, is hereby amended to include the following:**

A. General PCSM Requirements

1. *A written PCSM Plan is required for any earth disturbance activity that requires an NPDES permit or E&S permit, and for earth disturbance activities that do not require and NPDES permit or E&S permit, for any proposed increase in impervious surfaces on a project site of 2,000 square feet or more, regardless of the proposed area of earth disturbance.*

2. *If written PCSM Plan is required by Section 283-301, paragraph A, the written PCSM Plan must be submitted to the Municipality for review and approval. A PCSM Plan that is approved by the Municipality must be retained on-site throughout the duration of the regulated activity.*

3. *Persons conduction earth disturbance activities must design, implement, operate, and maintain PCSM SCMs following earth disturbance activities to meet the requirements of this Ordinance and Chapter 102 of DEP's regulations. Various PCSM SCMs and design standards that may be utilized to meet this Ordinance and Chapter 102 are identified in DEP's PCSM Manual, as amended.*

4. *The Municipality will consider the addition of impervious surfaces to a lot, tract, or parcel over time on cumulative basis. If an impervious surface was constructed without SCMs to manage stormwater, and additional impervious surface is proposed that would exceed the threshold established in Section 304, paragraph A, the person conduction earth disturbance must prepare and implement a written PCSM Plan.*

5. *If an NPDES permit or E&S permit is required for an earth disturbance activity, the applicant must submit a copy of the Notice of Intent (NOI) for general permit coverage or application for an individual permit, including the PCSM Plan, to the Municipality upon the initial submission of the NOI or application to DEP or the District, and when resubmissions are made to the DEP or the District in response to comments, as applicable.*

6. *If an NPDES permit of E&S permit is required for an earth disturbance activity and a person obtains general permit coverage or an individual permit from DEP or the District, the person conduction earth disturbance activity must submit the final, approved PCSM Plan to the Municipality withing (enter no of business calendar days) days of the Receipt of the general permit coverage or permit.*

B. General design principles. All drainage provisions shall be designed to carry surface water to the appropriate retention or detention facility, swale, storm drain or natural watercourse. The appropriate method for stormwater management shall be reviewed and approved by the Borough Engineer. The maximum rate of stormwater runoff shall be no greater after development than prior to development activities. No increased surface runoff will be permitted to leave the property being subdivided or developed by way of natural

watercourses or storm drainage pipes, without first being suitability detained in such a way as to maintain runoff rate existing on the site previous to subdivision or development.

C. *For all regulated activities, unless preparation of an SWM site plan is specifically exempted in § 283-302:*

   . *Preparation and implementation of an approved SWM site plan is required.*

   . *No regulated activities shall commence until the municipality issues written approval of an SWM site plan, which demonstrates compliance with the requirements of this chapter.*

   . *The municipality may not issue a building permit or final approval to a person whose earth disturbance activities require an NPDES or E&S permit, until such permit has been issued by DEP or the District.*

D. *SWM site plans approved by the municipality, in accordance with § 283-513, shall be on site throughout the duration of the regulated activity.*

E. *The municipality may, after consultation with DEP, approve measures for meeting the state water quality requirements other than those in this chapter, provided that they meet the minimum requirements of, and do not conflict with, state law, including, but not limited to, the Clean Streams Law.*

F. *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 chapter and to meet all requirements under Title 25 of the Pennsylvania Code 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) [Note: See § 283-901B], No. 363-2134-008 (April 15, 2000), as amended and updated.*

G. *Construction. The subdivider or developer shall construct and/or install such drainage structures, facilities and/or pipes which are necessary to prevent erosion damage and to satisfactorily carry off such surface waters to the nearest practical street, storm drain, retention or detention facility or natural watercourse, in accordance with current State Erosion Control and Sedimentation Regulations.*

H. *Impervious areas. The following provisions apply when performing stormwater analysis:*

   . *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.*

   . *For development taking place in stages, the entire development plan must be used in determining conformance with this chapter.*

   . *For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this chapter, except that the volume controls in § 283-304 and the peak rate controls of § 283-305 do not need to be retrofitted to existing impervious areas that are not being altered by the proposed regulated activity.*

. When the existing project site contains impervious surfaces, 20% of the existing impervious surface area to be disturbed must be considered meadow or better, except for the repair, reconstruction or restoration of roadways or of utility infrastructure, when the site will be returned to existing condition for the purpose of analyzing volume and water quality management.

. When the existing site contains impervious surface area and the existing site conditions have public health, safety or environmental limitations – the applicant may demonstrate to the municipality that it is not practicable to satisfy the requirements in paragraph G(4). The stormwater volume reduction and water quality treatment will be maximized to the extent practicable to maintain and protect existing water quality and designated uses.

. For multi-lot development projects where the lots are intended to be sold prior to, during, or following construction, the applicant must conduct the stormwater analysis by using the maximum area of impervious surface allowed on the lots under the municipal SALDO, or add a factor of safety of at least 10% to the impervious area planned for the lots.

. For proposed parking areas, the applicant must minimize impervious surfaces by designing such areas to accommodate only the number and type of vehicles that will regularly and at least once a week park on the property at the same time as demonstrated in parking analysis. Otherwise the applicant must prove to the satisfaction of the municipality that the impervious surface area is necessary to meet the intent of the development.

. *Parking provided that goes above what is regularly needed (at least once a week) should be accommodated on pervious parking surface, a multi-story structure, or by developing a shared parking plan.*

I. *Stormwater flows onto adjacent property shall not be created, increased, decreased, relocated, or otherwise altered without written notification of the adjacent property owner(s) by the developer. Such stormwater flows shall be subject to the requirements of this chapter.*

J. *Dedication. Where stormwater or surface water will be gathered within the subdivision or land development and discharged or drained in volume over lands within or beyond the boundaries of the subdivision or land development, the subdivider, developer, or building shall reserve or obtain easements over all lands affected. The easements shall be adequate for such discharge of drainage and for carrying off of such water and for the maintenance, repair and reconstruction of the same, including the right of passage by vehicles, machinery and other equipment for such purposes, and which shall be of sufficient width for such passage and work. The subdivider, developer, or builder shall convey, at no cost, the easement to the Borough upon demand.*

K. *All regulated activities shall include such measures as necessary to:*

*. *Protect health, safety, and property.*

*. *Meet the water quality goals of this chapter by implementing measures to:*

. *Minimize disturbance to floodplains, wetlands, and wooded areas.*

- *Maintain or extend riparian buffers.*
- *Avoid erosive flow conditions in natural flow pathways.*
- *Minimize thermal impacts to waters of this commonwealth.*
- *Disconnect impervious surfaces by directing runoff to pervious areas, wherever possible.*

[1]. *To the maximum extent practicable, incorporate the techniques for low-impact development and green infrastructure practices described in the Pennsylvania Stormwater Best Management Practices Manual (BMP Manual [Note: See § 283-901A.]).*

L. *The design of all facilities over karst shall include an evaluation of measures to minimize adverse effects.*

M. *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 chapter.*

N. *Natural drainage facilities are encouraged where they exist naturally, where soil conditions warrant and where they will not interfere with public convenience or safety. Natural swales and watercourses shall be constructed so as to retard the flow of stormwater, avoid erosion and encourage percolation.*

O. *Concentration. Concentration of surface water runoff shall be permitted only in watercourses or retention or detention facilities.*

P. *Normally dry, open-top storage facilities should completely drain both the volume control and rate control capacities over a period of time not less than 24 and not more than 72 hours from the end of the design storm.*

Q. *The design storm volumes to be used in the analysis of peak rates of discharge should be obtained from the Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2, Version 3.0, U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Hydrometeorological Design Studies Center, Silver Spring, Maryland. NOAA's Atlas 14 (Note: See § 283-901E.) can be accessed at http://hdsc.nws.noaa.gov/hdsc/ pfds/.*

R. *For all regulated activities, SWM BMPs shall be designed, implemented, operated, and maintained to meet the purposes and requirements of this chapter and to meet all requirements under Title 25 of the Pennsylvania Code, the Clean Streams Law, and the Storm Water Management Act.*[7]

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7. ***Editor's Note: See 32 P.S. § 680.1 et seq.***

S. *Various BMPs and their design standards are listed in the BMP Manual (Note: See § 283-1201 A.).*

T. *General E&S Requirements are as follows:*

. Persons conducting earth disturbance activities must implement and maintain E&S BMPs to minimize the potential for accelerated erosion and sedimentation. Various E&S BMPs and design standards that may be utilized to meet this Ordinance and Chapter 102 of DEPs regulations are identified in DEP's E&S manual, as amended.

. A written E&S plan is required for any earth disturbance activity that disturbs 5,000 square feet or more of land, for review and approval by the municipality. An E&S plan that is approved by the municipality must be retained on-site through the duration of the regulated activity.

. If an NPDES permit or E&S permit is required for earth disturbance activity and a person obtains general permit coverage or an individual permit from DEP or the District, the person conducting the earth disturbance activity must submit the final, approved E&S plan to the municipality within 5 business days of the receipt of the permit and prior to commencement of earth disturbance activities.

. E&S Plans prepared to satisfy the requirements of this Ordinance must be substantially the same as E&S plans submitted to DEP or the District to obtain an NPDES or E&S permit, when applicable.

. A written E&S plan must be prepared by a person trained and experienced in E&S control methods and techniques applicable to the size and scope of the project being designed. The preparer of an E&S plan must submit a summary of their qualifications and experience when requested by the municipality.

U. PCSM Plan Preparer Qualifications

1. *The PCSM Plan must be prepared by a person trained and experienced in PCSM design methods and techniques applicable to the size and scope of the project being designed. The preparer of a PCSM Plan must submit a summary of their qualifications and experience when requested by the municipality.*

2. *With the exception of the site restoration projects and projects where site-specific designs are not required, and unless exempt under Section 5 of Act 367, the preparation of PCSM Plans requires that a licensed professions engineer be in responsible charge with respect to activities involving the practice of engineering. Such activities include SCM design and stormwater analysis.*

3. *Licensed, certified, and/or experienced professionals in the fields of soils science, geology, hydrology or hydrogeology, geomorphology, wetland science, aquatic ecology, forestry, terrestrial ecology, landscape design or architecture, and botany must be utilized in the preparation of PCSM Plans when expertise in these fields is necessary, as determined by the PCSM Plan preparer or Municipality, and prescribed by law.*

SECTION X. Chapter 283, titled "Stormwater Management," Article III, § 283-302, subsections 3 through 10, is hereby amended to include the following:

3. *Exemptions from any provisions of this chapter shall not relieve the applicant from the requirements in § 283-301 F through Q.*

4. *Road maintenance activities and timber harvesting activities involving less than 25 acres of earth disturbance when these activities are performed according to the requirements of 25 Pa. Code Chapter 102.*

5. *Maintenance and repairs to existing SCMs that are done in accordance with an approved long-term O&M Plan.*

6. *The municipality may deny or revoke any exemption pursuant to this section at any time for any project that the municipality believes may pose a threat to public health and safety or the environment.*

7. *Under no circumstances may the applicant be exempt from implementing such measures as necessary to meet State Water Quality Standards and protect health, safety and property.*

8. *Projects that qualify as site restoration projects are exempt from Section 502 and 503 of this Ordinance.*

9. *High tunnels are exempt from the provisions of this Ordinance if the following criteria are met:*

    . *The high tunnel or its flooring does not result in an impervious surface exceeding 25% of all structures located on the landowner's total contiguous land area; and*

    . *The high tunnel meets one of the following:*

        . *The high tunnel is located at least 100 feet from any perennial stream or watercourse, public road or neighboring property line.*

        . *The high tunnel is located at least 35 feet from any perennial stream or watercourse, public road or neighboring property line and located on land with a slopes not greater than 7%.*

        . *The high tunnel is supported with a buffer or diversion system that does not directly drain into a stream or other watercourse by managing stormwater runoff in a manner consistent with the requirements of Act 167.*

10. *Direct discharges of stormwater to no detention areas, as identified in Act 167 Plan or other ordinance, are exempt from the peak rate requirements of Section 305, when approved by DEP.*

SECTION XI. Chapter 283, titled "Stormwater Management," Article III, § 283-303, is hereby added to include the following:

Design Requirements.

A. *Design of detention basins. Detention basins shall be designed in accordance with the "Erosion and Sediment Control Handbook" as published by the Montgomery County Conservation District and "The Engineering Field Manual for Conservation Practice. Soil Conser-*

vation Service, Washington, D.C." In addition to the requirements set forth in above mentioned publications, the following will also be required for all detention basins:

(☒) *The detention basin area shall be enclosed by a four foot high green colored chain link fence, or by a four foot split rail fence with black or green colored wire mesh attached thereto, situated along the berm of the basin. A double gate, at minimum 10 feet in width, shall be provided for access of maintenance equipment. [Amended 9-2-2008 by Ord. No.406[8]]*

(☐) *The minimum slope of the basin bottom, running from inlet pipe to outlet pipe, shall be 2%, unless basin is designed as an infiltration basin.*

(☐) *Flow from the inlet pipes to the outlet pipe will be directed in a sodded swale eight feet wide by six inches in depth.*

(☐) *The exterior slope bank shall not be steeper than a 5:1 slope.*

(☐) *The interior bank shall not be steeper than a 4:1 slope and shall be provided with topsoil, seeding, mulch and fertilizer in accordance with PennDOT Publication 408 Specifications. Alternative plantings and/or ground cover may be provided, conditioned upon Borough approval of same. [Amended 9-2-2008 by Ord. No. 406]*

(☐) *In all cases, the discharge end of the basin will be provided with a properly designed culvert pipe and end wall. Perforated riser pipe without provisions for the culvert pipe and end wall will not be acceptable for permanent detention basins.*

(☐) *Access ramps (for maintenance equipment) 12 feet in width and having a maximum slope of 12 ½% shall be provided for all basins. These ramps shall be constructed of a six-inch compacted layer of topsoil on six inches of compacted 2A modified aggregate or an approved equal.*

(☐) *Any area of the basin that does not have adequate grass cover within nine months from the time of the first discharge from the inlet pipes into the basin will be immediately sodded.*

B. *Design criteria for high water table.*

(☐) *Subbase and U-drains.*

( ) *Subbase in combination with six-inch pipe U-drains and/or combination storm sewers and U-drains (PennDOT Standard RC 30) shall be installed in roadways where finished roadway grade is within two feet of the seasonal high water table as designated for the soils by the Montgomery County Soil Survey.*

( ) *The extent of U-drain and/or combination storm sewer and U-drain in the streets shall be determined by the Borough Engineer after the roadway has been rough graded.*

( ) *In cases where the seasonal high water table, as designated in the Montgomery County Soil Survey, is within two feet of the ground surface special foundation drain, design will be required for all proposed buildings. A detail of the foundation*

drainage system including the outside perimeter drain, the drainage system under the slab, the vaper barrier and the sump pump and/or gravity drain discharge system must be shown on the plans. The foundation drain design will be subject to approval by the Borough Engineer.

(☒) Sump pumps.

( )Sump pumps shall be installed in all below grade basements unless the basement area is drained by a gravity line. All sump pumps must discharge into the underground storm drainage system.

( )Any springs encountered through the development must be outletted by U-drain to the underground storm sewer system, to a detention basin, or to a natural watercourse on the property.

C. *Storm drains, storm and surface drainage. All storm drains and drainage facilities such as gutters, catch basins, bridges, culverts, retention basins, etc., shall be installed and the land graded for adequate drainage, as shown on the grading plan. Such designs and plans shall conform to Borough and state standards and be approved by the Borough Engineer.*

(☒) Storm drains and appurtenances shall be required to be constructed by the subdivider or developer to take surface water from the bottom of vertical grades (the grades of which slope on both sides toward the bottom), to lead water away from springs, and to avoid excessive use of cross gutter at street intersections and elsewhere.

(☒) Location. Whenever practicable, storm drains shall be located within the cartway of the street. They shall be protected by a cover of at least 12 inches.

(☐) Size and grade. Storm drains shall be adequate for the anticipated runoff when the area is fully developed as permitted by zoning. They shall have a minimum grade of 0.5% unless otherwise approved by the Borough Engineer. The rainfall frequency shall be 50 years, provided that frequencies of 100 years shall be required in one-hundred-year floodplain areas designated as such by the Borough of Trappe Floodplain Overlay Map. [9]

(☒) Manholes. Manholes shall be constructed at all changes in horizontal or vertical alignment; shall be spaced not more than 300 feet apart on pipe of 24 inches internal diameter or less, and not more than 500 feet apart where larger sizes are installed. Inlets may be substituted for manholes where they will serve a useful purpose.

(☒) Inlets. Inlet spacing shall be so arranged that 95% of the gutter flow will be captured. No inlet smaller than Pennsylvania Department of Transportation Type "C" (four-foot) shall be used on streets with grades of 4% or less. Pennsylvania Department of Transportation Type "C" (six-foot) inlets shall be used on streets with grades of more than 4%. Inlets at street sections shall be placed on the tangent and not on the curved portions. The gutter adjacent to and immediately upgrade from the inlet shall be so warped as to direct the water into the inlet.

(☒) Castings. Manhole and inlet castings, together with their covers or gratings, shall conform to Borough standards, as may be in effect at the time the design of the sewer is submitted. All stormwater manhole castings shall have the word "storm" cast into the

lid. All manhole castings shall be of the type capable of accommodating highway loadings.

(☐) Stormwater roof drains. Stormwater roof drains and pipes shall not discharge water over a sidewalk, but shall extend under the sidewalk and through the curb, or to a storm sewer, stormwater detention or control structure or natural watercourse, if available, as determined by the Borough Engineer.

(☐) Unnatural drainage. Wherever construction stops or concentrates the natural flow of storm drainage in such a way as to affect adjoining properties, approval of the owners should be obtained in writing and a copy filed with the Borough Secretary. Approval of plans by the Borough does not authorize or sanction drainage affecting adjoining properties.

(☐) Drainage from non-natural sources. Water originating from other than natural sources, such as air conditioning units, sump pumps or other dry weather flow, wherever practicable, shall be discharged into natural watercourses on the property. These facilities shall not discharge water under the sidewalk through the curb into the gutter.

(☐) Stormwater retention:

( ) Stormwater retention facilities will be required if one or more of the following conditions are met:

[☐] Runoff from the development would exceed the capacity of the downstream water facilities.

[☐] Runoff from the development increase the peak runoff from the existing conditions.

[☐] Runoff from a proposed parking facility or building would increase peak runoff from the existing condition.

( ) The design criteria for the stormwater retention facility shall be agreed upon by the Borough Engineer. Developers are encouraged to investigate all measures to reduce and retain water where appropriate. Additional reviews shall be performed by the U.S. Department of Agriculture, Natural Resources Conservation Service and in the Bureau of Dams and Encroachments of the Pennsylvania Department of Environmental Protection.

(☐) Blocks and lots. Blocks and lots shall be graded to secure proper drainage away from buildings and to prevent the collection of stormwater in pools. Minimum two-percent slopes away from structures shall be required.

(☐) Swales. Where drainage swales are used to deliver surface waters away from buildings, they shall not be less than 1% grade and not more than 4% grade. The swales shall be sodded, planted or provided with other erosion control measures as determined by the Borough Engineer and shall be of such shape and size to conform with specifications of the Borough Engineer.

( ) All drainage swales shall be sodded for a minimum width of six feet.

D. Calculation Methodology

(1) Stormwater runoff from all regulated activity sites with a drainage area of greater than five acres shall be calculated using a generally accepted calculation technique(s) that is based on the NRCS Soil Cover Complex Method. Table 309.1 summarizes acceptable computation methods. The method selected for use shall be based on the individual limitations and suitability of each method for a particular site. The use of the Rational Method to estimate peak discharges for drainage areas greater than five acres shall be permitted only upon approval by the Municipal Engineer.

Table 309.1
Acceptable Computation Methodologies for SWM Site Plan

Method	***Developed By***	***Applicability***
TR-20 commercial computer package based on TR-20)	*USDA NRCS*	*Applicable where use of full hydrolog computer model is desirable or necessary*
TR-55 commercial computer package based on TR-55)	*USDA NRCS*	*Applicable for land development plan where limitations described in TR-55 a met*
HEC-1/HEC-HMS	*US Army Corps of Engineers*	*Applicable where use of a full hydrolo computer model is desirable or necess*
Universal Modified Rational Method (or commercial computer package based on Rational Method)	*Emil Kuichling (1889)*	*For sites up to 5 acres, or as approved b municipality*
Other methods	*Varies*	*Other computation methodologies approv the municipality*

(2) All calculations using the Soil Cover Complex Method shall use the appropriate design rainfall depths for the various return period storms consistent with this chapter. Rainfall depths used shall be obtained from the latest version of the Precipitation-Frequency Atlas of the United States, National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Hydrometeorological Design Studies Center, Silver Spring, Maryland (NOAA Atlas 14), values consistent with a partial duration series. When stormwater calculations are performed for routing procedures or infiltration, water quality and runoff volume functions, the duration of rainfall shall be 24 hours and must use one of the following 1) the 90% upper confidence interval precipitation data published by the National Oceanic and Atmospheric Administration (NOAA) for the city or region that closest to the project site; 2) published studies of regional precipitation that have been adjusted to account for changes in precipitation patterns, temperature, and other parameters in a manner consistent with methods contained in DEP's PCSM Manual, as updated; 3) published studies of regional precipitation

that have not been adjusted for climate change but are increased by the applicant using a factor of safety of at least 20%.

(3) All calculations using the Rational Method shall use rainfall intensities consistent with appropriate times-of-concentration (duration) and storm events with rainfall intensities obtained from NOAA Atlas 14 partial duration series estimates, or the latest version of the PennDOT Drainage Manual (PDM Publication 584). Times-of-concentration shall be calculated based on the methodology recommended in the respective model used. Times of concentration for channel and pipe flow shall be computed using Manning's equation.

(4) The applicant shall utilize the following ground cover assumptions for all predevelopment water quality and runoff volume, infiltration volume and peak flow rate calculations:

A. *For regulated activities involving new development, the following ground cover assumptions shall be used:*

(1) For areas that are woods, predevelopment calculations shall assume ground cover of "woods in good condition."

(2) For all other areas (including all impervious surfaces), predevelopment calculations shall assume ground cover of "meadow."

B. *For regulated activities involving redevelopment, the following ground cover assumptions shall be used:*

(1) For areas that are woods, predevelopment calculations shall assume ground cover of "woods in good condition."

(2)For areas that are not woods or not impervious surfaces, predevelopment calculations shall assume ground cover of "meadow."

(3)For areas that are impervious surfaces, predevelopment calculations shall assume at least 20% of the existing impervious surface area to be disturbed as "meadow" ground cover.

C. *The applicant shall determine which stormwater standards apply to the proposed regulated activity as follows:*

(1) Stormwater standards for new development shall apply to all proposed regulated activities that involve only new development activities as defined in this chapter.

(2) Stormwater standards for redevelopment shall apply to all proposed regulated activities that involve only redevelopment activities as defined in this chapter.

(3) At the discretion of the Borough Engineer, regulated activities that involve a combination of both new development and redevelopment activities, as defined in this chapter, may either:

(a) Apply the stormwater standards (redevelopment or new development) that are associated with the activity that involves the greatest amount of land area; or

(b) Apply the redevelopment and new development stormwater standards to the corresponding redevelopment and new development portions of the proposed regulated activity.

(5) Runoff curve numbers (CN) for both predevelopment and proposed (postconstruction) conditions to be used in the Soil Cover Complex Method shall be obtained from Table C-1 in Attachment C of this chapter.

(6) Runoff coefficients (C) for both predevelopment and proposed (postconstruction) conditions for use in the Rational Method shall be obtained from Table C-2 in Attachment C of this chapter.

(7) Weighted averaging of runoff coefficients shall not be used for manual computations or input data for water quality and runoff volume calculations.

(8) Hydraulic computations to determine the capacity of pipes, culverts, and storm sewers shall be consistent with methods and computations contained in the Federal Highway Administration Hydraulic Design Series Number 5 (Publication No. FHWA-NHI-01-020 HDS No. 5, as amended). Hydraulic computations to determine the capacity of open channels shall be consistent with methods and computations contained in the Federal Highway Administration Hydraulic Engineering Circular Number 15 (Publication No. FHWA-NHI-05-114 HEC 15, as amended). Values for Manning's roughness coefficient (n) shall be consistent with Table C-3 in Attachment C of this chapter.

(9) Runoff calculations shall include the following assumptions:

A. Average antecedent moisture conditions (for the Soil Cover Complex Method only for example, TR-55, TR-20).

B. A type II distribution storm (for the Soil Cover Complex Method only for example, TR-55, TR-20).

E. Design Submission.

(1) All plans showing the proposed storm sewer construction must be accompanied by a complete design submitted by the registered engineer or surveyor.

(2) When the subdivisions or land developments are submitted to the Borough for approval in sections, a complete stormwater control design for the proposed subdivision or land development shall be submitted. The proposed design must include the entire tract and not a portion.

(▯) *If only a section of a subdivision or land development is contemplated for construction, the engineer shall show how they propose to handle stormwater from this section in order to prevent damage to adjacent properties. If temporary construction is required, the engineer shall include such structures in the plan submitted.*

(▯) *In the event such temporary measures cannot ensure protection to adjacent properties, then the main outfall line of the storm sewer shall be included as part of the construction for the proposed section.*

SECTION XI. Chapter 283, titled "Stormwater Management," Article III, § 283-303 is hereby amended as § 283-304 and § 283-304 is hereby amended as § 283-305, respectively.

SECTION XII. Chapter 283, titled "Stormwater Management," Article III, § 283-306, is hereby added to include the following:

Existing SCMs

A. *Other than activities conducted pursuant to an approved long-term O&M plan, no person shall modify, remove, fill, landscape or alter any SWM SCMs, facilities, areas, easements, or structures that were installed or established as a requirement of the Ordinance without the written approval of the Municipality.*

B. *Prior to the issuance of permits or approvals for earth disturbance activities that do not require an NPDES permit or E&S permit, where the property contains an existing SCM, an applicant must provide documentation demonstrating that the proposed earth disturbance will not adversely impact the SCM.*

    ▯. *If new impervious surfaces will be constructed within the drainage area of an existing SCM, the applicant must demonstrate that the SCM is capable of treating the increase in stormwater runoff or propose modifications to the SCM to treat the increased runoff.*

C. *Where an existing SWM SCM will be modified or removed as part of an earth disturbance activity, the Municipality will not issue approvals until DEP or the District provides approval of the modification or removal.*

SECTION XIII. Chapter 283, titled "Stormwater Management," Article IV, is hereby added to include the following:

E&S Plan and Implementation Requirements

§ 283-401. General

A. If both a written E&S Plan and a written SWM site plan must be submitted to the municipality in accordance with Article III, and an NPDES permit or E&S permit is not required for the earth disturbance activity, the plans may be combined into a single, legible plan submission.

B. Off-site support activities that are located contiguous to the project site or within one-quarter miles of the project site must be addressed in the E&S Plan for the project site.

§ 283-402. E&S Plan Contents

A written E&S Plan that is submitted to the municipality for review and approval for an earth disturbance activity must contain the following information:

A. The existing topographic features of the project site and the immediate surrounding area.

B. The types, depth, slope, locations and limitations of the soils.

C. The characteristics of the earth disturbance activity, including the past, present and proposed land uses and the proposed alteration to the project site.

D. The volume and rate of runoff from the project site and its upstream watershed area.

E. The location of all surface waters of this Commonwealth which may receive runoff within or from the project site and their classification under 25 Pa. Code Chapter 93.

F. A narrative description of the location and type of perimeter and on-site BMPs used before, during and after the earth disturbance activity.

G. A sequence of BMP installation and removal in relation to the scheduling of earth disturbances activities, prior to, during and after earth disturbance activities that ensure the proper functioning of all BMPs.

H. Supporting calculations and measurements, including an erosion potential analysis (see section 504), as applicable.

I. Plan drawings, showing the limit of disturbance (LOD), project site boundary, areas protected from disturbance, site access, and E&S BMP locations and construction details.

J. A maintenance program which provides for the operation and maintenance of BMPs and the inspection of BMPs on a weekly basis and after each stormwater event, including the repair or replacement of BMPs to ensure effective and efficient operation. The program must provide

for completion of a written report documenting each inspection and all BMP repair, or replacement and maintenance activities.

K. Procedures which ensure that the proper measures for the recycling or disposal of materials associated with or from the project site will be undertaken in accordance with this title.

L. Identification of the naturally occurring geologic formations or soil conditions that may have the potential to cause pollution during earth disturbance activities and include BMPs to avoid or minimize potential pollution and its impacts from formations.

M. Identification of potential thermal impacts to surface waters of this Commonwealth from the earth disturbance activity including BMPs to avoid, minimize or mitigate potential pollution for thermal impacts.

N. Identification of exiting and proposed riparian forest buffers.

O. An erosion potential analysis for discharges during construction in accordance with Section 504, if applicable.

P. Other information if required by the Municipality

§ 283-403. Protection of Site Infiltration Properties During Earth Disturbance

A. Where a SWM site plan will be implemented to manage post-construction stormwater in whole or part through on-site infiltration, the permittee must protect areas proposed for infiltration SCMs from sedimentation and compaction during earth disturbance activities to maintain the infiltration capacity of soils.

B. Site access must be limited to designated access roads that are identified on the approved E&S Plan. As part of the permanent stabilization process, all post-construction pervious surfaces associated with access roads and other locations on-site that have been subjected to soil compaction must be restored using methods identified in DEP's PCSM manual or other approved methods.

C. Conversion of E&S BMPs to infiltration SCMs may be completed when the drainage area to be treated by infiltration SCMs is permanently stabilized.

(1) The permittee must removed accumulated sediment and soils from E&S BMPs to the design infiltration depth during conversion to infiltration SCMs. Excavation to remove sediment must be performed to a depth where the underlying soils are dry.

(2) The permittee must perform construction confirmation testing for infiltration capacity in accordance with The Pennsylvania Stormwater Best Management practice manual current addition Section XXX. (Site Design)

§ 283-404. Discharges to Special Protection and Impaired Waters

For stormwater discharges to surface waters with designated or existing uses of HQ or EV under 25 Pa. Code Chapter 93 and for stormwater discharges to surface waters impaired for sediment and/or nutrient related causes, the applicant must design and implement non-discharge alternatives or ABACT BMPs when an NPDES permit or E&S permit is required for earth disturbance activities.

§ 283-405. E&S Plan Submission

Unless the Municipality notifies the applicant that the electronic submission of an E&S plan is acceptable, the E&S plan must be submitted as follows:

A. Six copies of the SWM site plan shall be submitted as follows:

(1) Three copies to the municipality.

(2) One copy to the Municipal Engineer.

(3) One copy to the County Conservation District (when applicable).

(4) One copy to the County Planning Commission/Office (when applicable).

B. Additional copies shall be submitted as requested by the municipality or DEP.

C. In addition, a performance guarantee per the requirements of Section 603, must be provided to the municipality prior to approval of the E&S plan.

§ 283-406. Plan Review Process

A. The municipality will notify the applicant in writing whether the E&S plan is approved or disapproved within the time limits established in the municipality's SALDO for applications for approval of a plat. If the E&S plan does not involve subdivision and land development, the municipality will render a decision of the E&S plan within 45 days.

B. If the municipality disapproves the E&S plan, the municipality will state the reasons for disapproval in writing. The municipality also may approved the E&S plan with conditions and provide those conditions in writing.

C. The municipality reserves the right to return without comment any E&S plan that is not complete.

§ 283-407. Modification of E&S Plans

If an application or permittee proposes changes to the E&S plan either prior to or following approval by the municipality, the applicant or permittee must submit modified E&S plan and applicable review fees to the municipality for review and approval prior to implementing the proposed changes. If required by DEP or the District, the modified E&S plan must be submitted to DEP or the Distrit for review and approval prior to implementing the proposed changes.

§ 283-408. Resubmission of Disapproved E&S plans

A disapproved or returned E&S plan may be resubmitted with additional review fees, if applicable, to the municipality.

SECTION XIV. Chapter 283, titled "Stormwater Management," existing Article IV, is renamed Article V, and § 283-501, subsections C through I, is hereby amended to include the following:

C. *Provisions for permanent access or maintenance easements for all physical SWM BMPs, such as ponds and infiltration structures, as necessary to implement the operation and maintenance (O&M) plan discussed in Subsection E(9) below and Article IX.*

D. *The following signature block for the municipality:* ***[Amended 4-7-2017 by Ord. No. 440]*** *"(Design Engineer), on this date (Date of Signature), has reviewed and hereby certifies that the SWM Site Plan is in substantial compliance with all design standards and criteria of the Municipal Ordinance No. 427."*

E. If both an E&S Plan and a SWM site plan must be submitted to the municipality, and an NPDES permit or E&S permit is not required for the earth disturbance activity, the plans may be combined into a single plan submission.

F. Off-site support activities that will result in changes to the post-construction land cover and are located contiguous to the project site or within one-quarter mile of the project site must be addressed in the SWM plan for the project site.

G. Stormwater management design must be done in a manner that assures long-term performance and minimizes long-term O&M costs to the permittee, the landowner, and municipality. Consideration in the capabilities of the entity identified in the O&M Plan as responsible to inspect, operate, perform routine maintenance, and perform repairs or replacement of the SCM.

H. *The SWM site plan shall provide the following information:*

( ) *The overall stormwater management concept for the project.*

( ) *A determination of site conditions in accordance with the BMP Manual (Note: See § 283-1101A.). 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.*

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10. Editor's Note: See Ch. 295.

( ) *Stormwater runoff design computations, and documentation as specified in this chapter, or as otherwise necessary to demonstrate that the maximum practicable measures have been taken to meet the requirements of this chapter, including the recommendations and general requirements in § 283-301.*

( ) Expected project time schedule.

( ) A soil erosion and sediment control plan, where applicable, as prepared for and submitted to the approval authority.

( ) The effect of the project (in terms of runoff volumes, water quality, and peak flows) on surrounding properties and aquatic features and on any existing stormwater conveyance system that may be affected by the project

( ) Plan and profile drawings of all SWM BMPs, including drainage structures, pipes, open channels, and swales.

( ) The SWM site plan shall show the locations of existing and proposed on-lot wastewater facilities and water supply wells.

( ) one foot contour intervals established by actual survey of the tract and shall not be from enlarged USGS quadrangle maps or similar source

( ) The SWM site plan shall include an O&M plan which provides for inspection for all existing and proposed physical stormwater management facilities. This plan shall address long-term ownership and responsibilities for O&M including the repair, replacement and routine maintenance of the SCMs. The plan shall include:

(▯) Schedules for inspections and routine maintenance

(▯) Description for accessing the SCMs

I. The SWM site plan, when it requires an NPDES permit or E&S permit, shall provide the following information in addition to 401.H:

(1) The name of the project site; applicant name, mailing address, phone number, and email address; landowner name, mailing address, phone number and email address (if different from applicant); the applicable tax parcel ID number(s); the location address of the project site, if available.

(2) The existing topographic features of the project site and the immediate surrounding area, including areas of natural vegetation to be preserved, overland drainage paths, and upstream areas draining through the site.

(3) An identification of the location of surface waters of this commonwealth, which may receive runoff within or from the project site and their classification under Chapter 93 (relating to water quality standards).

(4) Written latitude and longitude coordinates of each location and type of SCM.

(5) Construction details for permanent stormwater SCMs, with specific infiltrating testing as detailed in DEP's PCSM manual, as updated.

(6) Results from SCM specific infiltration testing and soil characterization for all infiltration based SCMs. Procedures for SCM specific infiltration testing are detailed in DEP's PCSM manual, as updated.

(7) A sequence of SWM SCM implementation or installation in relation to earth disturbance activities of the project site and a schedule of inspections for critical stages of SCM installation.

(8) Supporting calculations, including stormwater analysis (see Section 503), an erosion potential analysis (see Section 504) and a stream stability analysis (see Section 505), as applicable.

SECTION XV. Chapter 283, titled "Stormwater Management," Article V, § 283-502, is hereby added to include the following:

Pre-Development Site Characterization

A pre-development site characterization shall be completed of the project site if an NPDES permit or E&S permit is required for the earth disturbance activity. The pre-development site characterization shall address the following, at a minimum:

A. Pre-development soil characterization that includes infiltration testing shall be completed by the applicant to evaluate the project site's capabilities to infiltrate and/or manage stormwater. Recommended guidance on the number of locations an test methodology for soil characterization and infiltration testing are contained in DEP's PCSM manual, as updated. The results of the soil characterization and infiltration testing must be submitted to the municipality with the SWM site plan.

B. Areas of known or suspected soil contamination must be identified and delineated on a map through soil sampling, as applicable.

C. Existing natural landscape features, drainage paths, and surface waters including wetlands, must be identified by the applicant and delineated on a map, as applicable.

D. For project sites in karst terrain, a geotechnical investigation pursuant to Section 507 must be completed.

SECTION XVI. Chapter 283, titled "Stormwater Management," Article V, § 283-503, is hereby added to include the following:

SWM Stormwater Analysis

A person proposing earth disturbance activities that will require a SWM site plan and an NPDES permit or E&S permit shall complete the following:

A. Complete a stormwater analysis that is consistent with the standards contained in 25 Pa. Code § 102.8(g) unless the project qualifies as a site restoration project per 25 Pa. Code 102.8(n), as determined by DEP or the District. The stormwater analysis will determine the volume, rate, and pollutant loads that must be managed by SCMs.

B. If a SWM site plan is prepared for the purpose of obtaining an NPDES permit or E&S permit, the stormwater analysis completed for the municipality must be consistent with the stormwater analysis that is submitted to DEP or the District.

C. To determine the volume of runoff for the stormwater analysis, the applicant shall use calculation methodologies provided in Section 303.D, as updated.

SECTION XVII. Chapter 283, titled "Stormwater Management," Article V, § 283-504, is hereby added to include the following:

Erosion Potential Analysis

An erosion potential analysis shall be completed if the earth disturbance activity requires an NPDES permit from DEP or an E&S permit from the District. The analysis shall address the following:

A. Demonstrate that stormwater discharges from the project site during and following construction will not cause accelerated erosion up to the 10-year/ 24 hour storm event for the entire flow path to the surface water, when stormwater flows are concentrated.

(1) Outflows from BMPs and SCMs will be directed to areas on the project site and/or off-site that are not surface waters or conveyances that discharge directly to surface waters.

(2) A discharge point (DP) must be identified on E&S plans and/or SWM site plans at the outflow of the BMP or SCM to denote a location where an analysis has been performed.

(3) Non-surface waters include swales, ditches, channels, open areas, fields, forests, and riparian buffers.

B. An erosion potential analysis is not required when a new channel will be designed and constructed to convey stormwater runoff in accordance with DEP's E&S manual.

SECTION XVIII. Chapter 283, titled "Stormwater Management," Article V, § 283-505, is hereby added to include the following:

Stream Stability Analysis

For earth disturbance activities requiring an NPDES permit or E&S permit, a stream stability analysis is required when an applicant proposed a post-construction increase, compared to pre-construction conditions, in stormwater peak rate (up to the 100-year/ 24 hour storm event) and/or volume (up to the 2 year/ 24 hour storm event) to a surface water with a drainage area of 0.5 square mile (m2) or less, to demonstrate that the discharge will not cause or contribute to an

impairment of the surface water due to stream bed scour and/or stream bank erosion, unless the increase is managed through an SCM. The stream stability analysis may be completed by following procedures in DEP's PCSM manual.

SECTION XIX. Chapter 283, titled "Stormwater Management," Article V, § 283-506, is hereby added to include the following:

Off-Site Stormwater Management

A. If an applicant demonstrates one or more of the following, off-site stormwater management may be proposed to offset changes in stormwater runoff from development on project site:

(1) There are limited opportunities available on-site to implement SWM SCMs to satisfy the Ordinance.

(2) Opportunities for establishing SWM SCMs within the project site boundary have been considered but the implementation of off-site stormwater management would exceed the environmental benefits of on-site stormwater management.

(3) There are restrictions or safety considerations that prevent the applicant from achieving regulatory requirements through on-site SWM SCMs.

(4) Implementing SWM SCMs on-site is not feasible due to historic preservation or threatened and endangered species considerations.

B. The criteria established in DEP's PCSM manual must be met for off-site stormwater management or otherwise the applicant must demonstrate how an alternative criterion is equally protective of surface waters.

C. The applicant must identify who will be responsible for long-term O&M in the SWM site plan. If the applicant will retain this responsibility, the applicant must demonstrate that it has the legal right to access the SCM for inspection and maintenance. If a different entity other than the applicant will be responsible for O&M, the applicant must provide written proof that the other entity has accepted legal responsibility.

D. An easement must be recorded in accordance with Article VIII of this Ordinance that will allow access and inspection by the Municipality, DEP and the District.

SECTION XX. Chapter 283, titled "Stormwater Management," Article V, § 283-507, is hereby added to include the following:

Karst Area Stormwater Analysis

A. Where karst features are known to be present on a project site, during the pre-development site characterization (Section 502), a geotechnical investigation overseen by a licensed professional geologist or engineer with experience investigating karst conditions, must be performed that is consistent with the methods contained in DEP's PCSM manual or other methods approved by the municipality. A geotechnical report must be submitted to the municipality with the SWM site plan.

B. The design of stormwater management over karst must include an evaluation of measures to minimize adverse effects. These include, but are not limited to the following:

a. Design in accordance with DEP's PCSM manual or other methods approved by the municipality

b. If, in the opinion of a licensed professional geologist or engineer experienced in the design of SCMs in karst terrain, the use of infiltration-based SCMs will increase the likelihood of the formation of sinkholes or other environmental or public safety hazards, MRC SCMs may be utilized as described in DEP's PCSM manual.

c. The design must maintain current recharge by neither increasing or decreasing the volume of stormwater infiltrated for a specific storm return period unless alteration of recharge is evaluated and determined to be feasible by a licensed professional geologist or engineer and approved by the municipality.

d. No site may be developed that does not have downstream surface conveyance capable of safely receiving flows from the development. Flows discharged off-site must be limited to the historic flows that were discharged off-site.

e. The hydrologic evaluation of stormwater management on a site with karst formations must be based on the actual land cover conditions.

f. SCMs not specifically designed to infiltrate must be lined.

g. Stormwater proposed to be infiltrated must be pretreated.

h. The applicant must avoid stormwater discharges to sinkholes or open caves and the subsurface injection of stormwater to the extent practicable. When determined to be necessary, the design must conform to published DEP guidance or other methods approved by the municipality.

SECTION XXI. Chapter 283, titled "Stormwater Management," Article V, § 283-508, is hereby added to include the following:

Temporary and Permanent Stabilization

A. Temporary stabilization

(1) Upon temporary cessation of an earth disturbance activity or any stage or phase of an activity where a cessation of earth disturbance activities will exceed four days, the site must be immediately seeded, mulched, or otherwise protected from accelerated erosion and sedimentation pending future earth disturbance activities.

(2) For an earth disturbance activity or any stage or phase of an activity to be considered temporarily stabilized, the disturbed areas must be covered with one of the following:

(a) A minimum uniform coverage of mulch and seed, with a density capable of resisting accelerated erosion and sedimentation

(b) An acceptable BMP which temporarily minimizes accelerated erosion and sedimentation.

B. Permanent stabilization

(1) Upon final completion of an earth disturbance activity, or any stage or phase of an earth disturbance activity, the site must immediately have topsoil restored, replaced or amended, seeded, mulched or otherwise permanently stabilized and protected from accelerated erosion and sedimentation. Acceptable soil restoration practices are identified in DEP's PCSM manual, as updated.

(2) E&S BMPs must be implemented and maintained until the permanent stabilization is completed. Once permanent stabilization has been established and approved by the municipality, the temporary E&S BMPs must be removed and, if an NPDES permit or E&S permit was obtained for the project, an NOT must be submitted to DEP or the District. Any areas disturbed in the act of removing temporary E&S BMPs must be permanently stabilized.

(3) For an earth disturbance activity, or any stage or phase of the earth disturbance activity, to be considered permanently stabilized, the disturbed areas must be covered with one of the following:

(a) A minimum uniform 70% perennial vegetative cover, with a density capable of resisting accelerated erosion and sedimentation; or

(b) An acceptable BMP which permanently minimizes accelerated erosion and sedimentation.

SECTION XXII. Chapter 283, titled "Stormwater Management," former Article IV § 283-402 shall be amended to Article V, § 283-509, is hereby amended to include the following:

A. *Six copies of the SWM site plan shall be submitted as follows:*

(□) *Three copies to the municipality.*

(☐) *One copy to the Municipal Engineer.*

(☐) *One copy to the County Conservation District (when applicable).*

(☐) *One copy to the County Planning Commission/Office (when applicable).*

B. *Additional copies shall be submitted as requested by the municipality or DEP.*

C. *In addition, a performance guarantee per the requirements of Section 603, must be provided to the municipality prior to approval of the SWM site plan.*

SECTION XXIII. Chapter 283, titled "Stormwater Management," former Article IV § 283-403 shall be amended to Article V, § 283-510, where § 283-510 (D) is hereby added to include the following:

The municipality reserves the right to return without comment any SWM site plan that is not complete.

SECTION XXIV. Chapter 283, titled "Stormwater Management," former Article IV § 283-404 shall be amended to Article V, § 283-511, and is hereby amended to include the following:

A modification to a submitted SWM site plan that involves a change in SWM BMPs or techniques, or that involves the relocation or redesign 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 municipality shall require a resubmission of the modified SWM site plan and applicable review fees in accordance with this article.

SECTION XXV. Chapter 283, titled "Stormwater Management," former Article IV § 283-405 shall be amended to Article V, § 283-512.

SECTION XXVI. Chapter 283, titled "Stormwater Management," former Article IV § 283-406 shall be amended to Article V, § 283-513, and is hereby amended to include the following:

A. The developer shall be responsible for providing as-built plans 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 municipality.

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.

(1) In addition to the as-built plan, the permittee shall submit a long-term O&M plan identifying the individual(s) responsible for long-term O&M.

C. After receipt of the completion certification by the municipality, the municipality may conduct a final inspection.

D. If an NPDES permit or E&S permit was required for the project, the permittee must submit an Notice of Termination (NOT) to DEP or to the District within 15 days of completion of all SCMs identified on the approved SWM site plan and permanent stabilization of the project site. A copy of the complete NOT submission shall be submitted to the municipality at the time the NOT is submitted to DEP or the District. If it is determined there are NOT deficiencies, the permittee must submit a copy of responses on the deficiencies to the municipality.

E. The municipality shall provide the municipality with documentation that DEP or the District has approved the NOT.

F. If an NPDES permit or E&S permit was not required, the O&M plan and recorded drawings must be deemed acceptable by the municipality prior to:

(1) Closing of the project by the municipality

(2) Dedication of SCMs to the municipality or conveyance to a homewoner's association or other person responsible for long-term O&M, as applicable.

(3) Release of the performance guarantee required by Section 603

SECTION XXVII. Chapter 283, titled "Stormwater Management," former Article V be amended to Article VI.

SECTION XXVIII. Chapter 283, titled "Stormwater Management," former Article V § 283-501 shall be amended to Article VI, § 283-601, and the following sections are hereby added to include the following:

D. *The municipality may take enforcement actions against an owner for any failure to satisfy the provisions of this article.*

E. *The O&M of E&S BMPs during earth disturbance activities is the responsibility of the permittee. The permittee must repair or replace any E&S BMP within 24 hours of discovery of its failure by the permittee, the municipality, DEP or the District, unless otherwise extended in writing.*

F. *The O&M of SWM SCMs prior to the approval of record drawings and certification of completion by the municipality is the responsibility of the permittee. The permittee shall repair or replace any SCM within 24 hours of discovery of its failure by the permittee, the municipality, DEP or the District, unless otherwise extended in writing.*

G. *A person conducting long-term O&M for manufactured devices used as a SWM SCM must follow the specifications of the manufacturer.*

H. *Following approval of an NOT by DEP or the District, long-term, continuing maintenance of the installed SCM is the responsibility of the permittee unless a different person is identified, and that entity has agreed in writing to be responsible. If the other party has not agreed in writing to perform long-term, continued maintenance, then the permittee and landowner remain jointly responsible for O&M maintenance.*

SECTION XXIX. Chapter 283, titled "Stormwater Management," former Article V § 283-502 shall be amended to Article VI, § 283-602(A), and the following sections are hereby added to include the following:

(3) *The owner shall keep on file with the municipality the name, address, and telephone number of the person or company responsible for maintenance activities; in the event of a change, new information shall be submitted by the owner to the municipality within 10 working days of the change.*

(4) A written inspection report shall be completed for each inspection of a SWM SCM. The inspection report must be submitted to the municipality within ten (10) business days of report completion.

SECTION XXX. Chapter 283, titled "Stormwater Management," former Article V § 283-503 shall be amended to Article VI, § 283-603, and the following sections are hereby added and amended to include the following:

A. *For PCSM and SWM site plans that involve subdivision and land development, or redevelopment, the applicant shall provide a financial guarantee to the municipality for the timely installation and proper construction of all stormwater management controls as required by the approved PCSM or SWM site plan and this chapter in accordance with the provisions of Sections 509, 510, and 511 of the Pennsylvania Municipalities Planning Code[12], and the provisions of the municipality's Subdivision and Land Development Ordinance (SALDO)*

B. *The guarantee must be equal to or greater than the full construction cost of the required SCMs and conveyance except the applicant may not be required to provide financial security for the costs of any improvements for which financial security is required by and provided to the Pennsylvania Department of Transportation in connection with the issuance of a highway occupancy permit pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law".*

C, *The financial guarantee for SCMs may not be released until 1) the SCM is accepted in writing for long-term maintenance by the entity identified in the operation and*

maintenance (O&M) Plan; 2) DEP or the District approved the Chapter 102 Notice of Termination (NOT) for the project; and 3) the SCM is inspected and approved by the Municipality.

~~11. Editor's Note: Appendix A is included as an attachment to this chapter.~~

12. Editor's Note: See 53 P.S. § 10509, 10510 and 10511.

SECTION XXXI. Chapter 283, titled "Stormwater Management," former Article VI § 283-601 shall be amended to Article VII, § 283-701, and the following sections are hereby added and amended to include the following:

The municipality may include all costs incurred in the review fee charged to an applicant. The review fee may include, but not be limited to, costs for the following:

A. *Administrative/clerical processing.*

B. *Review of the E&S plan and SWM site plan.*

C. *Attendance at meetings.*

D. *Inspections that include but are not limited to:*

(☐)Earth disturbance activities

(☐)Site construction

(☐)Installation of SCMs

(☐)Establishment of permanent stabilization

(☐)Inspection to ensure proper operation and maintenance by responsible party

E. Any additional work required to enforce any provision of this Ordinance, correct violations, and assure proper completion of stipulated remedial actions.

SECTION XXXII. Chapter 283, titled "Stormwater Management," former Article VII § 283-701 shall be amended to Article VIII, § 283-801, and , § 283-801(C) is hereby amended to include the following:

C. The following non-stormwater discharges are authorized unless they are determined to be significant contributors to pollution in a regulated small MS4 or to the waters of this commonwealth:

(1) Discharges or flows from emergency firefighting activities.

(2) Potable water sources, including waterline flushing and fire hydrant flushing, if such discharges do not contain detectable concentrations of Total Residual Chlorine (TRC).

(3) Non contaminated Irrigation drainage.

(4) Air-conditioning condensate.Non-contaminated HVAC condensation and water from geothermal systems.

(5) Springs.

(6) Non-contaminated Water from crawl space pumps.

(7) 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.

(8) Diverted stream flows.

(9) Flows from riparian habitats and wetlands.

(10) Uncontaminated water from foundations or from footing drains.

(11) Lawn watering maintenance.

(12) Dechlorinated swimming pool discharges.

(13) Uncontaminated groundwater.

(14) Water from individual residential car washing.

(15) Routine external building wash down (which does not use detergents or other compounds).

(16) Non-contaminated hydrostatic test water discharges, if such discharges do not contain detectable concentrations of TRC.

SECTION XXXIII. Chapter 283, titled "Stormwater Management," former Article VII § 283-702 shall be amended to Article VII, § 283-802, is hereby amended to include the following:

Roof drains and sump pumps shall discharge to infiltration or vegetative BMPs. They shall not discharge to surfaces where freezing may create a nuisance or public hazard.

SECTION XXXIV. Chapter 283, titled "Stormwater Management," former Article VII § 283-703 shall be amended to Article VII, § 283-803.

SECTION XXXV. Chapter 283, titled "Stormwater Management," Article VIII, § 283-804, is hereby added to include the following:

Notification of Pollution

If, because of an accident or other activity or incident, a substance which would endanger downstream users of the waters of this Commonwealth, would otherwise result in pollution or create a danger of pollution of the waters – it is the responsibility of the person in charge of the substance, owning or in possession of the substance, facility, vehicle or vessel from which the substance is discharged - to notify the municipality and DEP by telephone of the location and nature of the danger.

SECTION XXXVI. Chapter 283, titled "Stormwater Management," former Article VIII § 283-801 shall be amended to Article IX, § 283-901, is hereby amended to include the following:

Upon presentation of proper credentials, the municipality or its designated agent may enter at reasonable times upon any property within the municipality to inspect the condition of the project site, stormwater structures and facilities in regard to any aspect regulated by this chapter.

SECTION XXXVII. Chapter 283, titled "Stormwater Management," former Article VIII § 283-802 shall be amended to Article IX, § 283-902, is hereby amended to include the following:

A. SWM BMPs shall be inspected by the landowner, or the owner's designee (including the municipality for dedicated and owned facilities), according to the frequencies identified in the long-term O&M plan to ensure SCMs continue to function as intended. .

B. Post-construction Inspections should be conducted during or immediately following precipitation events, unless the inspection is scheduled to evaluate the dewatering time of the SCM. A written inspection report shall be created to document each inspection.

C. The inspection report shall contain, at a minimum:

(1) the date and time of the inspection,

(2) the individual(s) who completed the inspection, the

(3) SCM type

(4) location of the SCM facility or structure - including latitude and longitude with parcel ID number or physical address)

(5) Name and contact information for property owner or the responsible party

(6) observations on performance, photo(s) during inspection and recommendations for improving performance, if applicable.

D. Inspection reports by the landowner or responsible party shall be submitted to the Municipality within 30 days following completion of the inspection. If repairs are needed, the report must also include a timeframe for completing the repairs.

E. The municipality may elect to conduct periodic post-construction inspections in addition to the route inspections and reports that are required by the landowner or responsible third party.

SECTION XXXVIII. Chapter 283, titled "Stormwater Management," former Article VIII § 283-803 shall be amended to Article IX, § 283-903, is hereby amended to include the following:

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 § 283-302.*

B. *It shall be unlawful to violate § 283-8703 of this chapter.*

C. *It is the responsibility of the landowner of the real property on which the approved site activity occurs to comply with the applicable terms and conditions of this Ordinance.*

D. *The municipality may take enforcement action against a permittee, landowner, or other responsible party for any failure to satisfy the provisions of this Ordinance.*

E. *The municipal engineer or other designee is hereby authorized and directed to enforce all the provisions of this Ordinance. The municipal governing body may delegate enforcement duties to such other officers or agents as the municipality deems qualified for that purpose.*

F. *During any stage of the work, if the municipal engineer or other designee determines that the E&S BMPs, SWM SCMs, conveyances or other stormwater facilities are not being installed or maintained in accordance with the approved plans, the municipality may suspend or revoke any existing permits or other approvals until the deficiencies are corrected – or until a revised plan is submitted and approved by the municipal engineer or other designee.*

G. *In the event the municipal engineer or other designee finds that a person has violated a provision of this Ordinance, or fails to conform to the requirements of any permit, or approval issued by the municipality, or any O&M Plan or O&M agreement, the municipality may order compliance by written notice of the violation to the permittee, landowner or other responsible party. Such notice may, without limitation, require the following remedies:*

   ( ) Performance of monitoring, analysis and reporting;

   ( ) Elimination of prohibited connections or discharges;

   ( ) Cessation of any violating discharges, practices or operations;

   ( ) Abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;

   ( ) Payment of a fine to cover administrative and remediation costs and/or forfeiture of financial guarantee;

   ( ) Implementation of E&S BMPs, SWM SCMs and/or conveyances; and

   ( ) Operation, maintenance or repair of SCMs, conveyances or other stormwater facilities.

H. The written notice will set forth the nature of the violation(s), citing specific sections of this Ordinance which have not yet been met, and establish a timeframe for correction of the violation(s). The notice will provide for a right to appeal to the Municipal Governing Body in accordance with Section 9806. Said notice will further advise that should the violator fail to take the required action within the established deadline, possible sanctions may be imposed, or the work may be done by the municipality or designee, and the expense thereof will be charged to the violator.

I. Failure to comply within the time specified in such notice subjects the person to penalty provisions of this Ordinance. All such penalties will be deemed cumulative and will not prevent the municipality from pursuing any and all other remedies available in law or equity.

SECTION IXL. Chapter 283, titled "Stormwater Management," former Article VIII § 283-804 shall be amended to Article IX, § 283-904, and § 283-904(A)(1) is hereby amended to include the following:

(1) Noncompliance with or failure to implement any provision of the approved E&S Plan, SWM site plan or O&M agreement.

SECTION XL. Chapter 283, titled "Stormwater Management," former Article VIII § 283-804, 805, and 806 shall be amended to Article IX, § 283-904, 905, and 906, respectively.

SECTION IXL. Chapter 283, titled "Stormwater Management," Article X, Titled "Easements", is hereby added to include the following:

§ 283-1001. General

A. Permanent access, drainage, and maintenance easements (consisting of a written agreement, legal description, and an exhibit depicting bearings and distances describing the easement) must be recorded with the County Recorded of Deeds and shown on PCSM or SWM site plans for all SCMs that are intended to be utilized to meet the requirements of this Ordinance; allow for access, inspection, and maintenance; protect the drainage path; and memorialize legal responsibility for meeting long-term obligations for protecting and maintaining stormwater management in accordance with this Ordinance and applicable laws.

(1) Easements are required for all SCMs including non-structural (e.g buffers, landscape features, protected natural stormwater features) and structural SCMs used to satisfy stormwater management requirements.

(2) Easement agreements must identify the entity responsible for maintenance and clearly state that the municipality, District, and DEP are not responsible for maintenance but may undertake maintenance and construction activities consistent with the purpose of the easement. The easement must grant access to the municipality, District and DEP for the purpose of inspection of stormwater management and enforcement of stormwater management regulations and permit requirements.

(3) The easement must extend from a legal public right-of-way along an access path traversable by the type and kind of maintenance equipment anticipated to be used to maintain the SCM and fully enclose the SCM.

(4) Access must be a minimum 10 feet wide, measured from edge of the SCM or top of bank for infiltration systems and aboveground facilities.

(5) For drainage conveyance or open channels, the easement must provide 10 feet clear access on both sides measured from the top of bank.

(6) Where possible, easements must be centered on side and/or rear lot lines.

B. The following language must be included in recorded easements:

"The stormwater control measure(s) and drainage facilities within this easement, whether manmade or natural, must be protected and maintained to function as designed. If the entity identified in this easement as responsible for maintenance fails to properly address deficiencies identified in writing by the municipality, the District, DEP, or other government agency within 180 days of receiving written notice of the deficiency, the Municipality, the District, DEP or other government agency may cause the maintenance to be performed. The full cost of the maintenance may be billed to the entity identified as responsible for maintenance."

C. Residential Lots

(1) If an easement for stormwater management or drainage is located on a residential lot, the applicant for stormwater approval under this Ordinance is required to inform the current owner or, in the case of a new subdivision the original purchaser of the lot, of the existence of an easement. Proof of this notification must be provided to the municipality in the form of an easement agreement or other documentation signed by the owner. If the purchaser/owner of the lot will assume any maintenance responsibilities, the purchaser must be a party to and sign the easement agreement.

(2) When a homeowners association will assume partial or full responsibility for the maintenance and protection of stormwater management on a private residential lot, both the individual residential lot owner and the party responsible for the formation and

operation of the homeowners association must be a party to the easement agreement. Fully executed agreements must be submitted to the Municipality upon recordation.

(3) If any responsibility for maintenance is assigned to an individual residential lot owner, the following language in paragraphs 3.a and 3.b below must be included in the easement:

(a) " This permanent access, drainage, and maintenance easement encloses a stormwater management feature, drainage feature or natural feature that must be protected and maintained. Assuring maintenance is performed and the intended function of the stormwater management, drainage feature, or natural feature is maintained is the responsibility of the owner of the land that includes the easement, and that responsibility is transferred with the land. The land and features within the easement must be maintained in accordance with the approved SWM site plan."

(b) "No structure may be added, grading performed, or other activities may occur within the easement that may, in the opinion of the Municipality, District, or DEP, interfere with the purpose of the easement. "

D. A statement in the easement agreement must include reference to the approved SWM site plan and explain that the SWM site plan provides details on the maintenance requirements for the easement area. If a SWM site plan does not exist, full details of all required maintenance must be included with the easement agreement.

E. The following notes must be placed on the SWM site plan:

(1) "No alteration within the easement that would adversely affect the function of stormwater management or conflict with any conditions associated with such easement is permitted."

(2) A note must be placed on the SWM site plan identifying the party responsible for assuring the continued functionality and performing required maintenance of any easement.

F. Off-site stormwater management SCMs that are relied upon to meet the requirements of this Ordinance must be included on the SWM site plan and enclosed within an easement that will allow for inspection by the Municipality, the District, and DEP.

G. Where surface waters traverse a development site, drainage easements must be provided confirming to the line of such surface waters and must be shown on SWM site plans.

§ 283-1002. Discharges to Adjacent Property

A. Stormwater runoff onto adjacent property must not be created, increased, decreased, relocated, or otherwise altered without written notification to the adjacent property owner(s). Such stormwater flows are subject to the requirements of this Ordinance.

B. For new or increased stormwater runoff from a project site during or following earth disturbance activities that will flow through adjacent properties prior to reaching surface waters and are not covered by prescriptive rights, the applicant must provide the following documentation to the Municipality with the SWM site plan:

1. An erosion potential analysis in accordance with Section 504.

2. Documentation that the applicant has the right to discharge stormwater to off-site properties under state law.

SECTION XLI. Chapter 283, titled "Stormwater Management," former Article IX § 283-901 shall be amended to Article XI, § 283-1101.

SECTION XLII. Chapter 283, titled "Zoning," Article I § 340-6 titled "Exeptions" is hereby amended to include the following:

The requirements of this chapter shall not apply to uses or structures owned by the Borough of Trappe that are intended for a legitimate governmental or public health or safety purpose.

SECTION XLIII. Chapter 283, titled "Zoning," Article II is hereby amended to include the following:

DATA CENTER – A facility occupied primarily by computers and/or telecommunications and related equipment where digital information is processed, transferred and/or stored, primarily to and from offsite Locations, including cryptocurrency mining, blockchain transaction processing, and server farms.

SECTION XLIII. Chapter 283, titled "Zoning," Article III § 340-11 is hereby amended to include the following:

For the purpose of this chapter, the Borough is hereby divided into districts designated as follows:

R-1

R-2

R-3

Low-Density Residential District

Medium-Density Residential District

High-Density Residential District

VC Village Commercial District

CC Community Commercial District

LI

Limited Industrial District

AG Agricultural District

IGO Institutional-Government District

SECTION XLIV. Chapter 283, titled "Zoning," Article XI is hereby added to include the following:

IGO Institutional-Governmental District

§ 340-90. Intent.

The IGO District is intended to provide areas for governmental and institutional uses.

§ 340-91. Use regulations.

A building may be erected, altered or used, and a lot may be used or occupied for any of the purposes listed

in the Use Table and no other.

§ 340-92. Dimensional regulations.

As indicated in the Dimensional Table.

§ 340-93. Reserved.

§ 340-94. Reserved.

§ 340-95. Reserved.

§ 340-96. Reserved.

§ 340-97. Reserved.

§ 340-98. Reserved.

§ 340-99. Reserved.

SECTION XLV. **Chapter 283, titled "Zoning," Article XVII § 340-185(B) is hereby amended to include the following:**

Trash and refuse areas. Trash and refuse shall be stored inside the building or within an opaque screened area which shall be at least six feet high as needed to screen the trash. This screened area shall be put in the rear or side yard.

(1) Trash, scrap, debris, and similar materials shall be accumulated and shall be promptly removed upon written notice from the Borough.

SECTION XLVI. **Chapter 283, titled "Zoning," Article XVII § 340-185(H) is hereby amended to include the following:**

1. At no point on the boundary of a residence or business district shall the sound pressure level of any operation exceed the described levels in the designated octave bands shown below for the districts indicated:

Sound Levels		
Octave Band in Cycles per Second	***Along Residential District Boundaries- Maximum Permitted Sound Level in Decibels***	***At Any Other Point on the Lot Boundary - Maximum Permitted Sound Level in Decibels***
0 to 75	*72*	*79*
75 to 150	*67*	*74*
150 to 300	*59*	*66*
300 to 600	*62*	*59*
600 to 1,200	*46*	*53*
1,200 to 2,400	*40*	*47*
2,400 to 4,800	*34*	*41*
Above 4,800	*32*	*39*

2. Non-compliance shall be determined using a pre- and post-measurement field calibrated Type 1 or Type 2 ANSI-certified sound level meter.

3. The maximum levels of this section shall not be exceeded in daytime or nighttime.

4. The following weighted sounded levels (dBA) by receiving land use shall also apply at the

property line:

(a) Residential/Agricultural: 40 dBA Leq (1 hour)

(b) Commercial: 50 dBA Leq (1 hour)

(c) Industrial: 55 dBA Leq (1 hour)

SECTION XLVI. Chapter 283, titled "Zoning," Article XVIII under Specific Uses is hereby amended to include the following:

22. Data Center

SECTION XLVI. Chapter 283, titled "Zoning," Article XVIII § 340-244 titled "Data Center," is hereby added to include the following:

A. Site layout:

(1) Setback: Data Centers shall be set back from all property lines a distance not less than the maximum setback requirements for that zoning classification where the Data Center is located or 500 feet, whichever is greater.

(a) The above setback shall apply to all major impact sources, including generators and substations. mechanical equipment, buildings, accessory uses, and truck idling.

(2) Reserve areas: The site layout shall include adequate reserve areas to support at least one future microgrid element, including but not limited to baseload power source, backup power source, battery energy storage systems, geothermal, hydroelectric, gas, solar, wind, and demand response systems.

(a) The stormwater management system shall be designed to consider reserve areas as impervious cover.

B. Noise and vibration:

(1) The application shall include a sound study produced by an Institute of Noise Control Engineering certified consultant evidencing that the use will comply with all applicable noise and vibration regulations of this section at the property line. All evaluations, studies, modeling, and compliance determinations shall:

(a) Assume the concurrent operation of all generators, cooling systems, mechanical equipment, and other noise producing devices operating at maximum rated capacity, unless a more restrictive operating condition is required by approval.

(b) Use applicable ANSI standards and generally accepted criteria.

(c) Use objective sound level limits expressed in A-weighted decibels (dBA), measured and evaluated in accordance with standardized methodologies acceptable to the Borough.

(d) Include measurements taken at all property lines.

(e) Include measurements taken during normal operations, peak cooling load, and during operation of emergency generators under load.

(f) Address low frequency noise impacts, including compliance with applicable dBC limits of this section.

(g) Evidence ground vibration will avoid building damage by not exceeding 0.2 to 0.5 inches per second peak particle velocity (PPV), measured in accordance with USBM RI 8507 or successor standard.

(h) Evidence vibration levels will not disturb adjacent residents by not exceeding 65 VdB, measured in accordance with ISO 2631 1 or successor standard.

(i) Identify all measurement locations, instrumentation used, calibration documentation, testing methodology, operational conditions during testing, and meteorological conditions.

(2) Sound studies shall be conducted at the following phases:

(a) Preliminary, as part of the Conditional Use process, including listing sound reducing materials or systems to be installed to meet the requirements of this section.

(b) Interim, during the building permit process based upon the proposed equipment indicated on the building plans and the sound reducing materials or systems designed to achieve compliance with the requirements of this section.

(c) Post-construction verification evidencing compliance with the requirements of this section prior to the final escrow release for any land development phase. Any exceedance documented in the study shall promptly be remedied by the owner through operational changes or supplemental sound reducing materials or systems as necessary.

[1] The timing of the post construction noise and vibration study shall not preclude Borough enforcement at any time upon identification of a violation. Owner shall provide reasonable access to monitoring data, equipment specifications, and operating conditions to the Borough.

[2] Initial monitoring or complaints indicating a probable violation may require interim mitigation measures, operational modifications, equipment limitations, additional or increased acoustic barriers, or temporary curtailment of specific noise producing activities until compliance is demonstrated.

(3) The following tables establish objective noise limits, modeling requirements, and enforcement procedures:

Table 1: Noise limits, measurement, and compliance requirements

Category	***Requirement***
Applicable Uses	*Data Centers and any accessory mechanical equipment, generators, cooling systems, or substations*
Measurement Basis	*A-weighted sound levels (dBA), unless noted otherwise for low-frequency noise*
Locations	*Measurements and modeling shall be conducted at the nearest property line*
Operating Condition Assumption	*All compliance evaluations shall assume simultaneous operation of all generators, cooling equipment, and other noise-producing devices at maximum rated capacity*

Table 2: Noise limits by use

Receiving Land Use	***Day or night***
Residential/Agricultural	*40 dBA Leq (1-hour)*
Commercia	*l 50 dBA Leq (1-hour)*
Industrial	*55 dBA Leq (1-hour)*

Table 3: Low-frequency noise criteria

Parameter	***Requirement***
Frequency Sensitivity	*C-weighted sound levels (dBC), capturing enhanced sensitivity to low-frequency noise*
Measurement Metric	*Equivalent continuous sound level (Leq, 1-hour) in dBC*
Measurement Locations	*At the nearest property line*
Day/night Limit	*50 dBC Leq (1-hour)*
Tonal / Narrowband Noise	*Clearly perceptible low-frequency tonal noise shall require mitigation regardless of overall dBC compliance, as determined by the Qualified Professional or the Borough based on clearly perceptible tonal characteristics*
Applicability	*Limits apply under simultaneous operation of all generators, cooling systems, and mechanical equipment*

Table 4: Modeling & study requirements

Requirement	***Standard***
Pre-construction Study	*Required with application*
Post-construction Verification	*Required within 180 days of commencement of operations*
Prepared By	*Qualified Professional with demonstrated noise expertise*
Modeling Methodology	*ISO 9613-2, CadnaA, SoundPLAN, or equivalent accepted industry model*
Meteorological Assumptions	*Downwind propagation, ISO-conservative conditions*
Equipment Data	*Manufacturer sound power levels and octave-band spectra*
Low-Frequency	*Evaluation Required where large generators or cooling systems are used*

Table 5: Measurement procedures

Element	*Requirement*
Instrumentation	*Type 1 or Type 2 ANSI-certified sound level meter*
Calibration	*Pre- and post-measurement field calibration required*
Measurement Duration	*Minimum 15 minutes per location unless otherwise specified. Sound level limits expressed as hourly equivalent levels (Leq, 1-hour) may be evaluated using shorter-duration measurements, including the minimum durations identified in this table, where such measurements are conducted under steady-state operating conditions and are representative of normal operations.*
Operating Conditions	*Measurements shall include peak cooling load and generator operation under load*
Background Noise	*Baseline ambient levels documented prior to construction*

Table 6: Compliance

Item	*Requirement*
Material Increase Definition	*An increase of ≥ 3 dBA above baseline ambient sound level*
Violation Determination	*Exceedance of numeric limits or material increase*
Retesting Authority	*Borough may require additional testing following substantiated complaints or equipment changes*

C. Water and Sewer

(1) If the use will be served by a public water supply, the application shall include written certification from the supplier that adequate water service will be provided without adverse impact to customers in the Borough.

(2) If the use is to rely upon nonpublic sources of water, the application shall include a water service study prepared by a professional geologist or hydrogeologist detailing the following:

(a) The projected water demands of the facility.

(b) The water source.

(c) A description of the process by which water will be recycled or discharged and the estimated daily volumes of each.

(d) That there is an adequate supply of water for the proposed use.

(e) A geologic map of the one-mile radius around the facility.

(f) The approximate location of all existing and proposed wells within 1,000 feet of the property boundary.

(g) The location of all PA DEP recognized surface waters within 1,000 feet of the property boundary.

(h) That the estimated impact of the use on existing wells, groundwater, and surface waters within one mile of the site will not adversely affect the quantity or quality of groundwater supplies or surface waters.

(i) Copies of reviews and approvals, if required, by the Delaware River Basin Commission.

(3) Regardless of water source, the application shall include a Drought Response Plan demonstrating compliance with state, regional, and local use restrictions during cleared rought conditions.

(4) The application shall include a written study by a professional geologist demonstrating the feasibility of providing adequate means of wastewater disposal subject to subsequent permit submissions and approvals by the Borough Sewage Enforcement Officer or the PA DEP as applicable.

(a) Untreated wastewater discharge into stormwater systems or surface waters is prohibited.

(b) Where the facility will be served by a public system the plan shall include written confirmation of capacity.

D. Power Supply

(1) Applications shall include a written statement from the electrical utility provider detailing the following:

(a) That adequate power is available and will be provided to support the use.

(b) That serving the use will not reduce electrical service quality or reliability or create increased cost to customers in the Borough.

(1) If adequate power is not available from the electrical utility provider without adverse impact to the service quality, reliability or cost enjoyed by customers in the Borough, the applicant shall provide, at its own expense, the system improvements necessary to mitigate such adverse impacts while conforming to all specifications, procedures, and timelines required by the electrical utility provider and the Borough.

(c) The source of power generation and transmission, including existing or proposed substations.

(2) Backup generators, if employed, shall:

(a) Meet Tier IV requirements.

(b) Limit commissioning and testing to between 7:00 a.m. and 7:00 p.m. Monday through Friday, excluding national holidays.

(c) Limit non-commissioning and non-testing activities to backup/emergency use.

E. Thermal Impact

(1) A Thermal Impact Mitigation Plan shall be submitted with the application, including, at a minimum:

(a) Identification of primary sources of waste heat (air- and water-based).

(b) Evaluation of potential off-site thermal impacts (including plume/heat discharge and localized heat islands) under representative seasonal conditions.

(c) Description of design measures to minimize heat impacts (e.g., equipment siting, shielding, landscaping, cool roofs/paving where applicable).

(d) Evaluation of feasible opportunities for waste heat reuse. Where reuse is not feasible, the reason(s) why should be given, in which case alternative mitigation shall be identified (e.g., vegetative or green roof and/or site design modifications).

(e) Inclusion of a monitoring/verification approach if required by conditions of approval based on proximity to non-industrial uses or site constraints.

(f) Certification the plan was prepared by a professional engineer.

(2) The Thermal Impact Mitigation Plan shall be subject to Borough review, comment, and the right to require supplemental or amended plans prior to any use approval.

F. Emergency Planning – Applications shall include a written report prepared by a qualified professional detailing:

(1) The facility's impacts on fire protection, EMS, and emergency management services.

(2) Fire suppression, containment, ventilation, and evacuation procedures

(3) Distribution of hydrant locations and fire truck circulation provisions in accordance with the International Fire Code and its appendices.

(4) Provision of training for local first responders specific to the facility's systems, equipment, and hazards, at Owner's expense, before commencement of operations.

(5) Demonstration of compliance with applicable national fire and safety codes (such as NFPA standards) and the installation of fire suppression systems specifically designed for facilities with battery storage or other energy-storage systems.

(6) Provisions for annual fire safety inspections.

G. Decommissioning Plan

(1) A Decommissioning Plan prepared by a qualified professional with relevant past

experience shall be submitted. The plan shall outline the procedures for safe shutdown, removal of equipment, disposal or recycling of materials, and site restoration.

(2) The then owner of the facility shall submit a notification of closure if operations are permanently ceased.

(3) Decommissioning shall begin within 1 year of cessation of operations on the property, or upon notice of abandonment by the operator, whichever occurs first. An extension of 1 year may be granted by the Borough if the property owner demonstrates active marketing of the site for a compatible replacement use. Decommissioning shall be completed within 18 months thereafter, unless extended by the Borough for good cause.

(4) Standards for Decommissioning:

(a) All above-ground structures, equipment, and accessory facilities shall be removed.

(b) Hazardous materials, including batteries, fuel, or refrigerants, shall be disposed of in compliance with state and federal law.

(c) Disturbed soils shall be stabilized and re-vegetated.

(d) Any utility connections shall be safely disconnected and capped.

(e) The site shall be restored to a condition compatible with surrounding land uses or consistent with the most restrictive adjacent zoning district

(5) Decommissioning Financial Security. Prior to issuance of the permit for the construction of a facility, the then-owner, operator, or developer shall providfinancial security to the Borough in the form and amount acceptable to the Borough to secure its

decommissioning obligations under this section, which decommissioning financial security shall be separate from and in addition to any other financial security obligations as may be applicable by other law.

(a) The amount of financial security required for decommissioning shall be based on an estimate of the cost of completion of decommissioning ("Decommissioning Costs") without regard to salvage value of the equipment, and the cost of decommissioning net salvage value of the equipment ("Net Decommissioning Costs") as prepared and submitted by the owner and reviewed and approved by the Borough Engineer.

(b) The facility's then-owner or operator shall then post and maintain decommissioning financial security in an amount equal to Net Decommissioning Costs plus 10%, provided that at no point shall decommissioning funds be less than 50% of Decommissioning Costs.

(h) On every fifth anniversary of the date of providing the decommissioning financial security the then existing facility owner or operator shall provide an updated decommission cost estimate, with adjustments for inflation and cost and value changes. If the Decommissioning Financial Security amount changes, the facility owner or operator shall remit the increased financial security to the Borough within 30 days of the approval of the updated decommissioning security estimate by the Borough.

(i) In addition to posting a Decommissioning Financial Security, the owner, operator or developer shall enter into a decommissioning agreement with the Borough as prepared by the Borough Solicitor outlining the decommissioning responsibility including the posting and maintenance of a decommissioning financial security, which agreement may be recorded against the property as an ongoing obligation or covenant running with the land.

(j) All decommissioning costs estimates as provided for herein shall be subject to review and approval by the Borough and the owner or operator submitting such costs estimates shall be responsible for administrative, legal, and engineering costs incurred by the Borough for such review and for the preparation of any associated agreements or documents.

(k) In the event of a sale or transfer of the property or a Data Center facility on the property, the acquiring individual, entity, or agency shall adhere to all applicable requirements as contained herein including all financial security and operational requirements.

§ 340-245. Reserved.

§ 340-246. Reserved.

§ 340-247. Reserved.

§ 340-248. Reserved.

§ 340-249. Reserved.

SECTION XLVII: Maps and Tables

Hereby incorporated into this ordinance are an updated zoning map (Exhibit A), Dimensional Table (Exhibit B), and Use Table (Exhibit C), attached with this ordinance.

SECTION IV: Severability

In the event that any section, sentence, clause, or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Ordinance.

SECTION V: Effective Date

This Ordinance shall take effect and be in force from and after its approval as required by the law.

ORDAINED AND ENACTED by the Borough Council of the Borough of Trappe, Montgomery County, Pennsylvania, this 1st day of September, 2026.

Attest

Marcus V. Dolny, Municipal Secretary

TRAPPE BOROUGH COUNCIL:

Liz Cady, President

Approved this 1st Day of September, 2026

Heather Blumenthal, Mayor

Trappe Borough Zoning Ordinance - Appendix 'A' - Use Table

Key
P - Permitted Use
CU - Conditional Use
SE - Special Exception Use
N - Not Permitted

Uses	Low-Density Resid. R-1	Medium-Density Resid. R-2	High-Density Residential R-3	Village Commercial VC	Community Commercial CC	Limited Industrial LI	Agricultural AG	Instit'l-Gov't IGO	Notes
Residential									
1 Single family detached	P	P	P	P	N	N	P	N	
2 Single family attached (twin, duplex)	N	N	P	CU	N	N	N	N	
3 Townhomes (row homes)	N	N	CU	N	N	N	N	N	
4 Age-restricted	N	CU	N	N	N	N	N	N	
5 Apartments	N	N	CU	CU	N	N	N	N	
6 Boarding/Rooming/Co-Living	N	N	CU	CU	N	N	N	N	
7 Cluster Development	CU	CU	N	N	N	N	N	N	
8 Condominium	N	N	CU	CU	N	N	N	N	
9 Group Homes	N	N	N	CU	N	N	N	N	
10 Mobile Home Park	N	N	N	N	N	CU	N	N	
11 Residential Club (fraternity, sorority, student)	N	N	N	CU	N	N	N	N	
12 Residential Use Not Otherwise Listed	N	N	N	N	N	CU	N	N	
13 Chickens (accessory)	P	N	N	N	N	N	P	N	(a)
14 Garage/Carport (accessory)	P	P	P	P	N	N	N	N	
15 Geothermal system (accessory)	P	N	N	N	N	N	N	N	
16 Solar Energy System, ground mounted (accessory)	N	N	N	N	N	N	N	N	
17 Solar Energy System, roof mounted (accessory)	P	P	P	N	P	P	P	P	(b)
18 Wind Energy System (accessory)	CU	N	N	N	N	N	N	N	
Commercial									
1 Adult Uses	N	N	N	N	N	CU	N	N	
2 Amusement/recreation, indoor	N	N	N	N	P	P	N	N	
3 Arcade	N	N	N	N	P	N	N	N	
4 Artistic Display	N	N	N	N	N	CU	N	N	
5 Automobile Sales, Service, Storage	N	N	N	CU	CU	CU	N	N	(c)
6 Bakery, confectionery	N	N	N	P	P	P	N	N	(c)
7 Bank, financial institution	N	N	N	P	P	N	N	N	
8 Banquet Hall	N	N	N	CU	CU	N	N	N	
9 Bed and Breakfast Inn	N	N	N	P	N	N	N	N	
10 Betting Parlor	N	N	N	N	N	CU	N	N	
11 Beverage Distributor	N	N	N	P	P	P	N	N	(c)
12 Billboard	N	N	N	N	N	CU	N	N	
13 Body Art Establishment	N	N	N	P	P	N	N	N	
14 Bookstore/Coffee Shop	N	N	N	P	N	N	N	N	
15 Bookstore/Coffee Shop (Drive-Thru)	N	N	N	N	P	N	N	N	
16 Business offices	N	N	N	P	N	P	N	N	(d)
17 Building Supply/Bulk Storage	N	N	N	N	N	CU	N	N	
18 BYOB Establishment	N	N	N	CU	CU	N	N	N	
19 Campground	N	N	N	N	N	CU	N	N	
20 Car Detailing	N	N	N	P	N	P	N	N	
21 Car wash	N	N	N	CU	N	CU	N	N	(d)
22 Carpentry	N	N	N	N	P	CU	N	N	
23 Casino	N	N	N	N	N	CU	N	N	
24 Catering	N	N	N	P	P	P	N	N	
25 Check Cashing Establishment	N	N	N	N	CU	N	N	N	

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26	Child Care Center	N	N	N	P	P	P	N	N	
27	Club or lodge	N	N	N	N	N	CU	N	N	
28	Communications Facility on Exist. Structure	P	P	P	P	P	P	N	P	
29	Communications Tower (in ROW)	CU	CU	CU	CU	P	P	N	P	
30	Communications Tower (> ROW, 40' max.)	N	N	N	CU	P	P	N	CU	
31	Communications Tower (> ROW, > 40')	N	N	N	CU	P	P	N	CU	
32	Convenience food store	N	N	N	CU	CU	N	N	N	(e)
33	Custom Shops	N	N	N	P	P	CU	N	N	
34	Crematorium	N	N	N	N	N	CU	N	N	
35	Drive-Thru Service	N	N	N	N	P	N	N	N	
36	Dry Cleaning	N	N	N	P	P	N	N	N	(c)
37	Dwelling/Combination Use (Live/Work)	N	N	N	CU	N	N	N	CU	
38	Electric Vehicle Charging Station	N	N	N	N	P	P	N	N	
39	Exercise Club	N	N	N	N	P	P	N	N	
40	Exhibition Center	N	N	N	CU	N	N	N	N	
41	Family day-care home	N	N	N	N	N	N	N	N	
42	Freight Depot	N	N	N	N	N	CU	N	N	
43	Firing Range	N	N	N	N	N	CU	N	N	
44	Funeral homes	N	N	N	CU	N	N	N	N	
45	Garage/Carport (accessory)	N	N	N	P	P	P	N	N	
46	Gas station	N	N	N	CU	CU	N	N	N	(e)
47	Gas station w/convenience store	N	N	N	CU	CU	N	N	N	(c)
48	Golf, excluding driving range & mini	CU	CU	N	N	N	CU	N	N	
49	Golf, including driving range & mini	N	N	N	N	N	CU	N	N	
50	Greenhouse	N	N	N	N	N	P	P	N	
51	Gym, fitness, studio (dance, exercise, MA)	N	N	N	N	P	P	N	N	
52	Heliport	N	N	N	N	N	CU	N	N	
53	Home based business (no-impact, accessory)	P	P	P	P	N	N	N	N	
54	Home occupation	N	N	N	CU	N	N	N	N	
55	Hotel or inn	N	N	N	CU	N	CU	N	N	(c)
56	Hotel, short-term, air b&b	N	N	N	CU	N	CU	N	N	(c)
57	Laundry	N	N	N	P	P	P	N	N	(c)
58	Massage Establishment	N	N	N	CU	N	N	N	N	(f)
59	Medical clinic	N	N	N	P	P	P	N	N	(c)
60	Medical office	N	N	N	P	P	P	N	N	
61	Millinery repair	N	N	N	N	P	CU	N	N	
62	Motel	N	N	N	N	N	CU	N	N	
63	Night Club	N	N	N	N	N	CU	N	N	
64	Nursing home, convalescent, retirement	N	P	N	CU	N	CU	N	N	
65	Office Building	N	N	N	CU	N	CU	N	N	
66	Outdoor Display, Sales or Storage	N	N	N	N	N	CU	N	N	
67	Parking, Off-Street (principal)	N	N	N	N	N	CU	N	N	
68	Pawn Shop	N	N	N	N	CU	N	N	N	
69	Personal Service Shops	N	N	N	CU	P	N	N	N	
70	Pharmacy	N	N	N	CU	P	N	N	N	
71	Professional office	N	N	N	P	N	CU	N	N	
72	Restaurant, café, tavern	N	N	N	P	P	N	N	N	

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73 Restaurant (Fast food)	N	N	N	CU	P	N	N	N	(d)
74 Retail Shops	N	N	N	CU	P	N	N	N	
75 Retail outlet	N	N	N	P	P	N	N	N	
76 Repair shop (carry-in)	N	N	N	CU	P	N	N	N	(c)
77 Self-Storage Facility	N	N	N	N	N	CU	N	N	
78 Shopping center	N	N	N	N	P	CU	N	N	(g)
79 Stables	CU	N	N	N	N	N	P	N	
80 Studio	N	N	N	P	P	N	N	N	
81 Tailor, dressmaking, repair	N	N	N	P	P	N	N	N	(e)
82 Theater or Civic and/or Cultural	N	N	N	CU	P	CU	N	N	(d)
83 Theater, Motion Picture, Outdoor	N	N	N	N	P	CU	N	N	
84 Trade Businesses	N	N	N	N	P	CU	N	N	(c)
85 Upholstering	N	N	N	N	P	CU	N	N	(c)
86 Veterinary Office	N	N	N	P	N	N	N	N	
87 Veterinary Office (with Outdoor Kennel)	N	N	N	N	N	CU	N	N	
88 Wholesale Sales	N	N	N	N	N	CU	N	N	
89 Commercial Use Not Otherwise Listed	N	N	N	N	N	CU	N	N	
90 Electric Vehicle Charging Station (accessory)	N	N	N	P	P	P	N	N	
91 Garage/Carport (accessory)	P	P	P	P	P	P	N	N	
92 Geothermal system (accessory)	N	N	N	N	N	P	N	N	
93 Solar Energy System, ground mounted (accessory)	N	N	N	N	CU	CU	N	N	
94 Solar Energy System, roof mounted (accessory)	P	P	P	N	P	P	P	P	
95 Wind Energy System (accessory)	N	N	N	N	N	CU	N	N	
Industrial									
1 Academic Clinical Research Center	N	N	N	N	N	CU	N	N	
2 Agricultural operation	P	P	N	N	N	P	P	N	
3 Data Center	N	N	N	N	N	CU	N	N	
4 Dispensary	N	N	N	N	N	P	N	N	
5 Forestry	P	P	P	P	P	P	P	N	(h)
6 Hog Farm	N	N	N	N	N	N	SE	N	
7 Incinerator	N	N	N	N	N	SE	N	N	
8 Junk or Scrap Yard	N	N	N	N	N	SE	N	N	
9 Kennel	N	N	N	N	N	CU	CU	N	
10 Landfill	N	N	N	N	N	SE	N	N	
11 Manufacturing, NAICS Codes 3116-311710	N	N	N	N	N	CU	N	N	
12 Manufacturing, NAICS Codes 3241-325199	N	N	N	N	N	CU	N	N	
13 Manufacturing, NAICS Codes 3253-325320	N	N	N	N	N	CU	N	N	
14 Manufacturing, NAICS Codes 31-33 not otherwise listed	N	N	N	N	N	P	N	N	
15 Medical Marijuana Dispensary, Grower/Processor	N	N	N	N	N	CU	N	N	
16 Medical Marijuana Transport Vehicle Service	N	N	N	N	N	CU	N	N	
17 Mining	N	N	N	N	N	SE	N	N	(i)
18 Outdoor storage	N	N	N	N	N	CU	N	N	
19 Recreation, commercial	N	N	N	N	N	CU	N	N	
20 Recycling Collection or Processing	N	N	N	N	N	CU	N	N	
21 Solar Energy Collection	N	N	N	N	N	SE	N	N	
22 Solid Waste Transfer/Energy	N	N	N	N	N	SE	N	N	

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CU - Conditional Use
SE - Special Exception Use
N - Not Permitted

Uses	Low-Density Resid. R-1	Medium-Density Resid R-2	High-Density Residential R-3	Village Commercial VC	Community Commercial CC	Limited Industrial LI	Agricultural AG	Instit'l-Gov't IGO	Notes
23 Waste to energy facility	N	N	N	N	N	SE	N	N	
24 Waste treatment facility	N	N	N	N	N	SE	N	N	
25 Wind Turbine(s)	N	N	N	N	N	SE	N	N	
26 Wholesale Trade, NAICS Code 42	N	N	N	N	N	P	N	N	
27 Industrial Use Not Otherwise Listed	N	N	N	N	N	SE	N	N	
28 Artistic Display (accessory)	N	N	N	N	N	CU	N	N	
29 Dwelling qtrs., industrial caretakers (accessory)	N	N	N	N	N	P	N	N	
30 Garage/Carport (accessory)	P	P	P	P	P	P	P	N	
31 Geothermal system (accessory)	N	N	N	N	N	P	P	N	
32 Solar Energy System, ground mounted (accessory)	N	N	N	N	CU	CU	P	N	
33 Solar Energy System, roof mounted (accessory)	P	P	P	N	P	P	P	P	
34 Wind Turbine (accessory)	N	N	N	N	N	CU	P	N	
Public									
1 Airports and Related Uses	N	N	N	N	N	CU	N	CU	
2 Boat Dock, Wharf or Marina	N	N	N	N	N	SE	N	N	
3 Bus or Train Station	N	N	N	N	P	CU	N	CU	
4 Cemetery	N	N	N	CU	N	N	N	N	
5 Community Center	N	N	N	CU	P	CU	N	CU	
6 College or University	N	N	N	N	N	CU	N	N	
7 Correctional (jail, work release)	N	N	N	N	N	CU	N	N	
8 Drug/Alcohol Rehab. or Halfway House	N	N	N	N	N	CU	N	N	
9 Educational, school, pre-K to 12	P	P	N	CU	N	CU	N	P	
10 Fire Station	N	N	N	P	N	N	N	P	
11 Garage/Carport (accessory)	N	N	N	P	P	P	N	P	
12 Historic Resource	P	P	P	P	P	P	N	P	
13 Hospital	N	N	N	N	N	CU	N	N	
14 Institution for Children or Disabled	N	N	N	N	N	CU	N	N	
15 Library	N	N	N	P	N	N	N	P	
16 Municipal	P	P	N	P	N	N	N	P	(d)
17 Museum or Visitor Center	N	N	N	P	N	N	N	P	
18 Park, playground	N	P	P	P	N	N	N	P	
19 Places of Worship	P	P	N	CU	N	N	N	N	
20 Philanthropic	P	P	N	P	N	N	N	N	
21 Pool (principal use)	N	N	N	CU	N	N	N	N	
22 Public Utility, In-Borough Service	P	P	N	N	N	CU	N	CU	
23 Public Utility, Beyond Borough Service	N	N	N	N	N	CU	N	CU	
24 Government office	N	N	N	CU	N	CU	N	CU	(c)
25 Residential Institution	N	N	N	CU	N	CU	N	N	
26 Recreation, non-commercial, non-profit	N	P	P	CU	N	CU	N	P	
27 Recreation, commercial, for-profit	N	N	P	CU	N	CU	N	N	
28 Sanitarium	N	N	N	N	N	CU	N	N	
29 Shelter, Community	N	N	N	N	N	CU	N	CU	
30 Stormwater Management Facility	P	P	P	P	P	P	P	P	
31 Substation (electric)	N	N	N	N	P	CU	N	CU	
32 Trade School	N	N	N	N	N	CU	N	N	
33 Treatment Center, Veteran's	N	N	N	N	N	CU	N	CU	

Trappe Borough Zoning Ordinance - Appendix 'A' - Use Table

Key
P - Permitted Use
CU - Conditional Use
SE - Special Exception Use
N - Not Permitted

	Uses	Low-Density Resid. R-1	Medium-Density Resid. R-2	High-Density Residential R-3	Village Commercial VC	Community Commercial CC	Limited Industrial LI	Agricultural AG	Instit-Gov't IGO	Notes
34	Zoo	N	N	N	N	N	SE	N	SE	
35	Public Use Not Otherwise Listed	N	N	N	N	N	CU	N	CU	
36	Banquet Hall (accessory)	N	N	N	N	N	N	N	P	
37	Child Care Center (accessory)	N	N	N	N	N	N	N	P	
38	Electrical Vehicle Charging Station (accessory)	N	N	N	N	N	N	N	P	
39	Garage/Carport (accessory)	P	P	P	P	P	P	N	P	
40	Geothermal system (accessory)	N	N	N	N	N	P	N	P	
41	Solar Energy System, ground mounted (accessory)	N	N	N	CU	CU	CU	N	CU	
42	Solar Energy System, roof mounted (accessory)	P	P	P	N	P	P	P	P	
43	Wind Energy System (accessory)	N	N	N	N	N	CU	N	CU	

General Notes:

G1 Public water & sewer hookups required in R-1, R-2, R-3, VC & CC.
G2 R-3-specific Development, CU, General regulations not listed above
G3 VC "Maximum Intensity" regulations not listed above
G4 CC specific design requirements, & development requirements not listed above
G5 An Accessory use on the lot with & customarily incidental to a permitted Primary Use is also permitted.

Use Table Notes:

(a) Hens only, subject to Article 17A regulations
(b) Subject to Zoning Ordinance 340-237 - Solar energy system, accessory
(c) < 5,000 SF in VC; larger size in LI
(d) To be consistent with existing uses
(e) < 5,000 SF in VC; larger size in CC
(f) Licensed operator required
(g) Shopping Cntrs w/o feasible public water/sewer require SE. Max. (1) strux. 50 KSF, all strux 100 KSF
(h) Per MPC 603(f)
(i) Per MPC 603(i)

Revised: 20260903

Trappe Borough Zoning Ordinance - Appendix 'B' - Dimensional Table

Uses	Lot Area SF/unit, min.	Lot Width ft. @ St., min.	Bldg. Area %, max.	Impervious %, max.	Yards (ft., min.) Front	Side total, each	Rear	Height ft., max.	
R-1 Low-Density Residential	30,000	125 (1)	15	65	60	50 (2), 25	50	25 (2 stor.)	(17)
Accessory structures (16)			incl.	incl.	X	" "	15	15	
R-2 Medium-Density Residential	20,000	100	20	65	50	40, 15	50	30 (2.5 stor.)	
Accessory structures (16)			incl.	incl.	X	" "	10	15	
R-3 High-Density Residential (3)			70	80	50	50	50		
Single-Family Dwelling	10,000	75	"	"	35	30, 15	40	35	
2-Family Dwelling	5,000	40	"	"	35	15 (4)	35	35	
Single-Family Attached Dwelling	2,000	25 (5)	"	"	25	15 (end units)	30	35	(12)
Accessory structures (16)			incl.	incl.	X	"	10	15	
VC Village Commercial District	10,000	60 (9)			15 (10)	10 (ea.) (11)	20 (11)	30 (2.5 stor.)	
By-Right Uses			20	35	"	"	"	"	
Class 1 CUs (13)			20	65	"	"	"	"	
Class 2 CUs (14)			30	75	"	"	"	"	
Residential, B&B, Rooming House	5,000 (8)				"	"	"	"	
Mix of nonresidential & residential			50		"	"	"	"	
Accessory structures (16)			incl.	incl.	X	5	5	15	
CC Community Commercial District	10 AC (total)	200	20	80	35	25	25	40 (6)	
Accessory structures (16)			incl.	incl.	X	"	"	15	
adjacent to resid. or agri. district			20	80	35	50	50	40 (6)	
Accessory structures (16)			incl.	incl.	X	"	"	15	
LI Limited Industrial District	10 AC	200	60	80	50	30 (ea.)	40 (7)	30 (6)	
Accessory structures (16)			incl.	incl.	X	"	"	15	
AG Agricultural District (15)	10 AC	200	5	10	60	50	50	40	
Accessory structures (16)			incl.	incl.	X	"	"	same	
IGO Institutional-Government	10,000	60 (9)	70	80	15 (10)	10 (ea.) (11)	20 (11)	40	
Accessory structures			incl.	incl.	X	5	5	15	

Notes:

X	Not permitted
1	or 125' measured @ building line if 75 LF min. width @ street line meets requirements
2	Other than single-family homes, neither side yd. < 20'. If bldg. ht. > 25', increase side yad. 2' for each 1' > 25' high
3	Max. Density = 6 units/Ac. by-right, 8 units/Ac. if CU.
4	one side for twin, each side for a duplex
5	25' for dwelling without a garage, 20' minimum for dwelling with garage
6	max of 65' with approval of Zoning Hearing Board such that for every 1' in height above max. 1' is added to required yard setback minimums
7	minimum 100' from residential district, and 50' minimum from residential parking areas
8	5,000 SF for dwelling unit + 2,500 SF per rental room or client/residential room
9	measured at building line
10	or lesser of front yards of two adjoining lots, whichever is greater
11	minimum 25' on a lot within or abutting a residential district, 5' setback for accessory uses
12	160' max bldg. length; accessory bldg. 15'/1 story max. ht.
13	SFA (twin, duplex), Bank, Club/Lodge, Day Care, Group Home, Hotel, Offices, Personal Srvc, Repair Shop (carry-in), Restaurant (excl. fast food), Retail
14	Borough Use, Funeral Home, Hospital, Nursing/Personal Care Home, Place of Worship, Residential Institution (Public), School
15	Max. Density = 1 unit/10 Ac.
16	Accessory structures up to 300 SF in size & without permanent foundations may be within 5' of a side or rear yard
17	40' bldg. ht. municipal uses

Trappe Borough Zoning Ordinance - Appendix 'C' - Parking Table

	Uses	Minimum Spaces Per								Notes
		Unit	Bed Rm.	Seat	Bed	Resident	SF	Employee	Student	
Residential										
1	Single or multi-family	1 / 1	1 / 1							
2	Boarding/Rooming/Co-Living		1 / 1							
3	Group Homes		1 / 2					1 / 1		
4	Residential Club (fraternity, sorority, student)	1 / 1				1 / 2				
Commercial										
1	Amusement/recreation, indoor			1 / 5						(a)
2	Bank, financial institution						1 / 200			(a)
3	Business offices						1 / 200			(a)
4	BYOB Establishment						1 / 50			(a)
5	Child Care Center							1 / 1	1 / 6	
6	Exercise Club, Gym						1 / 100	1 / 1		(a)
7	Exhibition Center						1 / 100			(b)
8	Funeral homes			1 / 4				1 / 1		(a)
9	Hotel or inn	1 / 1								(a)
10	Hotel, Motel, short-term, air b&b	1 / 1								(a)
11	Nursing home, convalescent, retirement				1 / 4					(a)
12	Office Building						1 / 200			(a)
13	Pharmacy						1 / 100			(b)
14	Professional office						1 / 200			(a)
15	Restaurant, café, tavern						1 / 50			(a)
16	Restaurant (Fast food)			1 / 2				1 / 2		
17	Retail Shops						1 / 100			(b)
18	Shopping center						1 / 50			(b)
19	Theater or Civic and/or Cultural			1 / 5						(a)
20	Theater, Motion Picture, Outdoor			1 / 5						(a)
21	Commercial Use dissimilar to any above						1 / 1,000			(a)

Trappe Borough Zoning Ordinance - Appendix 'C' - Parking Table

	Uses	Minimum Spaces Per								Notes
		Unit	Bed Rm.	Seat	Bed	Resident	SF	Employee	Student	
Industrial										
1	Manufacturing							1 / 2		(a)
2	Recreation, commercial			1 / 5						(a)
3	Wholesale Trade							1 / 1		(a)
4	Industrial Use dissimilar to any above							1 / 1		(a)
Public										
1	Community Center			1 / 5						(a)
2	College or University							1 / 1	1 / 4	(a)
3	Correctional (jail, work release)					1 / 10				(a)
4	Educational, school, pre-K to 12			1 / 5						(a)
5	Hospital				1 / 4					(a)
6	Institution for Children or Disabled					1 / 10				(a)
7	Library			1 / 5						(a)
8	Museum or Visitor Center			1 / 5						(a)
9	Places of Worship			1 / 5						(a)
10	Pool (principal use)						1 / 100	1 / 1		(a)
11	Residential Institution			1 / 3				1 / 1		(a)
12	Sanitarium				1 / 4					(a)
13	Trade School								1 / 2	(a)
14	Treatment Center					1 / 10				(a)
15	Public Use dissimilar to any above						1 / 100	1 / 1		(a)

Table Notes:

(a) Spaces may be on adjacent lot.

(b) That portion of establishment used for sales or patron use

(c) Minimum spaces per unit or other metric for all of the above are cumulative

Trappe Borough Zoning Ordinance - Appendix 'D' - Sign Table

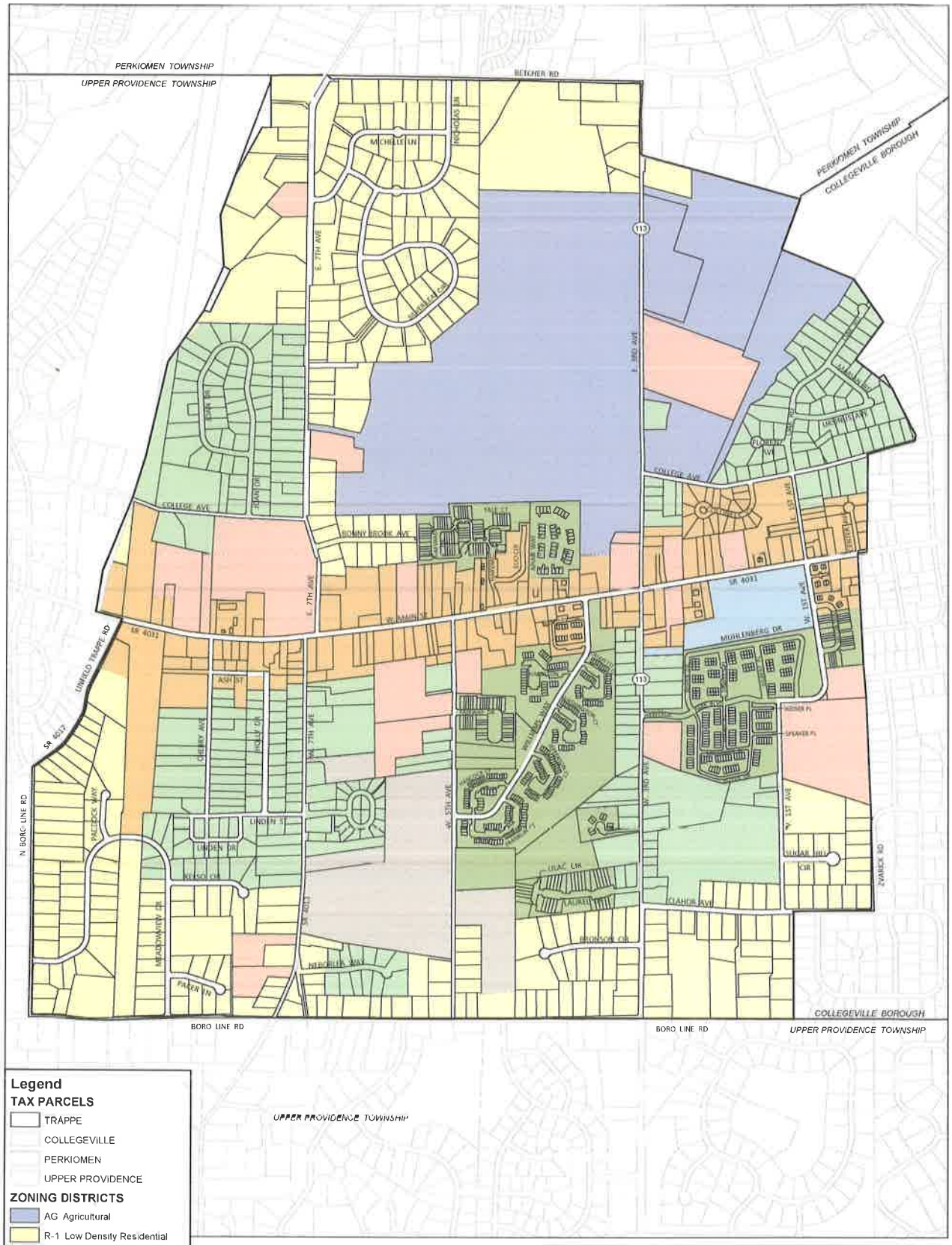
Sign Type	Wall	Freestanding	Canopy	Window	Projecting	Marquee	Limited Duration	Temporary	Illuminated	Digital	Off-Premises
	Residential & Agricultural Districts										
Max. No.	1 / Lot (a)	1 / Lot (a)	N	N	N	N	2 / Lot	2 / Lot	N	N	N
Max. SF (Total)	N/A	N/A	N/A	N/A	N/A	N/A	22	38	N/A	N/A	N/A
Max SF (Individual)	2	6	N/A	N/A	N/A	N/A	16	32	N/A	N/A	
Max. Ht.	See Note (f)	6	N/A	N/A	N/A	N/A	6	8 (c)	N/A	N/A	N/A
	Village Commercial District										
Max. No.	See Note (h)	1 / Street	N/A	N/A	N	N	2 / Lot	2 / Lot	1 / Lot	N	N
Max. SF (Total)	1.5 / Bldg. LF along street frontage	N/A	1.5 / Bldg. LF along street frontage	20% of total window area	N/A	N/A	22	38	N/A	N/A	N/A
Max SF (Individual)	12	30	N/A	20% of signed window area	N/A	N/A	16	32	30% of total on-site permitted sign area	N/A	N/A
Max. Ht.	Eave line	10	Eave line	N/A	Eave line	Eave line	6	8 (c)	Eave line	N/A	N/A
	Community Commercial & Limited Industrial Districts										
Max. No.	See Note (h)	1 / street	N/A	N/A	1 / per tenant entry	1 / Building	2 / Lot	2 / Lot	1 / Lot	1 / Lot	CC - N; LI - 1 / Lot as CU
Max. SF (Total)	1.5 / Bldg. LF along street frontage	N/A	1.5 / Bldg. LF along street frontage	30% of total window area	1.5 / Bldg. LF along street frontage	N/A	22	38	N/A	N/A	N/A
Max SF (Individual)	32	50		30% of signed window area	20	200	16	32	30% of total on-site permitted sign area	30% of total on-site permitted sign area	150
Max. Ht.	Eave line	20	Eave line	N/A	Eave line	Eave line	6	8 (c)	eave line	eave line	30

Notes:

a. Such signs are permitted for Home Occup. & Resid. Dvps./Apt. Bldgs. > 10 units.
b. "Street" references public street frontage as defined in the Signs Article.
c. Temporary banner signs may be 24' high
d. Illuminated signs shall not be within 100' of a residential district boundary.
e. N = Not Permitted.
f. The lower of eave line or 2nd story window sill bottom
g. See text for Temporary Signs & Street Pole Banner regulations.
h. 1 per tenant per street frontage.

Borough of Trappe

Official Zoning Map



Legend

TAX PARCELS

- TRAPPE
- COLLEGEVILLE
- PERKIOMEN
- UPPER PROVIDENCE

ZONING DISTRICTS

- AG Agricultural
- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- CC Community Commercial
- VC Village Commercial
- LI Limited Industrial
- IGO Intergovernmental District

BARRY ISETT & associates INC

Published January 8, 2026

OFFICIAL ZONING MAP
TRAPPE BOROUGH, MONTGOMERY COUNTY, PENNSYLVANIA

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610-489-7181 Office Phone
www.trappeborough.com

SCALE: 1" = 400'	DATE: 1/8/2026	Feet 0 200 400 600