

ORDINANCE NO. 2015 - 003

AN ORDINANCE OF HILLTOWN TOWNSHIP BOARD OF SUPERVISORS AMENDING THE TOWNSHIP OF HILLTOWN, CODE OF ORDINANCES, CHAPTER 160, ZONING, AS AMENDED, TO DELETE VARIOUS FLOODPLAIN RELATED DEFINITIONS, ADD A DEFINITION FOR FLOODPLAIN AND SOILS ON FLOODPLAIN, REVISE FLOODPLAIN ENVIRONMENTAL PERFORMANCE STANDARDS AND USE REGULATIONS AND REVISE SITE CAPACITY CALCULATIONS

Hilltown Township Board of Supervisors upon review by the Bucks County Planning Commission and Hilltown Township Planning Commission hereby enacts and ordains the following Ordinance:

**ARTICLE I**      **Section 160-11, Definitions** is revised to delete the definition Floodway Fringe, Flood Hazard Area, Floodplain Soils and Floodway, and revise the definition of Floodplain as follows:

FLOODPLAIN - Any areas of Hilltown Township, classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated March 16, 2015 and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study and,

For areas abutting streams and watercourses where the one hundred year floodplain (one percent [1%] annual chance flood) has not been delineated by the Flood Insurance Study, the applicant shall submit a floodplain identification study. The study prepared by a registered professional engineer expert in the preparation of hydrologic and hydraulic studies shall be used to delineate the one hundred year floodplain. The floodplain study shall be subject to the review and approval of the Township. All areas inundated by the one-hundred year flood shall be included in the Floodplain Area.

**ARTICLE II**      **Section 160-11 Definitions, Soils, Alluvial/Floodplain** is deleted in its entirety and replaced with Soils on Floodplain to read as follows:

**Soils on Floodplain** – Areas subject to periodic flooding listed in the Official Soil Survey provided by the US Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/>), as soils having a flood frequency other than none.

**ARTICLE III**      **Section 160-15 Interpretation of District Boundaries**, paragraph E is deleted in its entirety.

**ARTICLE IV**      **Section 160-16 Statements of Purpose and Intent for Districts and Special Hazard Areas**, paragraph D. (2) is revised to read as follows:

(2) **Special Flood Hazard Areas.** Those areas of the Township classified as special flood hazard areas in the Flood Insurance Study (FIS) and accompanying Flood Insurance Rate Map (FIRM), dated March 16, 2015 and issued by the Federal Emergency Management Agency (FEMA).

**ARTICLE V**      **Section 160-25 Site Capacity Calculations**, within paragraph A. (2) the resource "Floodplain soils" is deleted.

**ARTICLE VI**      **Section 160-28 Environmental Performance Standards**, paragraph A, is revised to read as follows:

- A. Floodplain - Any areas of Hilltown Township, classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated March 16, 2015 and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study.

For areas abutting streams and watercourses where the one hundred year floodplain (one percent [1%] annual chance flood) has not been delineated by the Flood Insurance Study, the applicant shall submit a floodplain identification study. The study prepared by a registered professional engineer expert in the preparation of hydrologic and hydraulic studies shall be used to delineate the one hundred year floodplain. The floodplain study shall be subject to the review and approval of the Township. All areas inundated by the one-hundred year flood shall be included in the Floodplain Area.

Floodplain shall be permanently protected and undeveloped, except that utilities, roads and driveways may cross floodplain where design approval is obtained from the Pennsylvania Department of Environmental Protection and as permitted within the Hilltown Township Floodplain Ordinance.

**ARTICLE VII** Section 160-28 Environmental Performance Standards, paragraph B is deleted and paragraphs C thru K are re-lettered B thru J.

**ARTICLE VIII** Article XI Floodplain Standards and Section 160-45 Floodplain Performance Standards are deleted in their entirety.

**ARTICLE IX** Section 160-45 Floodplain Use Regulations is added to read as follows:

**Section 160-45 Floodplain Use Regulations**

a. Uses Permitted by Right

The following uses and activities are permitted in floodplain provided that they are in compliance with the provisions of the underlying zoning district, conform to all requirements of the Hilltown Township Floodplain Ordinance, are not prohibited by any other ordinance and do not require structures, fill or storage of materials or equipment.

- (1) Agricultural uses such as general farming, pasture grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting.
- (2) Public and private recreational uses and activities such as parks, day camps, picnic grounds, bicycling and horseback riding trails, wildlife and nature preserves, game farms, fish hatcheries, and hunting and fishing areas.
- (3) Yard areas for residential and non-residential uses.
- (4) Temporary uses such as circuses, carnivals, and similar activities.
- (5) Stream crossings for utilities, driveways and streets.

b. Uses permitted by Special Exception

The following uses and activities are permitted in floodplain by special exception provided that they are in compliance with the provisions of the underlying district, conform to all requirements of the Hilltown Township Floodplain Ordinance and are not prohibited by any other ordinance:

- (1) Utilities, public facilities and improvements such as transmission lines and pipe lines.
- (2) Water related uses and activities.
- (3) Storage of materials and equipment provided they are not buoyant, flammable or explosive, and are not subject to major damage by flooding, and provided such material and equipment is firmly anchored to prevent flotation or movement. Storage or materials and equipment listed in Section 5.04 of the Hilltown Township Floodplain Ordinance shall be prohibited.

**ARTICLE X** Repealer. This Ordinance hereby repeals any provision inconsistent with the Zoning Ordinance now in effect or of other Ordinances, to the extent of such inconsistency. All other provisions of the Zoning Ordinance of Hilltown Township, not inconsistent herewith, shall remain in full force and effect.

**ARTICLE XI** Severability. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is determined by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance.

**ORDAINED AND ENACTED** into Ordinance at a regular meeting of the Hilltown Township Board of Supervisors on this 26 day of January, 2015. This Ordinance shall take effect on March 16, 2015.

Attest:

  
Richard C. Schnaedter, Township Manager

Hilltown Township  
Board of Supervisors

  
John B. McIlhinney, Chairman

  
Kenneth B. Bennington, Vice Chairman

  
James C. Groff, Member

