

ORDINANCE NO. 26

AN ORDINANCE AMENDING ORDINANCE NO. 19, "THE BUCKS COUNTY ZONING ORDINANCE OF 1969" BY ADDING THERETO PROVISIONS FOR EXTRACTION DISTRICTS; AMENDING THE ZONING DISTRICT MAPS TO PROVIDE FOR THE SAME PROVIDING RULES AND REGULATIONS APPLICABLE TO THE SAME; AND MISCELLANEOUS AMENDMENTS TO THE SAID ORDINANCE.

WHEREAS, pursuant to the Pennsylvania Municipalities Planning Code, the proposed amendment has been submitted to the Bucks County Planning Commission for its recommendation and approved by it; and

WHEREAS, the County Commissioners specifically find the proposed amendment to be in accord with the spirit and intent of the Comprehensive Plan of Bucks County, duly adopted March 19, 1969; and

WHEREAS, a public hearing pursuant to public notice was held on the 9th day of December, 1970, pursuant to the Pennsylvania Municipalities Planning Code, Section 609, and further continued to the 16th day of December, 1970.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED, by the Board of Commissioners of the County of Bucks that:

SECTION 1.

A. Section 301 Types of Districts is hereby amended by the addition thereto of the following sub-sections:

- (h) E-1 District Sand, clay, shale, gravel, or similar extractive operations including borrow pits.
- (i) E-2 District Stone quarries

B. Section 302 Zoning District Maps. Said maps are hereby amended as indicated in the maps attached hereto.

C. Section 310 Statements of Purposes and Intent for the Districts is hereby amended by the addition of the following sub-sections:

- (h) The E-1 Extraction District --This district is established to permit extraction of sand, gravel, shale, clay, etc., including borrow pits from the earth in a safe and non-deleterious manner and to require the rehabilitation of the land during the extractive operation and at the time that extraction operations are ended.

- (i) The E-2 Extraction District - This district is established to permit extraction of stone, other resources which may require deep quarrying, blasting, etc. from the earth in a safe and non-deleterious manner and to require the rehabilitation of the land during the extraction operation and at the time that extraction operations are ended.

D. Section 450 Table of Use Regulations, Use (55) is amended to read as follows:

<u>RC</u>	<u>RA</u>	<u>RS</u>	<u>VC</u>	<u>HC</u>	<u>SC</u>	<u>I</u>	<u>E-1</u>	<u>E-2</u>
N	N	N	N	N	N	N	P	N

(55) Sand, clay, gravel, shale or similar extractive operations including borrow pits. Borrow pit is defined as an excavation for the purpose of removing material to be used for fill in another location (usually in construction).

Plans Required

For the purpose of changing the zoning classifications of a piece of land to E-1, the applicant shall provide the following plans and information.

(a) Plan of General Area (within a one-mile radius of site) at a scale of one thousand (1,000) feet to the inch or less with a twenty (20) foot contour interval or less to show:

(1) Existing Data

- a. Location of proposed site.
- b. Land use pattern including building locations and historical sites and buildings.
- c. Roads: indicating major roads and showing width, weight loads, types of surfaces and traffic data.

(2) Proposed Data

- a. Subdivisions
- b. Parks, schools and churches
- c. Highways - (new and reconstructed.)
- d. Other uses pertinent to proposal.

(b) Plan of Proposed Site - at a scale of 100 feet to the inch or less with a five foot contour interval or less to show:

(1) Basic Data

- a. Soils and geology.
- b. Ground water data and water courses.
- c. Vegetation - with dominant species.
- d. Wind data - directions and percentage of time.

(2) Proposed Usage

- a. Final grading by contours.
- b. Interior road pattern, its relations to operation yard and points of ingress and egress to state and township roads.
- c. Estimated amount and description of aggregate and overburden to be removed.
- d. Ultimate use and ownership of site after completion of operation.
- e. Source of water if final plan shows use of water.
- f. Plan of operation showing:
 - 1. Proposed tree screen locations.
 - 2. A finished grading plan of entire area showing soil embankments for noise, dust and visual barriers and height of spoil mounds.
 - 3. Method of disposition of excess water during operation.
 - 4. Machinery-type and noise levels.
 - 5. Safety Measures-monitoring of complaints.

Performance Standards: Excavation shall not exceed twenty (20) feet in depth from the natural grade of the surface of the land.

- (a) Operations. Extractive operations shall meet all development and performance standards of Article VI, except buffering as required in Section 610.
- (b) Setback - No extraction shall be conducted closer than twenty-five (25) feet to the lot line of any quarry operation or one hundred (100) feet to the right-of-way of any street nor closer than four hundred (400) feet to the point of intersection of the center line of any two streets. The setback area shall not be used for any other use in conjunction with extraction except access streets, or signs in accordance with Section 706, screening.
- (c) Grading - All excavations shall be graded in such a way as to provide an area which is harmonious with the surrounding terrain and not dangerous to human or other animal life.
 - (1) Excavations shall be graded and back-filled to the grades indicated by the site plan. Grading and back-filling shall be accomplished continually and as soon as practicable after excavation. Grading and

backfilling may be accomplished by use of waste products of the manufacturing operation or other materials, providing such materials are composed of non-noxious, non-combustible solids, and will not cause pollution to soil, air or water.

- (2) Grading and backfilling shall be accomplished in such a manner that the slope of the fill or its cover shall not exceed normal angle of slippage or 45° whichever is less. During grading and backfilling the setback requirements in paragraph (b) above may be reduced, such that the top of the graded slope shall not be closer than twenty-five (25) feet to any lot, fifty (50) to any street line, nor within one hundred (100) feet of the intersection of the center line of any two streets.
- (d) Internal Circulation. An adequate circulation pattern of streets shall be maintained between excavation and processing areas. Use of public streets shall not be permitted for hauling between extractive and processing areas except where required in connection with such pattern, or for access to vehicular traffic originating from or destined to points beyond the limits of such excavation site and processing areas.
- (e) Stockpiles. Stockpiles shall not exceed seventy-five (75) feet in height and shall not be located closer than one hundred fifty (150) feet from any district boundary line or one hundred twenty-five (125) feet from the center line of any street except where a railroad is the district boundary line or where the contiguous district is a district in which extraction is permitted. All reasonable precautions shall be taken to prevent any materials or wastes deposited upon any stockpile from being washed, blown or otherwise transferred off the site by normal causes or forces.
- (f) Drainage. All drainage from the site of extractive operations shall be controlled by dikes, barriers or drainage structures sufficient to prevent any silt, debris, or other loose materials from filling any existing drainage course or encroaching on streets or adjacent properties.
- (g) Reports. Owner shall submit and maintain on a current basis a list of all reports, except financial reports, filled with Federal, State, Regional or County officials, including dates and agency with which filled. Copies of any reports of records, except financial reports, required to be submitted to Federal, State, Regional or County officials or agencies pursuant to any laws or regulations shall be made available to the County upon request.

- (h) Hours of Operation. Where a quarry is adjacent to a residential or commercial zoning district, excavating, on-site processing and shipping of quarry material may be conducted only between the hours of 6:00 A.M., and 6:00 P.M.

Rehabilitation Standards

- (a) Time Limitation. Reclamation shall begin within one year following the completion or discontinuance for a period of one year of an extraction operation.
- (b) Water.
- (1) Water accumulating upon the site may be retained after the completion of such operation where the excavation cannot reasonably be drained by gravity flow, provided that adequate provision shall be made to avoid stagnation, pollution and the danger of improperly controlled release of such water from the site.
 - (2) When excavations which provide for a body of water are part of the final use of the tract, the banks of the excavation shall be sloped to a minimum ratio of seven (7) feet horizontal to one (1) foot vertical, beginning at least twenty-five (25) feet from the edge of the water and maintained into the water to a depth of five (5) feet.
- (c) Soil. A layer of arable soil sufficiently deep to sustain grass, shrubs and trees shall be provided in those parts of the operation where feasible to do so.
- (d) Planting. All planting shall be done in accordance with the Proposed Planting Plan as approved and shall include various types of plant material so as to prevent soil erosion as well as provide a vegetative cover. The planting of any area shall be done within 6 months after the site work has been completed. When buildings are proposed as part of the final use to which the tract is put, planting in areas adjacent to proposed buildings shall be done with a vegetative cover in keeping with the requirements of the ultimate building purposes. Grass, shrubs, and trees shall be planted thereon within six (6) months after the providing of arable soil.
- (e) Bonds. A performance bond may be required by the County in an amount determined by the County to be sufficient to insure rehabilitation as submitted pursuant to this ordinance. With the approval of the County and for such period or periods as may be specified, an owner may be permitted to post its own bond without corporate surety.

f. Plan of operation showing:

1. Proposed planting plan for entire area.
2. A finished grading plan of entire area showing soil, embankments for noise, dust and visual barriers and heights of spoil mounds.
3. Method of disposition of excess water during operation.
4. Location and typical schedule of blasting.
5. Machinery - type and noise levels.
6. Safety measures - monitoring of complaints.

Performance Standards

- (a) Operations. Extractive operations shall meet all development and performance standards of Article VI except buffering as required in Section 610.
- (b) Setback. No extraction shall be conducted closer than two hundred (200) feet to the boundary of any district other than a district in which extraction is permitted or 100 feet to the right-of-way of any street, nor closer than four hundred (400) feet to the point of intersection of the center line of two streets. The setback area shall not be used for any other use in conjunction with extraction except access streets, or signs in accordance with Section 706, screening.
- (c) Grading. All excavations shall be graded in such a way as to provide an area which is harmonious with the surrounding terrain and not dangerous to human or other animal life. On all excavations which are less than twenty-five (25) feet in depth, grading and backfilling shall be accomplished in such a manner that the slope of the fill or its cover shall not exceed normal angle of slippage of such material, or forty-five degrees in angle, whichever is less. During grading and backfilling the setback requirements in paragraph (b) above, may be reduced by one-half, such that top of the ground slope shall not be closer than twenty-five (25) feet to any lot, fifty (50) feet to any street line, nor within one hundred (100) feet of an VC or RS district boundary line.
- (d) Internal Circulation. An adequate internal circulation pattern of streets shall be maintained between excavation and processing areas. Use of public streets shall not be permitted for hauling between extractive and processing areas except where required in connection with such pattern, or for

access to be vehicular traffic originating from or destined to points beyond the limits of such excavation site and processing areas.

(e) Landscaping and Screening.

(1) There shall be a mound of earth material covered with 4" of topsoil as shown on the grading plan of a minimum height of ten (10) feet and a maximum height of twenty (20) feet. Slope of mound shall not exceed 2:1 ratio. Mound shall be planted as per proposed planting plan and dust and erosion control measures shall be taken as may be approved by the U. S. Soil Conservation Service. There shall also be a planting as per proposed planting plan sufficient to screen the extractive industry operation. Planting and mound shall begin at a point not closer to the street than the ultimate right-of-way line. No mound shall be constructed closer than fifty (50) feet to a district in which extraction is not permitted.

(2) A chain line (or equal) fence at least ten (10) feet high and with an extra slanted section on top strung with barbed wire shall be placed at either the inner or outer edge of planting.

(3) Warning signs shall be placed on the fence at intervals or not less than one hundred (100) feet completely surrounding the area.

(f) Stockpiles. Stockpiles shall not exceed seventy-five (75) feet in height and shall not be located closer than one hundred fifty (150) feet from any district boundary line or one hundred twenty-five (125) feet from the center line of any street except where a railroad is the district boundary line or where the contiguous district is a district in which extraction is permitted. All reasonable precautions shall be taken to prevent any materials or wastes deposited upon any stockpile from being washed, blown or otherwise transferred off the site by normal cause or forces.

(g) Drainage. All drainage from the site of extractive operations shall be controlled by dikes, barriers or drainage structures sufficient to prevent any silt, debris, or other loose materials from filling any existing drainage course or encroaching on streets or adjacent properties.

(h) Reports. Owner shall submit and maintain on a current basis a list of all reports, except financial reports, filed

with federal, state, regional or county officials, including dates and agency with which filed. Copies of any reports or records, except financial, required to be submitted to federal, state, regional or county officials or agencies pursuant to any law or regulation, shall be made available to the county upon request.

- (i) Hours of Operation. Where a quarry is adjacent to a residential or commercial zoning district, excavating, on site processing and shipping of quarry material may be conducted only between the hours of 6:00 A.M. and 6:00 P.M.

Rehabilitation Standards

- (a) Time Limitation. Reclamation shall begin within one year following the completion or discontinuance for a period of one year of an extraction operation.
- (b) Water. Water accumulating upon the site may be retained after the completion of such operation where the excavation cannot reasonably be drained by gravity flow, provided that adequate provision shall be made to avoid stagnation, pollution and the danger of improperly controlled release of such water from the site.
- (c) Soil. A layer of arable soil four (4) inches deep to sustain grass, shrubs, and trees shall be provided in those parts of the operation where feasible to do so.
- (d) Planting. All planting shall be done within 6 months after the site work has been completed. When buildings are proposed as part of the final use to which the tract is put, planting in areas adjacent to proposed buildings shall be done with a vegetative cover in keeping with the requirements of the ultimate building purposes. Grass, shrubs, and trees shall include various types of plant material so as to prevent soil erosion as well as provide a vegetative cover.

The planting of any area shall be done within 6 months after the site work has been completed. When buildings are proposed as part of the final use to which the tract is put, planting in areas adjacent to proposed buildings shall be done with a vegetative cover in keeping with the requirements of the ultimate building purposes. Grass, shrubs, and trees shall be planted thereon within six (6) months after the providing of arable soil.

(e) Removal of Materials. Rehabilitation shall include, without limitation, removal of all debris, temporary structures and stockpiles.

Section 500 District Regulations is amended by the inclusion thereof of revised Table of Dimensional Requirements for principal and accessory uses permitted by right, as shown.

District	Minimum Lot Size	Minimum Lot Width (ft.)	Maximum Building Coverage	Maximum Height (feet)	Minimum Yards (feet)		
					Front	Side	Rear
RC	2 acres	200	10%	35	50	50	50
RA	1 acre	150	15%	35	50	35	50
RS	1 acre	150	15%	35	50	25	50
	20,000 sq.ft. ²	100	20%	35	35 ⁵	15	50
VC	1 acre	150	15%	40	50	25	50
	13,500 sq.ft. ²	80	30%	40	35 ⁵	15	35
HC	1 acre	200	25%	40	75	20 ³	35 ³
SC	5 acres	300	20%	40	75	50 ⁴	50 ⁴
I	2 acres	200	-	40	50	25	50
E1	3 acres	-	-	40	100	50	50
E2	2 acres	-	-	40	100	50	50

In accordance with Section 120 (b) of this Ordinance, any municipal Subdivision Regulations or other applicable regulations which require a minimum lot size larger than those indicated herein shall take precedence.

³With off-lot sewerage system.

⁴No structure or use except off-street parking shall be less than fifty (50) feet from any Residential District boundary line.

⁵No structure or use except off-street parking shall be less than one hundred (100) feet from any Residential District boundary line.

⁶See Section 561 for additional requirements.

G. Section 610 Buffer Yards is amended, as follows:

Buffer yards are required in all commercial, extraction, and industrial districts along the district boundaries between themselves and residential districts. Buffer yards shall comply with the following standards:

There are no changes in the standards except there shall be added to Section 610, sub-section (g) (1), the following:

- (1) No outdoor quarrying, processing or manufacturing activity and no outdoor storage of materials shall be so located to be visible from the adjacent residential district.

H. Section 705. On-Premises Signs Permitted in HC, VS, SC and I Districts is amended, as follows:

Section 705. On Premises Signs Permitted in HC, VC, SC, I, E-1 and E-2 Districts.

I. Section 800. Required Off-Street Parking Space is amended, as follows:

- Use 44-55(a) Industrial Uses: Three (3) off-street parking spaces for each four employees on the largest shift, plus one (1) space for each company vehicle normally stored on the premises.

J. Section 632. Establishment of the Floodway is hereby amended by the addition thereto of the following:

Limits of the floodway are those delineated by the "1955 flood without Tocks Island Dam".

K. Section 920. Extension or Alteration, Paragraph (b) (2) is hereby amended to read, as follows:

- (2) The proposed extension shall conform with the area, building height, parking, sign and other requirements of the district in which said extension is located, and with the appropriate use regulations, as contained in Articles IV-VIII.

Section 2.

All ordinances, resolutions or parts thereof inconsistent herewith are hereby repealed and/or rescinded.

Section 3.

Severability. It is hereby declared to be the legislative intent that:

- (a) If a court of competent jurisdiction declares any provision in this ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid

or ineffective, and all other provisions of this court shall continue to be separately and fully effective.

- (b) If a court of competent jurisdiction finds the application of any provision or provisions of this ordinance to any lot, building, or any other structure, or tract of land to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of such provision to other persons, property or situation shall not be effective.

Section 4.

Effective date: This ordinance shall become effective ten (10) days after its publication in accordance with Section 509 of the County Code.

Section 5.

Enactment: Enacted and ordained this _____ day of _____, 1970.

BOARD OF COMMISSIONERS OF BUCKS COUNTY

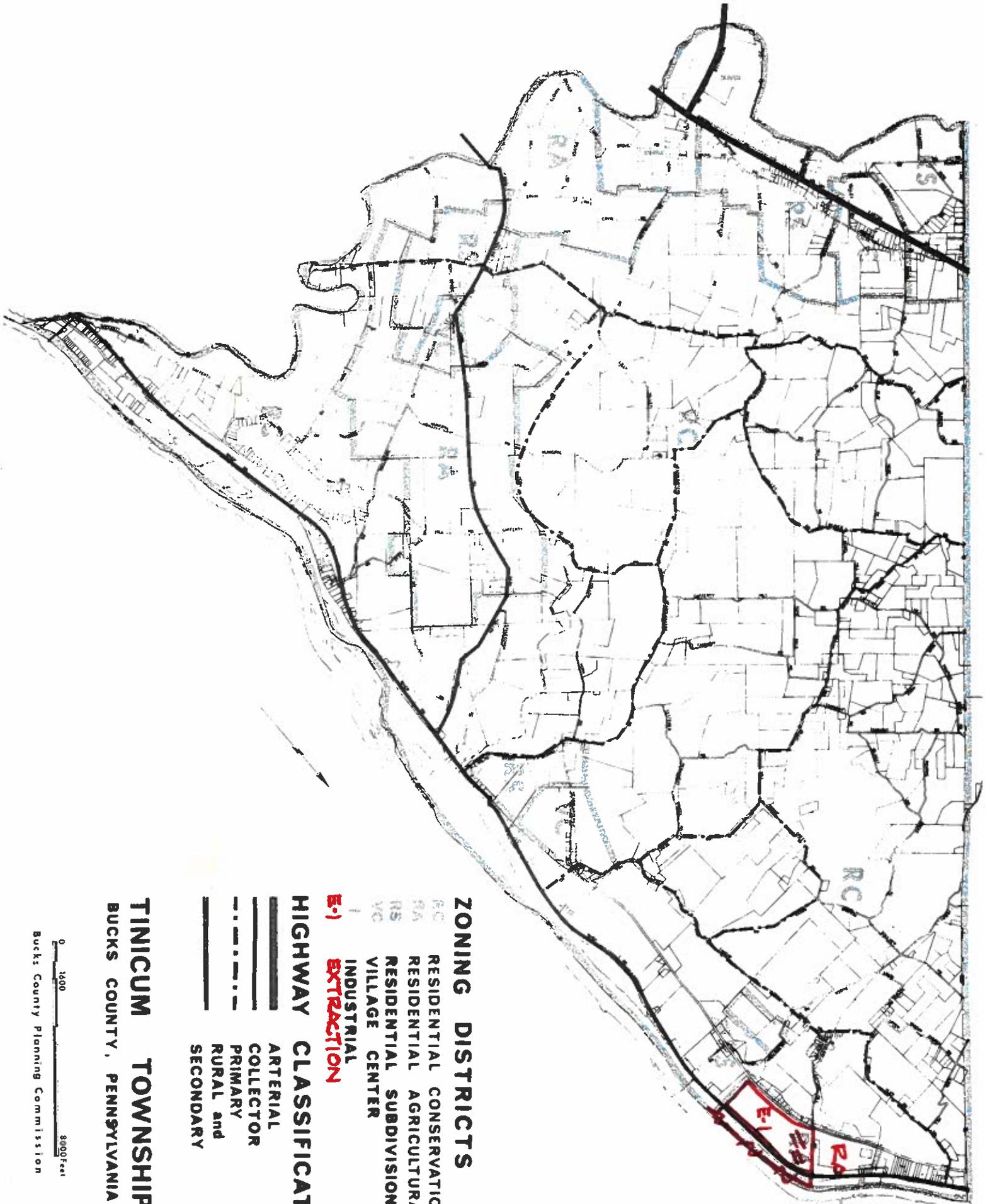
By _____
Charles M. Meredith, III

William B. Warden

Walter S. Farley, Jr.

Attest:

Franklin L. Pursell
Chief Clerk



ZONING DISTRICTS

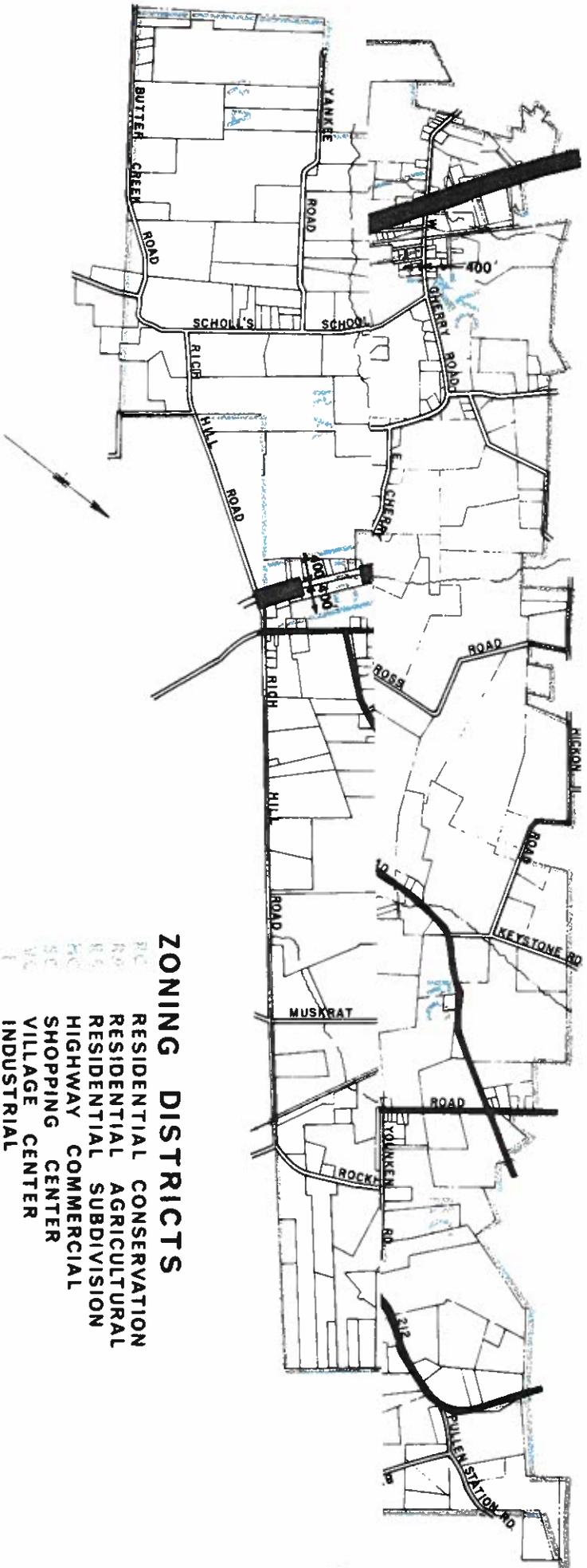
- RC RESIDENTIAL CONSERVATION
- RA RESIDENTIAL AGRICULTURAL
- RS RESIDENTIAL SUBDIVISION
- VC VILLAGE CENTER

E-1 EXTRACTION

HIGHWAY CLASSIFICATIONS

- ARTERIAL
- COLLECTOR
- PRIMARY
- RURAL and SECONDARY

TINICUM TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA



RICHLAND TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA

Bucks County Planning Commission
 As Amended February 25, 1970



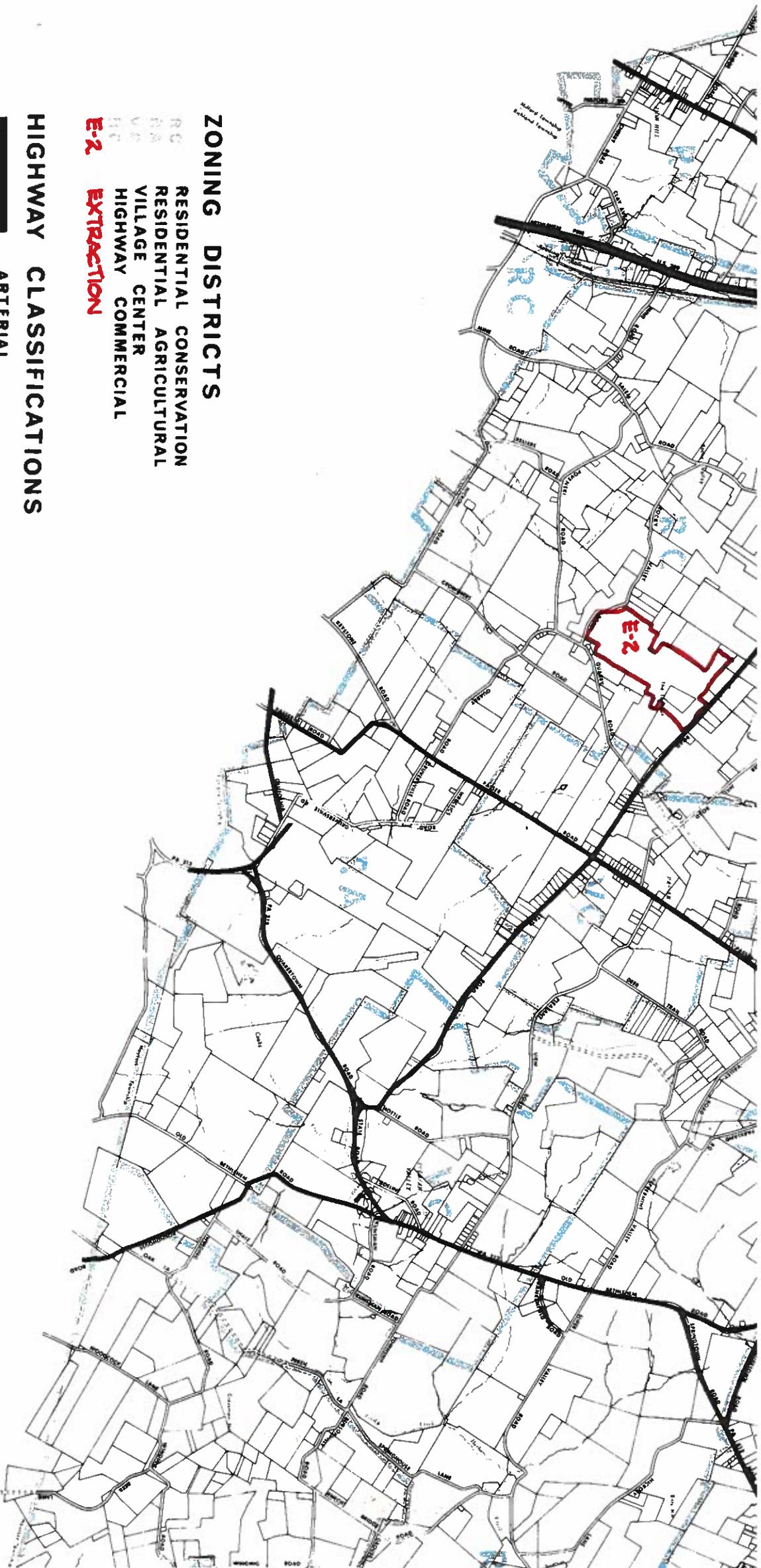
ZONING DISTRICTS

- PC RESIDENTIAL CONSERVATION
- R-1 RESIDENTIAL AGRICULTURAL
- R-2 RESIDENTIAL SUBDIVISION
- HC HIGHWAY COMMERCIAL
- SC SHOPPING CENTER
- VC VILLAGE CENTER
- I INDUSTRIAL

E-1 EXTRACTION

CLASSIFICATIONS

- HIGHWAY**
- ARTERIAL
- COLLECTOR
- RURAL and SECONDARY



ZONING DISTRICTS

- RC RESIDENTIAL CONSERVATION
- RA RESIDENTIAL AGRICULTURAL
- V VILLAGE CENTER
- CC HIGHWAY COMMERCIAL
- E-2 EXTRACTION**

HIGHWAY CLASSIFICATIONS

- ARTERIAL
- COLLECTOR
- PRIMARY
- RURAL and SECONDARY

**SPRINGFIELD TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA**

0 1 2 3000 6000
 Bucks County Planning Commission
 As Amended February 25, 1970

