

BOROUGH OF CONSHOHOCKEN
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 11-2022

AN ORDINANCE OF THE BOROUGH OF CONSHOHOCKEN, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF CONSHOHOCKEN, CHAPTER 22 *SUBDIVISION AND LAND DEVELOPMENT*, PART 4 *DESIGN STANDARDS*, BY REPEALING SECTION 410 *DRAINAGE* IN ITS ENTIRETY AND REPLACING IT WITH A NEW SET OF PROVISIONS; REPEALING PRIOR INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Borough Council of the Borough of Conshohocken is duly empowered by the Borough Code to enact certain regulations relating to the public health, safety and welfare of the citizens of the community of the Borough of Conshohocken; and

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.* grants authority to Borough Council to regulate subdivision and land development within the Borough of Conshohocken, 53 P.S. § 10501;

WHEREAS, Borough Council has adopted a subdivision and land development ordinance and codified same at Chapter 22 *Subdivision and Land Development* of the Borough's Code of Ordinances;

WHEREAS, Borough Council is authorized to amend the Borough's Subdivision and Land Development Ordinance through enactment of an ordinance amendment, 53 P.S. § 10505;

WHEREAS, concurrently herewith, Borough Council is amending Chapter 19 *Stormwater Management* of the Borough's Code of Ordinances in order to effectuate amendments thereto for the purposes set forth therein, including specifically to ensure that the Borough's stormwater management regulations are consistent with the Pennsylvania Department of Environmental Protection's Model Ordinance pursuant to the Borough's Small Municipal Separate Storm Sewer System (MS4) Permit, and desires to amend the Subdivision and Land Development Ordinance to be consistent with such amendment, with the advice of the Borough Engineer;

WHEREAS, Borough Council has determined that it is in the best interests of the citizens of Conshohocken Borough, and those doing business in the Borough, to amend the Borough's Subdivision and Land Development Ordinance as set forth herein.

NOW THEREFORE, be it **ORDAINED AND ENACTED** by the Borough Council of the Borough of Conshohocken as follows:

SECTION 1.

Chapter 22 *Subdivision and Land Development* of the Borough's Code of Ordinances is hereby amended by repealing the current provisions of Section 410 *Drainage* in its entirety and replacing it with the following provisions:

§22-410 Drainage.

The applicant shall provide stormwater management in accordance with the *Borough of Conshohocken Stormwater Management Ordinance*, codified at Chapter 19 *Stormwater Management* of the Borough's Code of Ordinances, and as follows:

1. Purpose.
 - A. The objective of stormwater management is to prevent or mitigate the adverse impacts related to the conveyance of excessive rates and volumes of stormwater runoff. Further, the objectives of stormwater management propose to maintain, as nearly as possible, natural runoff flow characteristics, either by augmenting the infiltration process or by temporarily storing stormwater for release at controlled rates of discharge and/or intercepting runoff to reduce accelerated erosion and sedimentation.
 - B. Applicants shall construct and/or install stormwater management facilities, on site and off site, as necessary to meet the stormwater management design and criteria provided by these and other Borough of Conshohocken requirements and to:
 - (i) Permit unimpeded flow of natural watercourses.
 - (ii) Ensure adequate drainage of all low points along the lines of streets.
 - (iii) Intercept stormwater runoff along streets at intervals related to the extent and grade of the area drained.
 - (iv) Provide positive drainage away from on-site sewage disposal and structures.

- (v) Remove surface water from the bottom of vertical grades, lead water from springs, and avoid excessive use of cross-gutters at street intersections and elsewhere.
- (vi) Ensure that the peak volume and rate of discharge from the development site is no greater than prior to development.
- (vii) Prevent erosion damage by controlling the rate and velocity of runoff discharge to watercourses, avoid increasing the occurrence of streambank overflow, and satisfactorily carry off, detain or retain, and control the rate of release of stormwater.
- (viii) Preserve bridges, culverts, and similar structures by suppressing the new peak discharges created by new alteration or development of land.

2. Applicability.

- A. All regulated activities and all activities that may affect stormwater runoff are subject to regulation by this Section and the requirements of the *Borough of Conshohocken Stormwater Management Ordinance*, codified at Chapter 19 *Stormwater Management* of the Borough's Code of Ordinances, which is included in these regulations by reference. Activities subject to these regulations include:
 - (i) Land development.
 - (ii) Subdivision.
 - (iii) All sites of 0.5 acres or more.
 - (iv) Agricultural operations.
 - (v) Construction of new or additional impervious surfaces.
 - (vi) Construction of new buildings or additions to existing buildings.

- (vii) Nursery operations.
 - (viii) Redevelopment.
 - (ix) Diversion or piping of any natural or man-made stream channel.
 - (x) Installation of stormwater systems or appurtenances thereto.
 - (xi) Alteration of the natural hydrologic regime.
 - (xii) Nonstructural and structural stormwater management best management practices (BMPs) or appurtenances thereto.
- B. Stormwater management design and criteria such as stormwater runoff peak volume and rate requirements, runoff calculation methodology, stormwater management plan requirements, operations and maintenance requirements, storm sewer system design, stormwater BMP design, etc., shall be as described in this Section and the *Borough of Conshohocken Stormwater Management Ordinance*, codified at Chapter 19 *Stormwater Management* of the Borough's Code of Ordinances.
- C. The standards contained in this section shall apply as minimum design standards; however, federal, state, and other Borough of Conshohocken regulations may impose additional standards subject to their jurisdiction. The more stringent requirements of this section, federal, state, and other Borough of Conshohocken regulations shall apply to any activity which requires compliance. Permits and approvals issued pursuant to this Section do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act or ordinance. Additional studies and higher levels of control than the minimum provided in these and other requirements may be required by Borough Council to ensure adequate protection to life and property.