

**TREDYFFRIN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

Ordinance No. HR-430

**AN ORDINANCE OF TREDYFFRIN TOWNSHIP, CHESTER COUNTY,
COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 174 OF THE
TREDYFFRIN CODE, BEING THE STORMWATER MANAGEMENT ORDINANCE,
ESTABLISHING A DEFINITION AND EXEMPTION FOR CERTAIN
AGRICULTURAL HIGH TUNNEL FACILITIES.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Tredyffrin Township, Chester County, Commonwealth of Pennsylvania, that Chapter 174, Stormwater Management, of the Code of the Township of Tredyffrin, as amended, shall be amended as follows:

SECTION I. Article II, Definitions, §174-6, Definitions, is amended by inserting the following term and definition, to read as follows:

HIGH TUNNEL

A structure which 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 Act of December 19, 1974 (P.L. 973, No. 319), known as the “Pennsylvania Farmland and Forest Land Assessment Act of 1974,” or for the storage of agricultural equipment or supplies; and
2. Is constructed with all of the following:
 - a. Has a metal, wood or plastic frame;
 - b. When covered, has a plastic, woven textile or other flexible covering; and
 - c. Has a floor made of soil, crushed stone, matting, pavers or a floating concrete slab.

SECTION II. Article III, Applicability, §174-8, Exemptions, is amended by inserting new Subsection C, Agricultural Related Activities, to read as follows:

C. Agricultural Related Activities

(1) High Tunnels (as defined in Article II), if:

- (a) The High Tunnel or its flooring does not result in an impervious area exceeding 25% of all structures located on the owner’s total contiguous land area; and
- (b) The High Tunnel meets one of the following:
 - i. The High Tunnel is located at least 100 feet from any perennial stream or watercourse, public road or neighboring property line;
 - ii. 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 slope not greater than 7%; or

- iii. 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 this Ordinance.

SECTION III. Article III, Applicability, §174-8, Exemptions, existing Subsection C shall be renumbered as Subsection D.

SECTION IV. If any part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining parts of this ordinance which shall continue to be fully operative as if the unconstitutional, illegal or invalid part had not been enacted.

SECTION V. Any and all provisions of any other ordinance which are inconsistent with the provisions of this ordinance are hereby repealed.

SECTION VI. This ordinance shall be effective thirty-one (31) days from the date of enactment hereof.

DULY ORDAINED AND ENACTED this _____ day of _____, of 2019.

**BOARD OF SUPERVISORS
TREDYFFRIN TOWNSHIP**

Murph Wysocki, Chair

[Seal]

Mark Freed, Vice Chair

Attest:

Julie Gosse

William F. Martin
Township Manager

Heather Greenberg

Matthew Holt

Reaves C. Lukens, III

Kevin O’Nell