

ORDINANCE NO. 1 OF 2019
AMENDING THE WHITE HAVEN BOROUGH ZONING ORDINANCE
NO. 3 OF 2012

AN ORDINANCE OF THE BOROUGH OF WHITE HAVEN, LUZERNE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 29, ZONING, AS FOLLOWS:

BE IT ENACTED AND ORDAINED by White Haven Borough Council, and it is hereby enacted and ordained by the authority of the same, that the White Haven Borough Zoning Ordinance is hereby amended as follows:

Section 409, entitled, "I-1" Industrial, Light, of the Zoning Ordinance is hereby amended so that Light Industry is no longer a permitted use under Section 409(a)(5) of the Zoning Ordinance and is instead a Conditional Use under Section 409(c)(2) so that the Section as amended reads as follows:

§409. "I-1" Industrial, Light

(c) Conditional Uses.

2. Industry, light

Section 410, entitled, "I-1" Industrial, Heavy, of the Zoning Ordinance is hereby amended so that Light Industry is no longer a permitted use under Section 410(a)(5) of the Zoning Ordinance and Heavy Industry is no longer a use permitted by special exception under Section 410(b)(7) of the Zoning Ordinance and Light Industry is instead listed as a Conditional Use under Section 410(c)(5) and Heavy Industry is instead listed as a Conditional Use under Section 410(c)(6) of the Zoning Ordinance so that the Section as amended reads as follows:

§410. "I-2" Industrial, Heavy.

(c) Conditional Uses.

5. Industry, light

6. Industry, heavy

Section 1111 entitled, Conditional Uses, of the Zoning Ordinance is hereby amended to include further detail under subsection (5) relating to the Environmental Impact Statement so that the subsection as amended reads as follows:

§1111. Conditional Uses.

(b) Applications for conditional uses shall contain the additional following information and criteria so that the Governing Body could properly evaluate the proposal:

5. An Environmental Impact Statement (EIS) may be required by the Governing Body to be performed by the applicant. The purpose of this EIS is to disclose the impacts of a proposed use upon the environment so that the Governing Body could decide whether to approve or deny the application or approve the application with conditions. The statement, if required, shall be prepared by a professional engineer licensed within the Commonwealth of Pennsylvania and shall include an analysis of the items listed below regarding the impact of the proposed use and the mitigation of any such impacts:

A. Soil Types

1. U.S.D.A. Soil Types (show on map).
2. Permeability of soil on the site.
3. Rate of percolation of water through the soil for each five acres.

B. Surface Waters

1. Distance of site from nearest surface water and head waters of streams.
2. Sources of runoff water.
3. Rate of runoff from the site.
4. Destination of runoff water and method of controlling downstream effects.
5. Chemical additives to runoff water on the site.
6. Submission of an erosion and sediment control plan meeting the requirements of the PA DEP and the Luzerne Conservation District.
7. The information shall be set forth in a storm water management plan meeting the requirements of the Borough's Subdivision and Land Development Ordinance.

C. Ground Cover Including Vegetation and Animal Life

1. Extent of existing impervious ground cover on the site.
2. Extent of proposed impervious ground cover on the site.
3. Type and extent of existing vegetative cover on the site.
4. Extent of proposed vegetative cover on the site.
5. Type of animal life and effect on habitat.

D. Topographic and Geologic

1. Maximum existing elevation of site.
2. Minimum existing elevation of site.
3. Maximum proposed elevation of site.
4. Minimum proposed elevation of site.

5. Description of the topography of the site and any special topographic features, and any proposed changes in topography.
6. Surface and subsurface geology.

E. Ground Water

1. Average depth to seasonal highwater table.
2. Minimum depth to water table on site.
3. Maximum depth to water table on site.
4. Quality.

F. Water Supply

1. The source and adequacy of water to be provided to the site.
2. The expected water requirements (g.p.d.) for the site.
3. The uses to which water will be put.

G. Sewage Disposal

1. Sewage disposal system (description and location).
2. Expected content of the sewage effluent (human waste, pesticides, detergents, oils, heavy metals, other chemical).
3. Expected daily volumes of sewage.
4. Affected sewage treatment plant's present capacity and authorized capacity.

H. Solid Waste

1. Estimated quantity of solid waste to be developed on the site during and after construction.
2. Method of disposal of solid waste during and after construction.
3. Plans for recycling of solid waste during and after construction.

I. Air Quality

1. Expected changes in air quality due to activities at the site during and after construction.
2. Plans for control of emissions affecting air quality.
3. Establishment of air quality goals, including a description of any programs to be implemented to achieve those air quality goals, a development plan for control strategies, and a schedule explaining the manner for on-going evaluations.