
ARTICLE 1386
Riparian Buffer Standards

1386.01 Riparian Buffer Requirements

1386.02 Riparian Buffer Easement

1386.01. RIPARIAN BUFFER REQUIREMENTS

Riparian buffers are required for Regulated Activity and shall be established as follows:

- A. The buffer shall be measured perpendicularly from the top of the stream bank landward:
 - (1) High Quality or Exceptional Value Watersheds - a minimum of 150 feet;
 - (2) Impaired Watersheds – a minimum of 150 feet;
 - (3) All other watersheds - a minimum of 50 feet; or
 - (4) As determined by a stream corridor study approved by Pennsylvania DEP and the City of Franklin.

- B. The riparian buffer shall be located on both sides of all perennial and intermittent streams. The perennial and intermittent streams and the riparian buffer boundaries shall be shown on all applications for building permits, subdivision, or land development. Existing uses within the buffer are permitted to continue, but not be expanded. Placement of new buildings or roadways within the riparian buffer shall be prohibited, unless specifically permitted by Pennsylvania DEP. Where a wetland exists within the buffer area, the buffer shall be extended landward to provide a minimum buffer of 25-foot, as measured perpendicularly from the wetland boundary.

- C. The buffer shall be undisturbed forest consisting of appropriate native species.

- D. Where wetlands are located partially or entirely within a buffer, the buffer shall be extended to encompass the wetland and shall be widened by a distance sufficient to provide a 25-foot forested buffer measured perpendicularly from the wetland boundary.

- E. The following uses shall be permitted in the buffer:
 - (1) Footpaths, trails and bike paths provided that:
 - (a) Width is limited to five (5) feet;
 - (b) Width may be increased provided a corresponding increase in the buffer is provided;

- (c) Construction shall have minimal impact to the buffer.
 - (2) Stream crossings, provided the crossing is designed and constructed in such a manner as to minimize the impact to the buffer. The riparian buffer shall be restored to its original condition, to the maximum extent practical, upon completion of construction.
 - (3) Utility lines, provided that the crossing is designed and constructed in such a manner as to minimize the impact to the inner buffer and provided that there is no practical alternative to locating the utility line within the buffer. The riparian buffer shall be restored to its original condition, to the maximum extent practical, upon completion of construction.
 - (4) Maintenance and restoration of the riparian buffer.
 - (5) Projects conducted with the objective of improvement, stabilization, restoration, or enhancement of the stream bank, stream channel, floodplain, watershed hydrology, riparian buffers, or aquatic habitat and maintenance activities associated with such projects. These projects include, but are not limited to, agricultural and stormwater management BMPs. Such projects must receive appropriate permits and approvals from Pennsylvania DEP prior to starting the project.
 - (6) Minor private recreational uses for the property owner. Such uses include benches, fire rings, and similar uses. Such uses do not include structures such as cabins, sheds, pavilions, garages, dwellings or similar structures.
- F. Disturbance of the riparian buffer shall be limited to the area necessary to perform an allowable use.
- G. Where possible and practical, disturbances shall be phased with each phase restored prior to beginning the next phase.
- H. Allowable activities shall not cause stormwater flow to concentrate.
- I. Any vegetation removed for an allowable activity shall be replaced immediately upon completion of the activity. Where mature trees are removed, such trees shall be replaced with the largest practical tree of acceptable native species.
- J. Erosion and sediment pollution control shall be installed and maintained during construction. Evidence of an approved Erosion and Sediment Control Plan and/or NPDES Permit, if required, shall be submitted prior to issuance of local permits.
- K. If a permit from Pennsylvania DEP is required for the activity, evidence of an approved permit shall be submitted prior to issuance of local permits.
- L. Riparian buffers shall be maintained in a manner consistent with sound forest management practices. In the absence of a site specific management plan, the following maintenance guidelines apply:

- (1) Buffers shall be inspected periodically for evidence of excessive sediment deposition, erosion or concentrated flow channels. Prompt action shall be taken to correct these problems and prevent future occurrence.
- (2) Trees presenting an unusual hazard of creating downstream obstructions shall be removed. Such material shall be removed from the floodplain or the riparian buffer (whichever is widest), or cut into sections small enough so as to prevent the possibility of creating obstructions downstream. Wherever possible, large stable debris should be conserved.
- (3) Vegetation should be inspected periodically to ensure diverse vegetative cover and vigorous plant growth consistent with buffering objectives.
 - (a) Invasive plant species that may threaten the integrity of the buffer shall be removed.
 - (b) Periodic cutting of trees may be necessary to promote vigorous growth and encourage regeneration.
- (4) Excessive use of fertilizers, pesticides, herbicides, and other chemicals shall be avoided. These products should be used only when absolutely necessary to maintain buffer vegetation.

1386.02. RIPARIAN BUFFER EASEMENT

For all riparian buffers, an easement shall be provided:

- A. Easements shall be in accordance with Section 1389.01 and recorded in accordance with Section 1393.03 of this Ordinance.