

**WEST PIKELAND TOWNSHIP**  
CHESTER SPRINGS, PA 19425

SUBDIVISION ORDINANCE

WEST PIKELAND TOWNSHIP

SUBDIVISION ORDINANCE

This Ordinance is up-to-date

as of November 1, 1997

ORDINANCE NO. 15  
 SUBDIVISION ORDINANCE  
 WEST PIKELAND TOWNSHIP

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ORDINANCE NO. 15

WEST PIKELAND TOWNSHIP SUBDIVISION  
ORDINANCE

AN ORDINANCE ESTABLISHING RULES, REGULATIONS AND STANDARDS GOVERNING THE SUBDIVISION OF LAND WITHIN THE TOWNSHIP, PURSUANT TO THE AUTHORITY SET FORTH IN THE MUNICIPALITIES PLANNING CODE SETTING FORTH THE PROCEDURE TO BE FOLLOWED BY THE PLANNING COMMISSION AND THE BOARD OF SUPERVISORS IN APPLYING AND ADMINISTERING THESE RULES, REGULATIONS AND STANDARDS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

ARTICLE I

Purposes, Scope, Interpretation

Section 100 - Short Title. This ordinance shall be known and may be cited as "The West Pikeland Township Subdivision and Land Development Ordinance."

Section 101 - Purposes. The purposes of this ordinance are: To provide for the harmonious, orderly, efficient and integrated growth of the Township; to assure that land to be developed shall be of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise and smoke, or other menace; to provide for drainage, water supply, sewage disposal and other appropriate utility services; to provide for the coordination of existing streets, parks, highways and land use with proposed streets, parks, highways and land use; to provide for a safe, convenient, and functional system for vehicular traffic, on streets of such width, grade, and location as to accommodate prospective traffic as determined by existing and probable future land and building uses; to provide for arrangement of building lots, blocks and streets so as to afford adequate light, view and air, and to facilitate fire protection; to assure land will be developed with due regard to topography and geologic conditions, so that the natural beauty of the land and vegetation shall be protected and enhanced; to provide for adequate open spaces for recreation, light and air, and for adequate sites for schools, parks, playgrounds and other community services, which shall be located as to provide access to such facilities for residents of all

neighborhoods; and to secure equitable handling of subdivision and land development plans by providing uniform procedures and standards for observance both of subdividers and of Township officials.

Section 102 - Scope. From and after the effective date of this ordinance, any subdivision and/or land development shall be in conformity with this ordinance and all standards and specifications adopted as a part of such ordinance.

Section 103 - Interpretation. In the interpretation and application of the provisions of this ordinance, the said provisions shall be held to be the minimum requirements for the promotion and protection of the public health, welfare, and safety. Where the provisions of this ordinance and all standards and specifications adopted under it impose greater restrictions than those of any other ordinance or regulations, the provisions of this ordinance and its standards and specifications shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this ordinance, the provisions of such statute, ordinance or regulation shall be controlling.

Section 104 - Severability. If any article, section, subsection, paragraph, clause or provision of this ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this ordinance as a whole or of any other part.

## ARTICLE II

### Interpretations of Regulations and Definitions

Section 200 - Language Interpretations. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this ordinance to have the meaning herein indicated. The singular shall include the plural and the plural shall include the singular. Words used in the present or past tenses shall include the future tense. The words "person", "applicant", "subdivider" and "owner" shall include a corporation, unincorporated association and a partnership, or other legal entity, as well as an individual. The word "building" shall include the word "structure". The word "watercourse" shall include channel, creek, ditch, dry run, spring, stream, and river. The words "shall" and "will" are always mandatory.

Section 201 - Definitions of Terms. As used in this ordinance, except where the context clearly indicates otherwise, the following words and/or phrases have the meaning indicated below:

- (1) Alley. A right-of-way providing secondary vehicular access to the side or rear of lots.
- (2) Applicant. A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.
- (3) Application for Development. Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development, including but not limited to an application for building permit, or for the approval of a subdivision plan or plot.
- (4) Block. An area bounded by streets.
- (5) Building Setback Line. The line within a property defining the minimum required distance between any building to be erected and an adjacent right-of-way.

(6) Cartway (Roadway). The portion of a street right-of-way, paved or unpaved, customarily used by vehicles in the regular course of travel over the street.

(7) Clear Sight Triangle. An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.

(8) Common Open Space. A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of the development but not including streets, off-street parking areas, and areas set aside for public facilities. Common open space shall be substantially free of structures but may contain such improvements as are in the subdivision or development plan as finally approved and as are appropriate for the recreation of residents.

(9) Critical Areas. Areas of a subdivision or land development particularly subject to erosion and sedimentation, such as areas not covered with vegetation due to grading, cutting or filling, which contain exposed subsoils or mixtures of soil horizons, or excessively long slopes and steep grades.

(10) Crosswalk ( interior walk ). A publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

(11) Cul-de-sac. A street with access at one end which is terminated by a vehicular turn-around.

(12) Design Standards. Minimum standards for the layout by which a subdivision or land development is developed.

(13) Developer. Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

(14) Drainage. The flow of water or liquid waste and the method of directing such flow, whether natural or artificial.

(15) Dwelling Unit. Any structure, or part thereof, designed to be occupied as a single housekeeping unit.

(16) Easement. A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structures, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

(17) Engineer. A licensed professional engineer registered by the Commonwealth of Pennsylvania.

(18) Erosion. The movement of soil by the action of wind and/or water.

(19) Improvement Specifications. Minimum standards for the construction of the required improvements such as streets, curbs, sidewalks, water mains, sewers, drainage facilities, public utilities and other items required to render the land suitable for the use proposed.

(20) Land Development - (Amended 5/21/90)

- (i) a group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
- (ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

(21) Landowner. The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee having a remaining term of not less

than forty years, if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purposes of this ordinance.

(22) Lot - (Amended 5/21/90)

A designated parcel, tract or area of land established by a plot or otherwise, as permitted by law and to be used, developed or built upon as a unit.

(23) Monument. A stone or concrete monument with a flat top at least 4" in diameter or square, containing a copper or brass dowel (plug), and at least 24" in length (preferred 30" to 36"). The monument shall be tapered so that the dimensions at the bottom be at least 2" greater than the top, to minimize movement caused by frost.

(25) Multiple Dwelling Building. A building containing more than one dwelling unit.

(26) Plan, Conservation. A plan accompanying and forming a part of the preliminary and final plans detailing the developer's measures to be taken for protection of stream channels, major trees, and other important natural features, and for erosion and sediment control which includes all information required under Section 510 (4) of this ordinance.

(27) Plan, Construction Improvement. A plan prepared by a registered engineer or surveyor showing the construction details of streets, drains, sewers, bridges, culverts, and other improvements as required by this ordinance.

(28) Plan, Final. A complete and exact subdivision or development plan or plat, prepared for official recording as

required by statute, which includes all information required under Section 510 (3) of this ordinance.

(29) Plan, Major Street. The element of the County or Township Comprehensive Plan, which shall show the general location, alignment, and dimensions, and the identification and classification of existing and proposed streets, highways, and other thoroughfares.

(30) Plan, Official. The Comprehensive Development Policy Plan (Master Plan) and/or Future Land Use Plan and/or Ultimate Right-of-Way Plan and/or Official Map or other such Plans, or portions thereof, as may be adopted, pursuant to statute, for the area of the township in which the subdivision is located.

(31) Plan, Preliminary. A tentative subdivision or development plan, in lesser detail than a final plan, which includes all information required under Section 510 (2) of this ordinance.

(32) Plan, Record. The copy of the Final Plan which contains the original endorsements of the County Planning Commission and the township and which is intended to be recorded with the County Recorder of Deeds.

(33) Plan, Sketch. An informal plan, not necessarily to exact scale, indicating salient features of a tract and its surroundings and the general layout of a proposed subdivision of land development.

(34) Planning Commission. The West Pikeland Township Planning Commission.

(35) Plat. The map or plan of a subdivision or land development, whether preliminary or final.

(36) Public Notice. Notice published once each week for two successive weeks in a newspaper of general circulation in West Pikeland Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be no more than 30 days or less than 14 days from the date of the hearing.

(37) Reserve Strip. A parcel of ground in separate (sometimes public) ownership separating a street from other adjacent properties, or from another street.

(38) Resident Property Owner. Any individual maintaining a voting address in the township, owning real estate in his own or joint names. A tenancy in common or any other means of joint ownership shall be considered as an individual; however, the signature of any single joint owner shall be considered as binding the others.

(39) Resubdivision. Any replatting or resubdivision of land, limited to changes in lot lines on approved Final Plan or Recorded Plan as specified in Sec. 509 of these regulations. Other replattings shall be considered as constituting a new subdivision of land. See also Subdivision.

(40) Reverse Frontage Lot. A lot extending between and having frontage on two generally parallel streets, (excluding service streets or alleys), with vehicular access solely from one street.

(41) Review. An examination of the Sketch Plan, Preliminary Plan, and/or Final Plan by the Planning Commission and/or the West Pikeland Township Board of Supervisors to determine compliance with this ordinance and the administrative regulations, design standards and improvement specifications enacted pursuant thereto.

(42) Right-of-Way. The total width of any land reserved or dedicated as a street, alley, crosswalk or for other public purposes.

(43) Roadway. See Cartway.

(44) Sanitary Sewage Disposal, On-site. Any structure designed to treat sanitary sewage within the boundaries of an individual lot.

(45) Sanitary Sewage Disposal, Community. A sanitary sewage collection system in which sewage is carried from individual lots.

(46) Sanitary Sewage Disposal, Public. A sanitary sewage collection system in which sewage is carried from individual

lots by a system of pipes to a publicly owned central treatment and disposal plant.

(47) Sediment. The resulting residue from erosion.

(48) Septic Tank. A covered water-tight settling tank in which raw sewage is changed into solid, liquid, and gaseous states to facilitate further treatment and final disposal.

(49) Sight Distance. The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurement shall be made from a point 4.5' above the centerline of the road surface to a point 0.5' above the centerline of road surface.

(50) Soil Percolation Test. A field test conducted to determine the suitability of the soil for on-site sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at a given location and depth.

(51) Street, Public. A strip of land, including the entire right-of-way (i.e., not limited to the cartway) intended for general public use as a means of vehicular and pedestrian circulation to provide access to more than one (1) lot. The term "public street" includes any thoroughfare intended for public use. Public streets are further classified according to the functions they perform.

(a) Minor Local Street: A street used primarily to provide access to abutting properties.

(b) Cul-De-Sac Street: A minor street intersecting another street and terminating in a vehicular turn-around at the other end;

(c) Half (partial) Street: A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street;

(d) Marginal Access Street: A minor street, parallel and adjacent to a major street (but separated from it by a reserve strip) which provides access to abutting properties and control of intersections with the major street.

(e) Collector Street: A street which, in addition to providing access to abutting properties, intercepts minor streets to provide a route serving fifty (50) or more dwelling units to give access to community facilities and/or other collector and major streets (streets in industrial and commercial subdivisions shall generally be considered collector streets); sometimes called a "feeder street", which connects a local street system and a major street or highway system.

(f) Major Street or Through Highway (Arterial): A street serving a large volume of comparatively high-speed and long-distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation: a highway on which preference is given to the through movement of traffic at the expense of cross traffic.

(52) Street, Private: A strip of land or roadway intended for use as a means of vehicular and pedestrian circulation to provide access to more than one (1) lot. A private street is intended for use of only the lots served rather than the general public.

(53) Structure. Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

(54) Subdivider: Any individual, co-partnership or corporation (or agent authorized thereby) which undertakes the sub-division of land, as defined by these regulations, as the owner, lessee, equitable owner (or agent authorized thereby) of the land being subdivided.

(55) Subdivision. The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development. For the purposes of this ordinance, the word "subdivision" shall include "land development".

(56) Surveyor: A licensed surveyor registered by the Commonwealth of Pennsylvania.

(57) Tile Disposal Field: A system of open jointed or perforated pipes laid in the upper strata of the soil to

distribute sewage effluent into the soil for absorption and evaporation.

(58) Water Distribution System, On-Site: A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

(59) Water Distribution System, Community: A system for supplying and distributing water from a common source to dwellings and other buildings, but generally not confined to one neighborhood.

### ARTICLE III

#### Subdivision and Land Development Control

Section 300 - (1) No subdivision of any lot, tract or parcel of land shall be effected and no land development shall be effected and no street, alley, sanitary sewer, storm sewer, water main or other facilities in connection therewith, shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting or to abut thereon, except in strict accordance with the provisions of this ordinance.

(2) No lot in a subdivision may be sold, no permit to erect, alter, or repair any building upon land in a subdivision or land development may be issued, and no building may be erected in a subdivision or land development unless or until a subdivision or land development plan has been approved and, where required, recorded, and until the required improvements in connection therewith have either been constructed or the completion thereof has been assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities, in escrow, sufficient to cover the cost of the required improvements, as estimated by the Township Engineer.

## ARTICLE IV

### Administration

#### Section 400 - Enforcement.

(1) The Board of Supervisors shall designate an individual to enforce the provisions of this Ordinance and the accompanying design standards and improvement specifications. It shall be his duty to examine all applications under this ordinance and to forward such to the Secretary of the Planning Commission.

(2) Inspection of actual construction under any approved subdivision or land development plan shall be the sole responsibility of the township which may undertake any reasonable measures to provide an adequate inspection of all projects.

Section 401 - Fees. The Board of Supervisors shall establish a schedule of fees and a collection procedure for all applications and other matters pertaining to this ordinance. No action shall be taken in connection with any subdivision or land development application until all fees are paid and the applications are properly signed and filed in the form required by this ordinance.

#### Section 402 - Restrictions.

(1) A building permit may be issued only upon approval of a Preliminary Plan or in those instances where a Preliminary Plan is not required, approval of a Final Plan. In no instance may such a permit be issued until water and sewage facility permits have been issued.

(2) No lot in a subdivision may be sold unless a Final Plan has been approved and recorded.

Section 403 - Exemption. Where, owing to special conditions, a literal enforcement of this Ordinance and/or its accompanying regulations would result in unnecessary hardship, the Board of Supervisors may make such reasonable exception thereto as will not be contrary to the public interest and will be in conformance with existing community development.

## ARTICLE V

### Procedure

Section 500 - General. Hereafter, tentative subdivision or land development plans shall be reviewed by the Township Planning Commission and the County Planning Commission and shall be approved or disapproved by the Board of Supervisors in accordance with the procedure specified in this article and in other sections of this ordinance. Any application not processed as required hereafter shall be null and void unless it was made prior to the adoption of these regulations.

#### Section 501 - Submission of Sketch Plan.

(1) A Sketch Plan for all proposed subdivisions or development of land located within the Township may be submitted to the Township Planning Commission for review.

(2) Such Sketch Plans shall be considered as submitted for informal discussion between the developer and the Planning Commission. Submission of a Sketch Plan shall not constitute official submission of a plan to the Township.

(3) For informational purposes, six copies of the Sketch Plan shall be submitted to the Planning Commission.

(4) In the event that any developer shall intend to make changes in the contour of any land proposed to be subdivided, developed or changed in use by grading, excavating, or the removal or destruction of the natural topsoil, trees or other vegetative covering thereon, the developer shall consult with the Chester County Soil and Water Conservation District prior to or concurrently with submission of the sketch plan, in order to insure that the proposed subdivision or land development will be compatible with the Conservation Plan to be submitted.

Section 502 - Review of Sketch Plan. The Township Planning Commission shall review the Sketch Plan and shall recommend such changes and modifications as it shall deem necessary or advisable in the public interest.

Within ten (10) calendar days after such scheduled meeting review, the Secretary of the Planning Commission shall send written notice of the action of the Planning Commission to the following:

- (i) Board of Supervisors
- (ii) The Applicant

Section 503 - Submission of Preliminary Plan.

(1) The Preliminary Plan shall conform to the most recent administrative regulations adopted by the Board of Supervisors for such purpose.

(2) Copies of the Preliminary Plan and all required supplementary data shall be initially and officially submitted to the Secretary of the Township. After the required fees have been properly paid, he shall transmit such plans to the Township Planning Commission, the County Planning Commission, the Township Engineer and such other persons or agencies as the Board of Supervisors shall determine.

(3) Official submission of a Preliminary Plan to the Township Secretary shall comprise:

a) Three (3) copies of the Application for Review of Preliminary Subdivision or Land Development Plan.

b) Nine (9) prints of the Preliminary Plan.

c) Nine (9) copies of all other required information and plans, including the Conservation Plan.

(4) Upon receipt of the above, the Township Secretary shall forward one copy of the "Application for Review", four prints of the Preliminary Plan and one print of all other required plans to both the township and the County Planning Commission, retaining all other data in the Township files.

Section 504 - Review of Preliminary Plan.

(1) Township Planning Commission.

a) The Township Planning Commission shall within 45 days review the Plan and the recommendations of the County Planning Commission and the Township engineer.

b) Within ten (10) days after such meeting the Secretary of the Planning Commission shall send written notice of the action of the Planning Commission and the reasons therefore to the following:

(i) Township Supervisors

(ii) The Applicant

(2) Board of Supervisors

a) When a Preliminary Plan has been officially submitted to the Board of Supervisors by the Planning Commission, such Plan shall be placed on its agenda for review and hearing.

b) The Board of Supervisors shall review the

Preliminary Plan and the written reports of the Township Planning Commission and the County Planning Commission and shall require or recommend such changes and modifications as it shall deem necessary or advisable in the public interest or it may deny approval. The Board shall act upon all applications for subdivision within 90 days of the filing of an application other than the informal sketch plan, and shall communicate its decision, in writing, to the applicant within five days of the making of such decision.

c) The Board of Supervisors shall designate a copy of the Preliminary Plan as the official copy. This copy shall include all necessary corrections as required by the Board of Supervisors. It shall be retained in the Township files.

d) Within thirty (30) days after approval, the applicant shall deliver to the Township Secretary a performance bond in the amount of 120 percent of the cost of all improvements required under these Regulations as estimated by the Township engineer. In addition, the performance bond shall state an agreed-upon completion date for the projects at which time the municipality may require the forfeiture of the bond. The form of the performance bond and the surety shall be subject to the approval of the Township Solicitor. An escrow approved by the Township Solicitor in the same amount may be substituted for the performance bond upon the election of the applicant. Failure to satisfy this requirement shall constitute withdrawal of the approval of the Preliminary Plan.

e) Within thirty (30) days after approval the applicant shall deliver to the Township Secretary a maintenance bond in an amount of not less than twenty (20) percent of the performance bond. This shall guarantee that the applicant shall maintain all required improvements in good condition for a period of two years after completion of construction and installation of all such improvements. Failure to satisfy this requirement shall constitute withdrawal of the approval of the Preliminary Plan.

#### Section 505 - Submission of Final Plan.

(1) Within 30 days after approval of the Preliminary Plan, a Final Plan and all necessary supplementary data shall be officially submitted to the Township Secretary. However, an extension of time may be granted at the option of the Board of Supervisors.

(2) The Final Plan shall conform to the most recent administrative regulations adopted by the Board of Supervisors for such purposes.

AN ORDINANCE OF THE TOWNSHIP OF WEST PIKELAND, COUNTY OF CHESTER, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE WEST PIKELAND TOWNSHIP SUBDIVISION ORDINANCE NO. 15 OF 18 FEBRUARY 1974, AMENDING SECTIONS 504 (2)(b) AND 506 (2)(c) OF THE SUBDIVISION ORDINANCE TO ENLARGE THE TIME WITHIN WHICH THE BOARD OF SUPERVISORS SHALL ACT ON PRELIMINARY AND FINAL SUBDIVISION APPLICATIONS IN ACCORDANCE WITH P.L. 38 OF 1978, NO. 20 AMENDING SECTION 508 OF THE MUNICIPALITIES PLANNING CODE, ACT 247 OF 1968, AS AMENDED.

The Board of Supervisors of the Township of West Pikeland, County of Chester, Commonwealth of Pennsylvania does hereby enact and ordain as follows:

Section 1. Section 504 (2)(b) is hereby amended by the deletion of the second sentence thereof and the substitution therefor of the following:

The Board shall act upon all applications for subdivision not later than 90 days following the date of the regular meeting of the Planning Commission next following the date the application is filed, provided that should the said next regular meeting of the Planning Commission occur more than 30 days following the filing of the application, the said 90 day period shall be measured from the 30th day following the day the application was filed. The Board shall notify the applicant in writing of its decision within 15 days of the making of such decision.

Section 2. Section 506 (2)(c) is hereby amended by the deletion of the Section and the substitution therefor of the following:

The Board of Supervisors shall approve, modify or reject the final plan not later than 90 days following the date of the regular meeting of the Planning Commission next following the date the application for final approval is filed, provided that, should the said next regular meeting occur more than 30 days following the filing of the application the said 90 day period shall be measured from the 30th day following the day the application was filed. The Board shall notify the applicant in writing of its decision within 15 days of the making of its decision.

ENACTED AND ORDAINED this 2<sup>nd</sup> day of Feb., 1981.

BOARD OF SUPERVISORS  
WEST PIKELAND TOWNSHIP

[Signature]  
[Signature]  
[Signature]

ATTEST:

[Signature]  
Township Secretary

(3) The Board of Supervisors may permit submission of the Final Plan in sections, each covering a reasonable portion of the entire proposed development as shown on the approved Preliminary Plan.

(4) Official submission of the Final Plan to the Board of Supervisors shall consist of:

Three (3) copies of the Application for Review of Final Subdivision and/or Plan, three (3) prints of street cross-section drawings including street profiles and finished grades, and nine (9) copies of the Final Plan including lot lines with metes and bounds showing location of permanent markers and Conservation Plan as designated below:

Six (6) black-on-white prints  
One (1) reproducible mylar  
Other prints or reproducibles as may be required.

(5) The Township Secretary shall first insure that all fees have been paid and the necessary performance bonds have been received. The Township Secretary shall then forward all Final Plan documentation to the Planning Commission except one (1) copy of the "Application" and one (1) print of the Final Plan.

(6) The Secretary of the Township shall forward to the County Planning Commission five (5) black-on-white prints of the Final Plan; one (1) copy of the Application for Final Review; one (1) reproducible tracing of the Final Plan; and one (1) print of the street cross-section drawings.

Sections 506 - Review of Final Plan.

(1) Township Planning Commission.

a) The Planning Commission shall review the Plan at a scheduled meeting following its receipt.

b) Within ten (10) days after such meeting the Secretary of the Planning Commission shall send written notice of the action of the Planning Commission to the following:

- (i) Board of Supervisors
- (ii) Applicant

(2) Board Of Supervisors

a) When a written report on a Final Plan has been officially returned to the Board of Supervisors by the Planning Commission, such plan shall be placed on the agenda of the Board of Supervisors for review and hearing.

b) The Board of Supervisors shall review the Final Plan and the written reports of the Township and County Planning Commissions and shall require or recommend such changes and modifications as it shall deem necessary or advisable in the public interest.

c) The Board of Supervisors shall approve, modify, or reject the Final Plan within ninety (90) days of its filing and shall notify in writing the applicant and any persons or groups of persons requesting such notice of decision within five (5) days of the making of its decision.

d) The Board of Supervisors shall designate one (1) print and one (1) mylar of the Final Plan as the official copy. This copy shall include all corrections required by the Board of Supervisors. It shall be retained in the Township files.

e) Copies of the Final Plan as finally approved, with the appropriate endorsement of the Board of Supervisors and the Township engineer shall be distributed as follows:

Three (3) prints and one (1) tracing to the subdivider.

Section 507 - Recording of Final Plan.

(1) After completion of these procedures, all endorsements, including the endorsement of the Township Engineer, shall be indicated on the Record Plan and on as many other copies of the Final Plan as may be desired.

(2) The Record Plan shall be a clear and legible reproducible tracing on linen or dimensionally stable film.

(3) After endorsement by the Township, the developer shall file the Record Plan with the County Recorder of Deeds within thirty (30) days of the date of Final Approval by the Township. If the developer fails to record the Final Plan within such period, the action of the Township shall be null and void, unless an extension of time is granted in writing by the Township upon written request by the developer.

Section 508 - Plans which may be Exempted from Standard Procedures.

(1) In the case of any new proposed subdivision in which all proposed lots will have frontage on an existing public street or road, the following procedure may be followed upon approval from the Planning Commission.

a) The subdivider shall follow the informal procedure for approval of a Sketch Plan, except that drawings submitted for review shall contain the necessary spaces for signature endorsements.

b) Following receipt of notification that the Sketch Plan has been reviewed by the Township Planning Commission, including any recommended or required changes or modifications, the subdivider shall deliver to the Township performance and maintenance bonds as required for a Preliminary Plan.

c) Following Sketch Plan approval, the subdivider may then prepare a Final Plan sufficient to meet the requirements of this Ordinance.

(2) In the case of proposed subdivision of land by process of auction sale, the following procedure shall be used by the subdivider.

a) The subdivider shall prepare and submit a Preliminary Plan, which, in addition, shall contain the following notation:

This property is intended to be sold by auction on or about \_\_\_\_\_, 19\_\_\_\_ in whole or in part according to this plan. Sale of lots at such auction shall be in the form of agreement to purchase, and no actual transfer of ownership or interest in such lots shall proceed until a Final Plan showing such division of property shall have been approved by the Board of Supervisors in accordance with its regulations, and recorded in the office of the County Recorder of Deeds.

b) The auction sale may then proceed in accordance with the above notation, after which the subdivider shall prepare and submit a Final Plan in accordance with these regulations.

Section 509 - Resubdivision Procedure.

(1) These regulations shall not be construed to require an applicant to comply with subdivision procedures in each and every case for minor shifts in lot lines because of excessive topography or similar types of development problems. For purposes of review, however, the Board of Supervisors shall be solely responsible for review and approval of resubmissions involving lot line changes. If major street changes or other modifications to easements or rights-of-way are involved, the County Planning Commission shall be notified and its recommendations considered.

(2) In making any alterations, the following shall be observed:

a) No lot or tract of land shall be created that is smaller than the minimum dimensions required by the Township Zoning Ordinance.

b) Easements reserved for drainage shall not be changed.

c) No lot shall be created which does not abut a street; and

d) The Character of the area shall be maintained.

(3) In every case, the applicant shall prepare a Record Plan and submit said Plan for the endorsements of the Township Engineer and the Board of Supervisors identifying the previous Record Plan and shall record the revised Plan.

Section 510 - Plan Requirements.

(1) Sketch Plan. The scale and sheet size of the Sketch Plan of a proposed subdivision shall be legibly drawn approximately to the scale of one (1) inch equals 600 feet and contain at least:

a) tract boundaries, accurately labelled.

b) the name of the township, county and state in which the development is located.

c) north point

d) written and graphic scales

e) significant topographical and physical features

f) existing and proposed general street and lot

layout

g) date and name of developer and subdivision.

(2) Preliminary Plans.

a) The Preliminary Plan of a proposed development shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet, except that, if the average size of the proposed lots in the subdivision is five (5) acres or larger, the plan may be drawn to a scale of one (1) inch equals one hundred (100) feet. One additional plan shall be filed which shall be at the scale of 1' = 600 feet. The preliminary plan shall contain, where relevant all of the information required in this subsection upon penalty of being refused for filing.

b) The original drawing, and all submitted prints thereof, shall be made on sheets either eighteen (18) inches by twenty-four (24) inches or thirty-six (36) inches by forty-eight (48) inches. If the Preliminary Plan requires more than one sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet.

c) The Preliminary Plan shall show:

(i) name or any other identifying title of the proposed subdivision and of the Township, County and State.

(ii) north point, graphic scale, written scale, and date, including the month, day and year that the original drawing was completed, the month, day and year that the original drawing was revised, for each revision, and a clear and concise description and location of the changes made in each revision.

(iii) name of record owner (and developer)

(iv) name and address of registered engineer, surveyor or land planner responsible for the plan.

(v) the names of all abutting subdivisions, if any, with the book and page numbers where recorded, and the names of the owners of all adjacent unplotted land, if any, and the book and page number where recorded.

(vi) a key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals six-hundred (600) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within one-thousand (1,000) feet of any part of the property.

In addition, the approximate distance to the nearest existing street shall be shown, and a title, scale, and north point shall be indicated.

(vii) total tract boundaries of the property being developed, showing bearings and distances, and a statement of total acreage of the property.

(viii) contour lines at vertical intervals of not more than (2) feet for land with average natural slope of four (4) percent or less, and at intervals of not more than five (5) feet for land with average natural slope exceeding four (4) percent. The datum shall be U. S. Coast and Geodetic Survey.

(ix) location and elevation of the datum used shall be a known, established bench mark,

(x) all existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, water courses, easements, right-of-way and other significant man-made or natural features within the proposed subdivision and within fifty (50) feet from the boundaries of the proposed subdivision.

(xi) all existing buildings and other structures,

(xii) all existing streets, including streets of record (recorded but not constructed), on or abutting the tract, including names, right-of-way widths, cartway (pavement) widths and approximate grades.

(xiii) the full plan of proposed development, including:

a) location and width of all streets and rights-of-way, with a statement of any conditions governing their use

b) suggested street names and utility easement locations

c) building setback lines along each street

d) lot lines with approximate dimensions

e) a statement of the intended use of all non-residential lots and parcels

f) lot numbers and a statement of the total number of lots and parcels

g) sanitary and storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities

h) parks, playgrounds and other areas dedicated or reserved for public use, with any conditions governing such use.

d) The Preliminary Plan shall be accompanied by the following supplementary data:

(i) typical street cross-section drawing(s) for all proposed streets. Cross-section drawings may be shown on either the Preliminary Plan or on profile sheets.

(ii) tentative profiles along the top of cartway (pavement) edges or along the top of curb for both sides of each proposed street shown on the Preliminary Plan. Such profiles shall show natural and finished grades at one of the following sets of scales or any combination thereof:

one (1) inch equals ten (10) feet horizontal and one (1) inch equals one (1) foot vertical, or

one (1) inch equals twenty (20) feet horizontal and one (1) inch equals two (2) feet vertical, or

one (1) inch equals forty (40) feet horizontal, and one (1) inch equals four (4) feet vertical, or

one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical.

(iii) a plan for the surface drainage of the tract to be developed. Such plan shall include storm water run-off calculations for the entire property being developed, and shall show the proposed method of accommodating the anticipated run-off which shall be subject to the approval of the Township Engineer.

(iv) preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Department of Environmental Resources and/or the Pennsylvania Department of Transportation and shall be subject to the approval of the Township Engineer.

(vi) conservation plan overlay, as defined in subsection 4 of this section. Such plan shall be subject to the review of the Chester County Soil and Water Conservation District.

(vii) Documentation that the proposed development will be served by a reliable, safe and adequate water supply. (Amend.5/21/90)

(3) Final Plans. (a) The Final Plan of a proposed subdivision shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet, except that: if the average size of the proposed lots in the subdivision is five (5) acres or larger, the plan may be drawn to a scale of one (1) inch equals one hundred (100) feet.

(b) The original drawing, and all submitted prints thereof, shall be made on sheets: eighteen (18) inches by twenty-four (24) inches or thirty-six (36) inches by forty-eight (48) inches.

If the Final Plan requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.

(c) The Final Plan shall include:

(i) name of proposed subdivision (or other identifying title), and of Township, County and State.

(ii) north point, graphic scale, written scale, and date including the month, day and year that the original drawing of the Final Plan was completed, the month, day and year that the original drawing was revised, for each revision, and a clear and concise description and location of the change made in each revision.

(iii) name of the record owner (and developer) of the tract, and the source(s) of title to the land being developed, as shown by the records of the County Recorder of Deeds.

(iv) the name, address, license number and seal of the registered professional engineer or surveyor responsible for the plan,

(v) the names of all abutting subdivisions, if any, with the book and page numbers where recorded, and the names of the owners of all adjacent unplotted land, if any, and the book and page number where recorded.

(vi) a key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals six-hundred (600) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, municipal boundaries and recorded subdivision plans existing within one-thousand (1,000) feet of any part of the property. In addition, the approximate distance to the nearest street shall be shown, and a title, scale, and north point shall be indicated.

(vii) the total tract boundary lines of the area being developed with accurate distances to hundredths of a foot and bearings to one-quarter ( $\frac{1}{4}$ ) of a minute. These boundaries shall be balanced and closed with an error of closure not to exceed one (1) foot in ten-thousand (10,000) feet; provided, however, that the boundary(s) adjoining additional unplotted land of the subdivider (for example, between separately submitted Final Plan sections) are

not required to be based upon field survey, and may be calculated. The project boundaries shall be tied into the Pennsylvania Coordinate System. The monuments shall be indicated, along with a statement of the total area of the property being developed. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.

(viii) the name (or number) and cartway width and lines of all existing public streets and the name and location of all other roads within the property.

(ix) the following data for the cartway edges (curb lines) and right-of-way lines of all recorded (except those which are to be vacated) and/or proposed streets, and for the right-of-way lines of all existing streets, within the property:

(A) the length (in feet and hundredths of a foot) of all straight lines and of the radius and the arc (or chord) of all curved lines (including curved lot lines), and

(B) the width (in feet) of the cartway, right-of-way and of the ultimate right-of-way, and (in degrees, minutes and quarters of a minute) of the delta angle of all curved lines, including curved lot lines.

(x) all straight lot lines and chords and radii of curved lot lines, defined (in feet and hundredths of a foot) by distances, and (in degrees, minutes and quarters of a minute) either by magnetic bearings or by angles of deflection from other lot and street lines,

(xi) lot numbers and a statement of the local number of lots (and parcels),

(xii) a statement of the intended use of all non-residential lots. A statement of restrictions of any type which exist or will exist as covenants in the deed(s) for all lots contained wholly or in part in the development and, if covenants are recorded, including the deed book and page number.

(xiii) the proposed building reserve (setback) line for each lot, or the proposed placement of each building and where applicable, location of on-site sewage and water facilities.

(xiv) the location (and elevation, if established) of all existing and proposed street monuments.

(xv) all easements or rights-of-way where provided for or owned by public services or any other party who has secured them and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan, and easements shall either be shown or specifically described on the Plan. Utility easements should be located in cooperation with the appropriate public utility companies.

(xvi) location, size and invert elevation of all sanitary and storm sewers and location of all manholes, inlets and culverts (these data may be submitted as a separate plan),

(xvii) if the development proposes a new street intersection with a state legislative route, the Pennsylvania Department of Transportation intersection permit number(s) shall be indicated for all such intersections,

(xviii) a certification of ownership, acknowledgement of plan and offer to dedicate shall be lettered on the plan, and shall be duly acknowledged and signed by the owner(s) of the property and notarized,

(xix) a certificate requesting approval of the plan by the Township Supervisors, Township Engineer and by the Township Planning Commission shall be presented.

(xx) a space measuring three (3) inches square shall be left along the lower edge of the sheet, in order that the Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented,

(d) The Final Plan shall be accompanied by the following supplementary data:

(i) typical street cross-section drawing(s) for all proposed streets. Cross-section drawings may be shown either on the Final Plan or on the profile sheets,

(ii) profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, properly labeled:

(A) existing (natural) profile along both cartway edges or along the center-line of each street

(B) proposed finished grade of the center-line, or proposed finished grade at the top of both curbs, or proposed finished grade at both cartway (pavement) edges.

(C) the length of all vertical curves.

(D) existing and proposed sanitary sewer mains and manholes.

(E) existing and proposed storm sewer facilities and drainage improvements.

The profile sheets shall be legibly drawn at one of the following sets of scales or any combination thereof:

one (1) inch equals ten (10) feet horizontal and  
one (1) inch equals one (1) foot vertical, or

one (1) inch equals twenty (20) feet horizontal and  
one (1) inch equals two (2) feet vertical, or

one (1) inch equals forty (40) feet horizontal and  
one (1) inch equals four (4) feet vertical, or

one (1) inch equals fifty (50) feet horizontal and  
one (1) inch equals five (5) feet vertical.

(iii) all offers of dedication, and covenants governing the reservation and maintenance of undedicated open space, shall bear the certificate of approval of the Township solicitor as to their legal sufficiency.

(iv) such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being developed.

(v) conservation plan.

(4) Conservation Plan.

(a) The Conservation Plan which is required to accompany the Preliminary and Final Subdivision or Development Plans shall be clearly and legibly drawn to the same scale as that of the Preliminary and Final Plans and shall be in the form of a transparent overlay for the Preliminary and Final Plans.

(b) The Conservation Plan shall show the total tract boundaries of the property being subdivided or developed in order to facilitate its use as an overlay, and shall show:

(i) contour lines at vertical intervals or not more than two (2) feet for land with average natural slope of four (4) percent or less, and at intervals of not more than five (5) feet of land with average natural slope exceeding four (4) percent.

(ii) location and elevation to which contour elevations refer; where reasonably practicable, datum used shall be a known, established bench mark.

(iii) all existing water courses, flood hazard areas, tree masses, trees over four (4) inch caliper not part of a tree mass and other significant natural features within the proposed

subdivision and within fifty (50) feet from the boundaries of the proposed subdivision.

(iv) location and results of soil percolation tests whenever on-site disposal of sewage is planned.

(v) location and type of all erosion and sedimentation control measures, including grassed waterways, diversions, debris basins or ponds, structures for water control, open drains and tile, proposed dates when such measures shall be in effect, and supporting data assuring compliance with the erosion and sedimentation control standards set forth in Section 626 of this Ordinance.

(vi) notations indicating all trees or portions of tree masses proposed to be cleared as part of the proposed subdivision or development plan, together with reasons for such clearing. Notations shall be included indicating all proposed alterations of the natural grade, whether by cut or by fill, exceeding two feet, together with reasons for such alterations.

Section 511 - Subdivision and Land Development Agreements. Every application for final approval shall be accompanied by a form of agreement to be approved by the Township Solicitor before it shall be executed by the Board of Supervisors and filed of record. The agreement shall specify the following, where applicable:

1) That the owner agrees that he will layout and construct all roads, streets, lanes or alleys together with all other improvements including grading, paving, curbs, gutters, sidewalks, street lights, fire hydrants, water mains, street signs, shade trees, storm and sanitary sewers, landscaping, traffic control devices, open space and restriction areas, erosion and sediment control measures in accordance with the Final Plan as approved, where any or all of these improvements are required as conditions of approval, and that he shall complete these improvements within the time or times specified by the Board of Supervisors.

2) That the owner guarantees completion and maintenance of all improvements by means of a bond or deposit of funds or securities in escrow.

3) That the owner agrees to tender a deed or deeds of dedication to the Township for such streets and for such easements for sanitary and storm sewers, sidewalks, manholes, inlets, pumping stations and other appurtenances as shall be constructed as public improvements provided that the Township shall not accept dedication of such improvements until their completion is certified as satisfactory by the Township Engineer.

4) Provisions for Dedication of Streets. Whenever a developer proposes to establish or continue a street which is not offered for dedication to public use, the Board of Supervisors shall require the developer to submit, and also to record with the plan, a copy of an agreement made with the Township Supervisors on behalf of himself and his heirs and assigns, and signed by him and by the Township Solicitor, and which shall establish the conditions under which the street may later be offered for dedication, and shall stipulate, among other things:

(a) that an offer to dedicate the street shall be made only for the street as a whole,

(b) that the Township shall not be responsible for repairing or maintaining any undedicated street,

(c) that the method of assessing repair and maintenance costs of undedicated streets be stipulated,

(d) that if dedication be sought the street shall conform to the township specifications or that the owners of the abutting lots shall at their own expense restore the street to conformance with the township specification.

## ARTICLE VI

### Development and Design Standards

Section 600 - Application. The following standards shall be complied with in all subdivisions and land developments. If a developer, however, can clearly show to the satisfaction of the Board of Supervisors that, because of peculiar conditions pertaining to his land, the literal enforcement of these standards would cause undue hardship, such variations from their literal interpretation may be permitted as may be reasonable and consistent with the purpose and intent of this Ordinance.

### Section 601 - Land and Use Requirements.

(1) All proposed subdivisions and land development shall comply fully with the existing zoning regulations applicable to the land, and no parcel of land shall be created, either by inclusion or exclusion from a proposed subdivision, which cannot be properly utilized for a permitted use under the existing zoning regulations.

(2) Land subject to hazards to life, health, or property, such as may arise from fire, floods, disease, or other cause, shall not be subdivided for building purposes or developed unless the hazards have been eliminated or unless the plans show adequate safeguard against them.

(3) No on-site sewage disposal facility shall be permitted to be installed unless applicable township, state and/or County standards are fully satisfied.

(4) No basement, cellar, or slab foundation shall be constructed in a flood hazard area.

(5) Proposed developments shall be co-ordinated with existing nearby neighborhoods with particular reference to street layout and the provision of sanitary sewage and water facilities so that the community as a whole may develop harmoniously.

### Section 602 - General Standards for Public Streets.

(1) The location and width of all public streets shall conform to the "Official Plans" or to such parts thereof as may have been adopted by the Township and/or the County.

(2) The proposed public street system shall extend existing or recorded streets at the same or greater width, but in no case at less than the required minimum width.

(3) Where, in the opinion of the Township Planning Commission, it is desirable to provide for public street access to adjoining property, public streets shall be extended by dedication to the boundary of such property.

(4) New minor public streets shall be so designed as to discourage through-traffic, but the developer shall give adequate consideration to provision for the extension and continuation of major and collector streets into and from adjoining properties.

(5) Where a development abuts an existing public street of improper width or alignment, the Township may require the dedication of land sufficient to widen the street or correct the alignment.

**Section 603 - Partial and Half Streets.**

(1) New half or partial streets will not be permitted, except where essential to the reasonable development of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the public street can be obtained.

(2) The developer shall provide the entire required right-of-way or as much thereof as lies within his property, along all existing public streets which traverse or abut his property.

**Section 604 - Street Widths.** 1. Minimum street right-of-way and cartway: pavement widths shall be as shown on the "Official Plans" or Comprehensive Plan, or if not shown on such plans, shall be as follows:

<u>Public Street Type</u>	<u>Required Width (in feet) With Curbs</u>
Minor Street	
Right-of-way	50
Cartway	30
Collector Street	
Right-of-way	60
Cartway	36
Major Street	
Right-of-way	-----See Note (a) -----
Cartway	-----See Note (a) -----
Permanent Cul-de-sac Street	
Right-of-way	50
Cartway	30
Marginal Access Street	
Right-of-way	-----See Note (b) -----
Cartway	24

NOTES:

- (a) As specified in the "Official Plans", or Comprehensive Plan, or as determined after consulting with the Township, the County Planning Commission, and the Pennsylvania Department of Transportation.
- (b) Variable, depending on use requirements.

Additional right-of-way and cartway widths may be required by the Township Planning Commission for the purpose of promoting the public safety and convenience, or to provide parking in commercial and industrial areas and in areas of high-density residential development.

2. All streets intended to be dedicated shall be paved in accordance with Township regulations.

Section 605 - Street Grades.

- (1) On public streets there shall be a minimum center-line grade of three-quarters (3/4) percent.
- (2) Center-line grades shall not exceed the following:
  - Minor Street: seven (7) percent;
  - Collector Street: six (6) percent;
  - Major Street: six (6) percent;
  - Street Intersection: five (5) percent.

Section 606 - Horizontal Curves.

- (1) Whenever public street lines are deflected in excess of five (5) degrees, connections shall be made by horizontal curves.
- (2) To ensure adequate sight distance, minimum center-line radii for horizontal curves shall be as follows:
  - Minor Streets: one-hundred fifty (150) feet;
  - Collector Streets: three hundred (300) feet;
  - Major Streets: five hundred (500) feet.
- (3) A tangent of at least one-hundred (100) feet shall be introduced between all horizontal curves on collector and major public streets.

Section 607 - Vertical Curve. At all changes of public street grades where the algebraic difference exceeds one (1) percent, vertical curves shall be provided to permit the following minimum sight distances:

- Minor Streets: two hundred (200) feet;
- Collector Streets: three hundred (300) feet;
- Major Streets: four hundred (400) feet.

Section 608 - Intersections.

(1) Public streets shall intersect as nearly as possible at right angles but in no event at less than an angle of less than 60°.

(2) No more than two streets shall intersect at the same point.

(3) A public street intersecting another street shall either intersect directly opposite to it, or shall be separated by at least one-hundred fifty (150) feet between center-lines, measured along the center-line of the street being intersected.

(4) Intersections shall be approached on all sides by a straight leveling area, the grade of which shall not exceed four (4) percent within one-hundred (100) feet of the intersection of the nearest right-of-way lines.

(5) Intersections with major public streets shall be located not less than one thousand (1,000) feet apart, measured from center-line to center-line, along the center-line of the major public street.

(6) Public street curb intersection shall be rounded by a tangent arc with a minimum radius of:

(a) twenty (20) feet for intersections involving only minor streets;

(b) thirty (30) feet for all intersections involving a collector street;

(c) forty (40) feet for all intersections involving a major street;

(7) Public street right-of-way lines shall be parallel to (concentric with) curb arcs at intersections.

(8) Street name signs shall be installed at all street intersections. The design and placement of such signs and the names of the streets shall be subject to the approval of the Township Board of Supervisors.

Section 609 - Sight Distance at Intersections.

(1) Clear sight triangles shall be provided at all public street intersections. Within such triangles, no vision obstructing object shall be permitted which obscures vision above the height of thirty (30) inches and below ten (10) feet measured from the center-line grade of intersecting public streets. Such triangles shall be established from a distance of: two-hundred (200) feet from the point of intersection of the center-lines, except that, clear sight triangles of four-hundred (400) feet shall be provided for all intersections with major public streets.

(2) Wherever a portion of the line of such triangles occurs behind (i.e., from the street) the building reserve (setback) line, such portion shall be shown on the Final Plan of the development, and shall be considered a building setback (reserve) line.

Section 610 - Restriction of Access.

(1) Wherever a development abuts or contains an existing or proposed public street with an ultimate right-of-way of sixty (60) feet or more, the Township Planning Commission shall require restrictions of access to the major street by:

(a) provision of reverse frontage lots, or

(b) provision of public service streets along the rear of the abutting lots, together with prohibition of private driveways intersecting the major streets, or

(c) provision of public marginal streets, provided that the reserve strips establishing such marginal access streets shall be definitely placed within the jurisdiction of the Township under an agreement meeting the approval of the Township. Except as specified above, reserve strips shall be prohibited.

(2) Dead-end public streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.

(3) Any public street dead-ended for access to an adjoining property or because of authorized stage development shall be provided with a temporary, all-weather turnaround, within the development, and the use of such turnaround shall be guaranteed to the public until such time as the public street is extended.

(4) Unless future extension is clearly impractical or undesirable the turnaround right-of-way shall be placed adjacent to the tract boundary line to permit extension of the street at full width.

BOARD OF SUPERVISORS  
WEST PIKELAND TOWNSHIP  
CHESTER SPRINGS, PENNA. 19425

ORDINANCE 86-5-1

AN ORDINANCE TO AMEND THE WEST PIKELAND TOWNSHIP SUBDIVISION ORDINANCE OF 1974 by adding Section 8 to SECTION 610 Restriction of Access.

Section 610 - Restriction of Access.

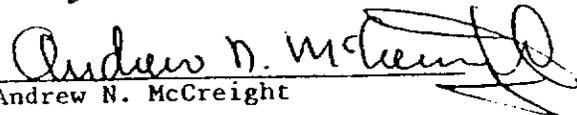
(8) All single access (including cul-de-sac) streets, whether permanently or temporarily designed as such, shall not exceed one thousand (1,000) feet in length.

Enacted and ordained into an Ordinance this 19th day of May, 1986.

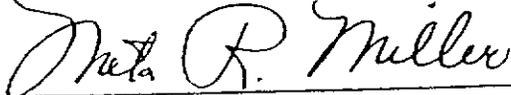
WEST PIKELAND TOWNSHIP  
BOARD OF SUPERVISORS

Alfred R. Brady, Chairman

  
George M. Irwin, Vice Chairman

  
Andrew N. McCreight

ATTEST:

  
Meta R. Miller, Secretary

(5) All cul-de-sac public streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turnaround. The minimum radius to the pavement edge or curb line shall be fifty (50) feet, and the minimum radius of the right-of-way shall be sixty (60) feet.

(6) Drainage of cul-de-sac public streets shall be preferable towards the open end.

(7) The center-line grade on a cul-de-sac public street shall not exceed seven (7) percent, and the grade of the diameter of the turnaround shall not exceed four (4) percent.

Section 611 - Curbs and Sidewalks. Curbs shall be required on all streets; sidewalks may be required to be installed at the discretion of the Board of Supervisors.

(1) Curbs shall be the vertical type. Rolled curb-and-gutter type may be installed only upon the approval of the Board of Supervisors except that rolled curbs shall not be used on streets whose grade exceeds six (6) percent, or on any collector or major streets. The Transition from one type to another shall be made only at a street intersection, and adequate provision shall be made for driveway entrances.

(2) Where required, sidewalks shall be a minimum of three (3) feet in width. Where required, snow strips shall be three (3) feet in width and shall be grassed.

Section 612 - Street Names.

(1) Proposed public streets which are obviously in alignment with others already existing and named shall bear the names of the existing streets.

(2) In no case shall the name of a proposed street duplicate an existing public street name in the Township or in the postal district, irrespective of the use of the suffix street, road, avenue, boulevard, drive, etc.

(3) All public street names shall be subject to the approval of the Board of Supervisors upon recommendation of the Planning Commission.

Section 613 - Block Layout. The lengths, width and shape of blocks shall be determined with due regard to provision of adequate sites for buildings of the type proposed; zoning requirements; topography; and requirements for safe and convenient vehicular and pedestrian

circulation, including the reduction of intersections with major public streets.

Section 614 - Length.

(1) Blocks shall have a minimum length of six-hundred (600) feet.

(2) In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection and pedestrian access.

(3) Where practicable, blocks along major and collector streets shall not be less than one thousand (1,000) feet long.

Section 615 - Crosswalks.

(1) Crosswalks may be required wherever necessary to facilitate pedestrian circulation and to give access to community facilities as well as in blocks of over one thousand (1,000) feet in length.

(2) Such crosswalks shall have a width of not less than ten (10) feet and a paved walk of not less than four (4) feet.

Section 616 - Depth. Residential blocks shall be of sufficient depth to accommodate two tiers of lots, except where reverse frontage lots are required along a major public street, or where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Township Planning Commission may approve a single tier of lots.

Section 617 - Commercial Blocks. Blocks in commercial areas may vary from the elements of design detailed in Section 616 if required by the nature of the use. In all cases, however, adequate provision shall be made for off-street parking and loading areas as well as for traffic circulation and parking for employees and customers.

Section 618 - Lots and Parcels: General Standards:

(1) The size, shape and orientation of lots shall be appropriate for the type of development and use contemplated.

(2) Insofar as practical, side lot lines shall be at right angles to straight public street lines or radial to curved public street lines.

(3) Wherever feasible, lot lines shall follow township boundaries rather than cross them, in order to avoid jurisdictional problems.

(4) Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.

(5) If, after subdividing, there exist sub-standard remnants of land, they shall be either incorporated in existing or proposed lots, or legally dedicated to public use, if acceptable to the township.

#### Section 619 - Lot Frontage.

(1) All lots shall have direct access to a public street, or to a private street and shall have a frontage of at least twenty(20) feet on a public or private street.

(2) Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major public streets or to overcome specific disadvantages of topography or orientation.

(3) All residential reverse frontage lots shall have a rear yard with a minimum depth of sixty (60) feet, measured in the shortest distance from the proposed dwelling unit to the ultimate right-of-way, and shall, within such rear yard and immediately adjacent to the right-of-way, have a planting screen easement of at least ten (10) feet in width, across which there shall be no right of access.

#### Section 620 - Building Setback Lines.

(1) The minimum building setback line shall be in accordance with the Township Zoning Ordinance.

(2) On any lot abutting a railroad, no dwelling shall be placed within seventy-five (75) feet of the nearest existing track, nor within twenty-five (25) feet of any portion of the right-of-way line.

#### Section 621 - Driveways. Driveways constructed within street rights-of-way shall be subject to the following requirements:

(1) Private driveways on corner lots shall be located at least forty (40) feet from the point of intersection of the nearest street right-of-way lines.

(2) In order to provide a safe and convenient means of access, grades on private driveways should not exceed ten (10) percent. In addition, driveways shall be paved where grades exceed seven (7) percent.

(3) In order to provide safe and convenient ingress and egress, private driveway entrances should be rounded at a minimum radius of five (5) feet, or should have a flare constructed that is equivalent to this radius, at the point of intersection with the cartway edge (curb line).

Section 622 - Lot Size.

(1) Lot dimensions and areas shall not be less than specified by the provisions of the Township Zoning Ordinance for the area in which the development is located.

Section 623 - Sanitary Sewage Disposal.

(1) The developer shall provide the highest type of sanitary sewage disposal facility consistent with existing physical, geographical and geological conditions and in conformance with all applicable Township Ordinances and state, county, and federal regulations.

(2) Wherever approval by the Pennsylvania Department of Environmental Resources or by the Federal Government is required for the water supply or sanitary sewage disposal system(s) for a proposed development, the Planning Commission shall require that a copy of such approval certification be submitted with both Preliminary and Final Plan. Where a package plant is contemplated, such system or systems shall be demonstrated to be fully operable before any certificate of occupancy is granted.

Section 624 - Water Supply.

(1) Wherever an existing public or approved community water system is geographically and economically accessible to a proposed development, a distribution system shall be designed to furnish an adequate supply of water to each lot, with adequate main sizes and fire hydrant locations to meet the specifications of the Middle States Department Associations of Fire Underwriters. A copy of the approval shall be established for the ownership and maintenance of such distribution system.

(2) Where individual on-site water supply system(s) are to be utilized, each lot so served shall be of a size and shape to allow safe location of such a system.

WEST PIKELAND TOWNSHIP ORDINANCE NO. 97-11

AN ORDINANCE AMENDING THE WEST PIKELAND TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE IN ORDER TO ADD SWALE REQUIREMENTS TO SECTION 621 THEREOF CONCERNING DRIVEWAYS

1. Private driveways, either individual or shared, shall be provided for all residents and the construction shall be in accordance with the regulations of this section in order to provide safe access to Township and state roads and to eliminate problems of stormwater runoff.
2. No more than three (3) lots shall be served by a single driveway.
3. The edge of the driveway shall be at least one hundred (100) feet from the intersection of the right-of-way lines of corner lots when accessing onto a major or collector street, forty (40) feet when accessing onto any other street.
4. The grade of a driveway within the legal right-of-way of the public road, Township or state, shall not exceed five percent (5%). The grade within the property line shall not exceed ten percent (10%). Driveways exceeding seven percent (7%) grade shall be paved.
5. The width of a driveway within the legal right-of-way of the public road or when carried by a bridge shall be a minimum of ten (10) feet, and shall be a minimum of eight (8) feet at all other points within the property line. Adequate turnaround surface shall be provided on the property so egress to the street is in a forward direction.
6. All driveways shall be surfaced with erosion resistant materials from the edge of the street cartway to a point in the lot twenty-five (25) feet from the right-of-way line of any Township, state or private road. The remainder of the driveway may be constructed of any suitable stone or paved surface.
  - (I) The finished surface of the driveway sloping toward the public road shall be shaped so that no stormwater runoff from the property shall discharge upon the public right-of-way. This shall be accomplished by providing a minimum crown of four (4) inches or a side-to-side slope of six (6) inches and shaping the last twenty (20) feet of length of the driveway at the street line so that all surface runoff discharges on the owner's property.
  - (II) On steep driveways an interceptor may be required at the edges to restrain runoff and deflect it to the side and installation of a concrete drop structure with steel grate cover across the driveway

and connected by storm sewer to appropriate water course also may be required.

- (III) On sloping driveways, the driveway shall be constructed with a valley gutter or swale to permit stormwater to flow across the driveway. This swale shall be located at least three (3) feet from the edge of the cartway of the adjacent public road and shall be at least (2) feet wide. The valley or swale shall have a maximum depth of four (4) inches.
  - (IV) Discharge of roof drains or downspouts onto a driveway which slopes toward the street shall not be permitted. No drain pipe from any basement sump pump, foundation drain, disposal fuel, terrace, roof or pavement shall be discharged onto the public right-of-way
8. The sight distance at the intersection of the proposed driveway with any state, township or private road shall be maintained as specified in the Subdivision Ordinance.
2. This Ordinance shall become effective immediately.

This Ordinance is enacted and ordained on the 6<sup>th</sup> day of October, 1997.

WEST PIKELAND TOWNSHIP  
BOARD OF SUPERVISORS

Robert A. Bandy  
Chairman

Andrew D. McQuinn  
Member

\_\_\_\_\_  
Member

Attest:  
Juni M. Criswell  
Township Secretary

ORDINANCE NO. 84-3

AN ORDINANCE OF THE TOWNSHIP OF WEST PIKELAND,  
COUNTY OF CHESTER, COMMONWEALTH OF PENNSYLVANIA  
AMENDING SECTION 625 OF THE SUBDIVISION ORDINANCE,  
NO. 15 of 1974, AS AMENDED, TO PROVIDE FOR ZERO  
INCREASE IN RUN OFF OF STORM WATER.

The Board of Supervisors of West Pikeland Township,  
County of Chester, Commonwealth of Pennsylvania does hereby  
enact and ordain as follows:

Section 1. Section 625 of the Subdivision Ordinance  
is hereby amended by the addition thereto of the following  
Subsection 7:

Section 7. The provisions of the foregoing  
subsection to the contrary notwithstanding, all  
subdivisions and land developments shall be so  
designed and engineered that there shall be no  
increase either in quantity or velocity of surface  
water run-off after completion of the subdivision  
or land development as a whole over that which  
obtained before subdivision or land development.  
For the purposes of enforcing this sub-section,  
each applicant for subdivision or land development  
approval shall be required to submit calculations  
and specifications for storm water management  
prepared by a registered engineer which calculations  
shall show pre - and post - development run-off  
and the methods designed to insure that there shall  
be zero increase in run-off.

Section 2. This ordinance shall take effect immediately.  
ENACTED AND ORDAINED this 19<sup>th</sup> day of November, 1984.

BOARD OF SUPERVISORS  
WEST PIKELAND TOWNSHIP

Andrew D. McCune  
Alfred A. Brady  
Ray M. ...

ATTEST:  
Walter R. Miller  
Secretary

(3) Where individual on-site water supply system(s) are to be utilized, it is required that the developer provide at least one test well for each ten lots or fraction thereof. Such wells should be drilled, double cased, grout sealed into bed rock, at least fifty (50) feet deep, and shall have a reliable yield of at least five gallons per minute, based on a 24 hour pump test of potable drinking water, as certified by a State or County health officer and in accordance with the Township regulations. The developer shall submit evidence of county approval before any certificate of occupancy is issued.

Section 625 - Storm Drainage.

(1) Where, based upon the recommendations of the County Planning Commission, the Soil Conservation District and the Township Engineer, storm sewers and culverts are required, installations shall be provided to:

- (a) permit unimpeded flow of natural water courses;
- (b) ensure adequate drainage of all low points along the line of streets;
- (c) intercept storm water run-off along streets at intervals related to the extent and grade of the area drained;
- (d) provide positive drainage away from on-site sewage disposal facilities.

(2) Storm sewers and related installations shall be required only when the run-off-storm water cannot be satisfactorily handled within the street cartway.

(3) Where existing storm sewers are reasonably accessible, proposed subdivisions shall be required, if necessary, to connect therewith.

(4) In the design of storm drainage facilities, special consideration shall be given to avoidance of problems which may arise from the concentration of storm water runoff, and to the solution of existing problems.

(5) Storm drainage facilities should be designed not only to handle the anticipated peak discharge of a 100 year frequency storm from the property being developed, but also the anticipated increase in run-off that will occur when all the property at a higher elevation in the same watershed is fully developed.

(6) Where a subdivision or development is traversed by a water course, drainage way, channel, or stream, there shall be provided a drainage easement conforming substantially with the high water line

of such water course attributable to a flood of 100 year frequency, in order to preserve the unimpeded flow of natural drainage, and to provide for future possible widening, deepening, relocating, improving or protecting of such drainage facilities. Any changes in the existing drainage way shall be subject to the approval of the township engineer and the Pennsylvania Department of Environmental Resources.

Section 626 - Erosion and Sedimentation Control.

(1) The developer shall employ available measures for control of erosion and sedimentation and shall meet as a minimum the standards and specifications of the USDA Soil Conservation Service as then adapted for use by the Chester County Soil and Water Conservation District, copies of which are available from the District.

(2) The Township Run-off and Erosion Control Ordinance is hereby made a part of this Ordinance and all of its requirements are applicable to any land development as defined in this Ordinance.

Section 627 - Public Facilities and Open Space

(1) In reviewing subdivision and development plans, the Township Planning Commission shall consider whether community facilities, especially schools, in the area are adequate to serve the needs of the additional dwellings proposed by the development, and shall make such report thereon as it deems necessary in the public interest.

(2) Developers shall give earnest consideration to the desirability of providing or reserving areas for facilities normally required in residential neighborhoods such as schools and other public buildings; parks, playgrounds and playfields. Areas provided or reserved for such community facilities should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed. Prior to the preparation of plans, developers of tracts of larger than 20 acres should review with the staff of the County Planning Commission, the minimum standards for various community facilities applicable to the tract being developed.

(3) In subdivisions which are intended to provide housing for more than fifty (50) families, the Township Planning Commission shall consider the need for suitable open areas for recreation and shall make recommendation thereon. The Board of Supervisors shall require as a minimum, that the following amount of playground and neighborhood park acreage be provided:

<u>Families to be Served</u>	<u>Minimum Playground and Neighborhood Park Acreage to be Recommended</u>
50 - 174	3.0
175 - 374	5.5
375 - 624	6.5
625 - 800	8.0
for each additional 175 families	1.5

However, in no case shall the amount be more than 10 percent of the total area of the subdivision. Such area or areas may be dedicated to the Township by the subdivider if the Board of Supervisors approves such dedication.

Section 628 - Community Assets.

(1) Consideration shall be shown for all natural features, such as large trees, water courses, steep or wooded slopes, historic areas and structures, and similar community assets which, if preserved, will add attractiveness and value to the remainder of the subdivision. Trees and ornamentals shall be preserved wherever possible.

(2) Whenever such natural features may be more effectively preserved by development of tracts in accordance with the "lot averaging" provisions of the Township Zoning Ordinance than with the zoning provisions otherwise applicable thereto, developers shall give full consideration to development in accordance with "lot averaging".

Section 629 - Utility and Drainage Easements.

(1) Where easements are required they shall be a minimum width of twenty (20) feet. No structures shall be placed within such easements.

(2) To the fullest extent possible, easements shall be centered on or adjacent to rear side lot lines.

(3) There shall be a minimum distance of fifty (50) feet, measured in the shortest distance, between any proposed dwelling unit and any petroleum products or natural gas transmission line which traverses the subdivision.

## ARTICLE VII

### Improvement Specifications

#### Section 700 - General Requirements.

(1) Physical improvements to the property being developed shall be provided, constructed, and installed as shown on the Record Plan, in accordance with the requirements of the Township.

(2) As a condition to review of a Final Plan by the Township Planning Commission, the developer shall agree with the township as to installations of all improvements shown on the Plan and required by these regulations. Before the Record Plan may be endorsed by the Township, the developer shall submit a completed original copy of the Subdivision Improvements Agreement.

(3) All improvements installed by the developer shall be constructed in accordance with the design specifications of the township. If there are no applicable County or State regulations, the township may authorize that specifications be prepared by a Registered Professional Engineer.

(4) Supervision of the installation of the improvements required by this ordinance shall in all cases be the responsibility of the Township or of the appropriate state regulatory agency.

#### Section 701 - Sanitary Sewage Disposal and Water System(s).

(1) Sanitary sewage disposal system(s) shall be provided, consistent with the design standards and requirements contained in Section 623 of these regulations. Where it shall appear that the area to be developed or subdivided shall be served within a reasonable time by community sewage system, capped sewers shall be provided.

(2) Wherever feasible, the subdivision shall be provided with a complete public or community water distribution system. The design and installation of such system shall be subject to the approval of the engineer of the appropriate water utility company and/or Township Engineer; the design and installation of such community distribution system shall be subject to the approval of the Pennsylvania Department of Environmental Resources and the County Health Department and such system shall be further subject to satisfactory provision for the maintenance thereof.

Section 702 - Fire Hydrants. Wherever a public or community water supply system is provided, fire hydrants shall be installed within

600 feet of all existing and proposed structures, measured by way of accessible streets as specified by the Middle States Department Association of Fire Underwriters and the fire marshal providing service in the area.

Section 703 - Monuments.

(1) Permanent stone or concrete monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property being subdivided and including all lots being created.

(2) All monuments shall be placed by a registered engineer or surveyor so that the scored (by an indented cross in the top of the monument) point shall coincide exactly with the point of intersection of the lines being monumented.

(3) Monuments shall be set with their top level with the finished grade of the surrounding ground.

(4) All streets shall be monumented (preferably on the right-of-way lines) at the following locations:

(a) At least one monument at each intersection;

(b) At changes in direction of street lines, excluding curb arcs at intersections;

(c) At each end of each curbed street line, excluding curb arcs at intersections;

(d) An intermediate monument wherever topographical or other conditions make it impossible to sight between two otherwise required monuments;

(e) At such other places along the line of streets as may be determined by the Township to be necessary so that any street may be readily defined in the future.

Section 704 - Shade Trees.

(1) No portions of tree masses or trees with caliper of four (4) inches or greater shall be cleared unless clearly necessary for effectuation of the proposed subdivision or development. Developers shall make all reasonable efforts to harmonize their plans with the preservation of existing trees.

(2) When effectuation of a proposed subdivision or development necessitates the clearing of trees or portions of tree masses, developers shall be guided by the following criteria in selecting trees and ornamentals for retention or clearing:

(a) Esthetic values. (Autumn coloration, type of flowers and fruit, bark and crown characteristics, amount of dieback present).

(b) Susceptibility of tree to insect and disease attack and to air pollution.

(c) Species longevity.

(d) Wind firmness and characteristic of soil to hold trees.

(e) Wildlife values (e.g. oak, hickory, pine, walnut and dogwood have high food value).

(f) Comfort to surroundings (e.g. hardwoods reduce summer temperatures to surroundings more effectively than pines or cedars).

(g) Existence of disease, rot or other damage to the tree.

(h) Protection of buildings (e.g. dead and large limbs hanging over buildings should be removed).

(i) The size of the tree at maturity.

(3) Developers shall exercise care to protect trees which are to remain from damage during construction. The following procedures shall be followed in order to so protect remaining trees:

(a) Where existing ground levels are changed, drainage tile will be placed at the old soil level and open into a well built around the base of the tree. Such well may be left open or can be filled with coarse stones or gravel. Tiles may be installed in a radiating pattern or laid in parallel lines.

(b) Trees within twenty-five (25) feet of a building site or bordering entrances or exits to building sites shall be protected by wiring wooden slats around such trees.

(c) No boards or other material shall be nailed to trees during construction.

(d) Heavy equipment operators shall be warned to avoid damaging existing tree trunks and roots. Feeder roots shall not be cut closer than twenty-five (25) feet from tree trunks.

(e) Tree trunks and exposed roots damaged during construction shall be protected from further damage by being treated immediately with "tree paint".

(f) Tree limbs damaged during construction shall be sawed flush to tree trunks and treated immediately with "tree paint".

(g) The operation of heavy equipment over root systems of such trees shall be minimized in order to prevent soil compaction.

(h) Leaf trees shall be given a heavy application of fertilizer to aid in their recovery from possible damage caused by construction operations.

(i) Construction debris shall not be disposed of near or around the bases of such trees.

(4) Trees with a minimum caliper of one and one-half ( $1\frac{1}{2}$ ) inches shall be provided where deemed advisable by the Township Planning Commission and/or Supervisors. The criteria for selection of trees to be planted shall be those enumerated in Section 704.

Section 705. - Street Construction. The Board of Supervisors shall from time to time adopt such specifications for the construction of streets and roads as are technically recognized and approved.

WEST PIKELAND TOWNSHIP  
CHESTER COUNTY, PA

RESOLUTION

WHEREAS, the Board of Supervisors enacted Ordinance No. 15 in West Pikeland Township Subdivision Ordinance on the 18th day of February 1974 and;

WHEREAS, the said ordinance, Section 705 provides that the Board of Supervisors shall from time to time adopt such specifications for the construction of streets and roads as are technically recognized and approved and;

WHEREAS, the Board of Supervisors desires that such regulations be adopted and promulgated for use in the construction of new roads within West Pikeland Township.

NOW THEREFORE be it resolved that the following regulations governing the design and construction of new roads in West Pikeland Township shall be and are hereby adopted.

1. The design standards established by Sections 603 through 612 of the aforementioned West Pikeland Township Subdivision Ordinance are confirmed with the following exceptions:
  - a. Upon application by a developer the Board may waive the requirement for a 30 foot wide cartway required by Section 603 within residential subdivisions in accordance with the following regulations.
  - b. Upon application by a developer the Board may waive the requirement for limitation of centerline grades, established at 7% in Section 605 to permit grades up to 10% where required to avoid excessive grading of streets in residential subdivisions.
  - c. At intersections of residential streets with major public streets, the clear sight triangles as specified in Section 609 shall consist of 400 feet of sight distance along the axis of the major highway taken from a point 15 feet from the edge of paving of the major highway along the axis of the intersecting residential street. Stop signs shall be required on the minor street at all intersections with major highways.
2. All materials entering into the construction of streets and the methods of construction and drainage shall be in accordance with the applicable requirements of the Pennsylvania Department of Transportation specifications, Form 408, dated 1976, or the latest revision thereof. Cross-sections shall be as detailed in Appendix I, attached hereto and made a part of these regulations

a. Subgrade

- 1) The area within the limits of the proposed road surface shall be shaped to conform to the line, grade, and cross-section of the proposed road.
- 2) Remove or stabilize all unsuitable subgrade materials.
- 3) Wet or swampy areas shall be permanently drained and stabilized.
- 4) Fills shall be made with suitable materials and thoroughly compacted for full width in uniform layers of not more than eight (8) inches thick.
- 5) The subgrade shall be thoroughly compacted by rolling with a minimum ten-ton roller.
- 6) Backfill of trenches within the cartway and curb area shall be thoroughly compacted prior to application of the base course.

b. Base Course

- 1) Base course shall be stone, crushed aggregate base course thoroughly compacted to a depth of not less than eight (8) inches after completion of rolling. Coarse aggregate shall conform to the grading for Pennsylvania Department of Transportation No. 4 aggregate, Type A. Materials and installation shall be in accordance with Pennsylvania Department of Transportation specifications, Form 408, latest edition.
- 2) No material shall be placed on a wet or frozen subgrade.
- 3) Prior to the placing of coarse aggregate, a two (2) inch layer of fine aggregate shall be spread over the entire subgrade.
- 4) Coarse aggregate shall be spread uniformly on the prepared bed and thoroughly compacted with a ten-ton roller. Rolling shall continue until the material does not creep or wave ahead of the roller wheels. Coarse aggregate shall be choked with fines and compacted in accordance with Pennsylvania Department of Transportation specifications.

c. Bituminous Surface

- 1) Bituminous material ID-2A hot mix, with two (2) inches of base course and one (1) inch of surface course.

- 2) The completed road surface shall have a uniform slope totaling four (4) inches from edge to center line, except that on superelevated curves, this slope shall not be less than one-quarter ( $\frac{1}{4}$ ) inch per foot and shall extend up from the inside slope to the outside edge of the paving.

d. Grading and Shoulders

- 1) Roadways shall be graded for not less than six (6) feet beyond the edge of the proposed paving on each side as shown in Appendix I. This grading shall be provided to allow for sidewalks and planting strips. Beyond the limits of this grading, banks shall be sloped to prevent erosion but this slope shall not have a ratio of more than one (1) foot vertical to three (3) feet horizontal with tops of slope in cuts rounded.
3. The provisions of the Erosion and Sedimentation Control Plan, approved by the Board, shall be implemented by the developer before and during the construction of all public improvements. Sedimentation basins, diversions and sediment barriers shall be in place before grading is commenced; and upon completion of grading, prompt seeding and/or sodding of slopes and placement of base to prevent erosion will be required.
4. All streets, storm drains, sewers and sewer laterals, water mains and services, monuments, street signs and other public improvements required shall be installed in accordance with the approved plans, the applicable provisions of the Pennsylvania Department of Transportation Specifications, Form 408, dated 1973, or the latest revision thereof, or other applicable regulations. The construction or installation of all public improvements shall at all times be subject to inspection by a designated representative of the Township. At a minimum, inspection shall be conducted upon completion of rough grading and installation of storm drainage facilities to determine the stability of subgrade and to determine if grading and installation of storm drainage facilities are in accordance with the approved plans, at the completion of fine grading and before base is applied, during and upon completion of base course, during the installation of paving and upon completion of all work. The Township may require the installation of additional base, special subgrade materials, underdrains or other facilities or materials required in order to obtain a stable road base. The Township may elect to have the final road inspection conducted by representatives of the Pennsylvania Department of Transportation and the acceptance of the road may be subject to approval of that Department. If any inspection reveals that work is not in accordance with approved plans and specifications or that construction is not being done in a workmanlike

manner, said representative is empowered to stop work and/or to require corrections to be made. The developer shall notify the Board of the schedule of anticipated road or other improvement construction twenty-four (24) hours before commencement of each inspection stage noted hereinbefore.

5. The provisions of this Resolution shall be effective immediately.

ADOPTED this 5<sup>th</sup> day of September 1978

Thomas H. Leshton

Chairman

George M. Shwin

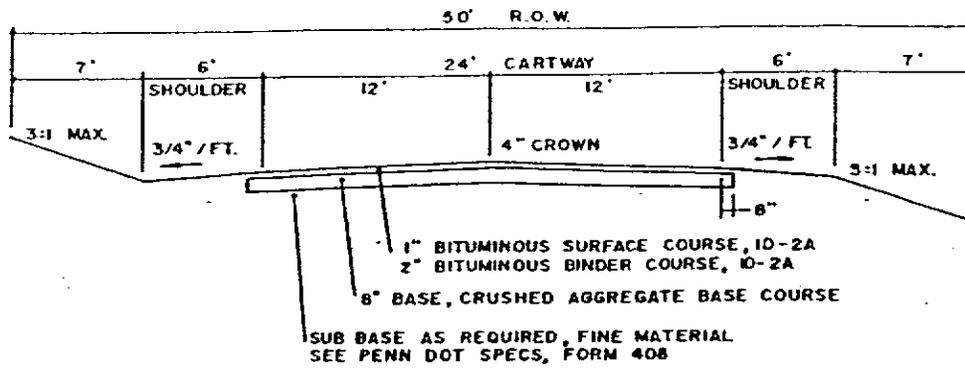
Supervisor

Andrew N. McClellan

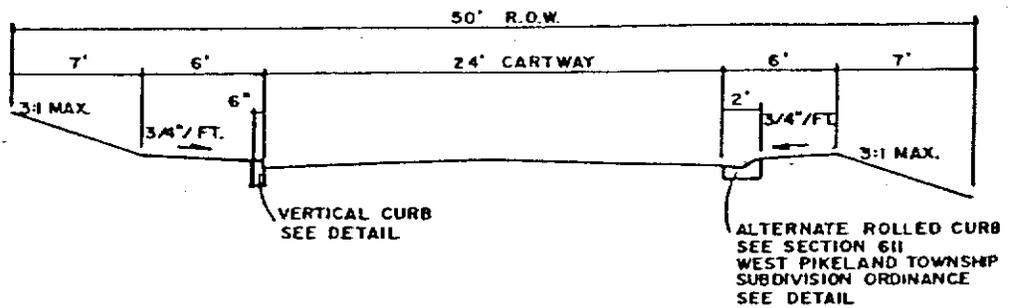
Supervisor

ATTEST

Neil J. [Signature]  
Secretary

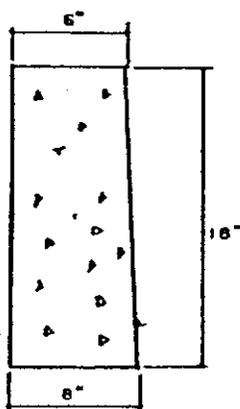


TYPICAL ROAD SECTION

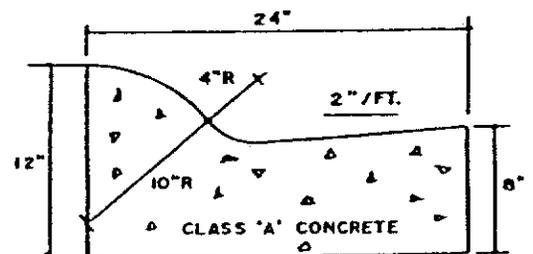


ALTERNATE ROAD SECTION

NOTE: ALL ROAD AND CURB MATERIAL TO BE PREPARED & INSTALLED  
IN ACCORDANCE WITH PENN DOT FORM 408 SPECIFICATIONS LATEST EDITION.



VERTICAL CURB DETAIL



ALTERNATE ROLLED CURB DETAIL

WEST PIKELAND TOWNSHIP  
APPENDIX - I  
ROAD STANDARDS  
SHEET

AMENDMENT AND ADDITION 6/5/78

An Ordinance to Amend the West Pikeland Township Subdivision and Land Development Ordinance by Adding Thereto a New Article VIII Regulating Mobile Home Parks; Their Design, Development, Alternation, Extension, Operation and Maintenance; Licensing; Setting Forth Certain Street, Parking, Walk, Open Space and Density Requirements; and Providing Penalties for Violation.

Section I. The West Pikeland Township Subdivision and Land Development Ordinance is hereby amended by adding thereto a new Article VIII as follows:

ARTICLE VIII

Mobile Home Parks

Section 800. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Article to have the meaning herein indicated.

(1) Mobile home. A transportable, single-family dwelling intended for permanent occupancy contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation, including any addition or accessory structure, such as porches, sheds, decks or additional rooms.

(2) Mobile home lot or site. A parcel of land in a mobile home park, improved with the necessary utility connections

and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the owner or occupants of the mobile home erected on the lot.

(3) Mobile Home Park. A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.

(4) Landowner. The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner or other person having a proprietary interest in the land.

(5) Common Open Space. A parcel or parcels of land or an area of water or a combination of land and water within a mobile home park site designed and intended for the use or enjoyment of residents of the mobile home park, not including streets, off-street parking areas, areas set aside for public facilities, required setbacks and buffers, and off set areas as described in § 802 (4).

(6) Mobile Home Pad. A concrete pad at least six inches in thickness with at least six tie-down rings to which the mobile home shall be secured, and equal in length and width to the dimensions of the mobile home to be placed thereon.

(7) Person. An individual, corporation, officer of a corporation, or individual controlling a corporation, partnership, trustee or other form of fiduciary.

Section 801. Application Procedure

An application for development of a lot or parcel of land for mobile home park purposes shall be made and approved or approved as modified before any zoning permit for such use shall issue.

Article V of the Subdivision Ordinance shall govern the processing of all applications for mobile home park development, and is accordingly incorporated herein in its entirety.

In addition to the requirements contained in Article V of the Subdivision Ordinance, an application for preliminary or final approval of a mobile home park shall indicate by drawings, diagram, maps, text, affidavit or other legal instrument, the following:

- (1) That the parcel or lot for which application is made is held in single and separate ownership.
- (2) The placement, location and number of mobile home lots and mobile home pads on a layout map of the parcel at a scale of one inch equals fifty feet.
- (3) The location and dimension of all driveways, pedestrian ways, sidewalks, and access roads with notation as to type of impervious cover.
- (4) The location and dimension of all parking facilities.

(5) The locale, dimension and arrangement of all areas to be devoted to lawns, buffer strips, screen planting and recreation.

(6) Location and dimension of all buildings existing or proposed to be built and all existing tree masses and trees of over six inch caliper.

(7) Proposed provisions for handling of storm water drainage, street and on-site lighting, water supply and electrical supply in the form of written and diagrammatic analysis with calculations and conclusions prepared by a registered professional engineer.

(8) Proposed provisions for treatment of sanitary sewage together with the feasibility report upon which such proposals are based, proof that the treatment and disposal of such sewage meets with and has the approval of the agency of the Commonwealth having jurisdiction over such matters and the design, working drawings, specifications and operating procedures to demonstrate that the proposed system will comply with all applicable standards.

Section 802. Area and Density Regulations; Skirting

(1) A mobile home park shall have an area of not less than 10 acres and shall be located within the mobile home park-area (MH) as shown on the West Pikeland Township Zoning Map.

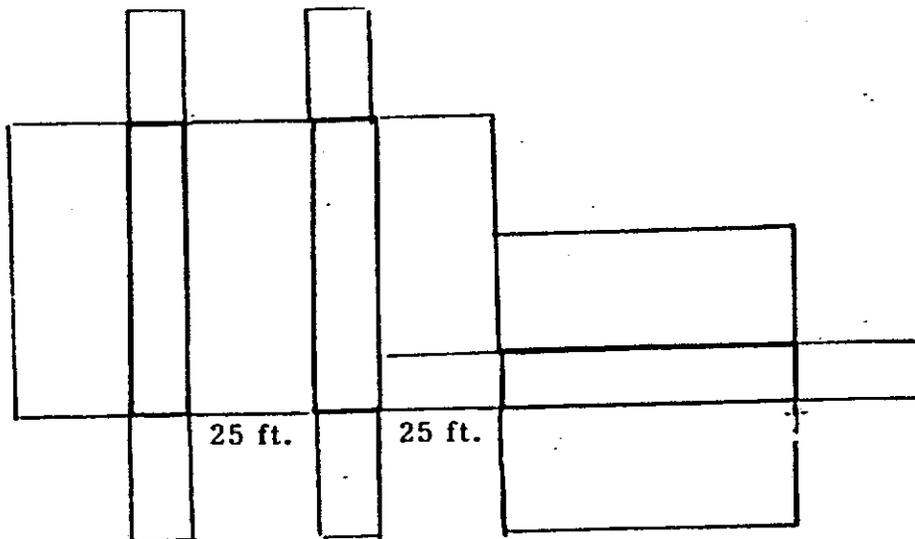
(2) No mobile home, office or service building shall be closer to a public street right-of-way line than 100 feet,

nor closer to the edge of an interior street than 50 feet, nor closer to an adjacent property than 100 feet.

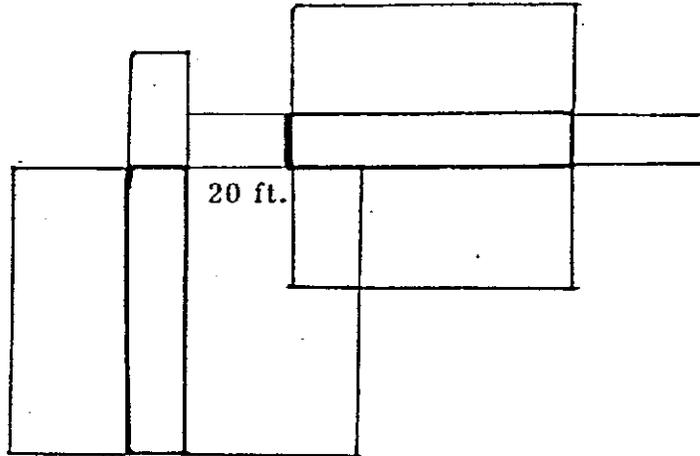
(3) There shall be no more than 3.5 mobile homes per gross acre.

(3a) All mobile homes shall be fully skirted with metal or some other non-transparent weatherproof material so that no portion of the undercarriage of the mobile home or the concrete pad on which the mobile home is set shall be visible. Such skirting shall be of such color so as to blend with the color of the mobile home. Such skirting shall be removable both in connection with maintenance of the mobile home and in connection with removal of the mobile home from its pad.

(4) (a) There shall be no mobile home unit sited within an area bounded by 25 feet and the parallel extension lines from the exterior walls of each mobile home unit, depicted as follows:



(b) No mobile home or accessory structure shall be sited so that it is within 20 feet of any other mobile home or accessory structure, depicted as follows:



(5) At least thirty percent of the remaining gross area of each mobile home park, after subtraction of required buffer areas, shall be set aside as common open space for the use and enjoyment of the residents of the mobile home park. Such common open space shall be substantially free of structures except for those designed for recreational purposes. In the aggregate, structures designed for recreational purposes shall not be sited on more than fifteen percent of the common open space.

Section 803. Park Street System.

(1) The entrance road or area connecting the park with a public street or road shall have a minimum pavement width of thirty-four feet for a depth of at least one hundred feet from the public street or road.

(2) Street Construction and Design.

(a) Grades: Grades of all streets within a mobile home park shall be sufficient to insure adequate surface drainage but shall not be more than six percent.

(b) Curves:

(i) Horizontal. Whenever an internal street is deflected in excess of 5 degrees, connections shall be made by horizontal curves having minimum center line radii of 150 feet.

(ii) Vertical. At all changes in grade of an internal street where the algebraic difference exceeds one percent, vertical curves shall be provided to permit a minimum sight distance of 200 feet.

(c) Within 100 feet of an intersection, intersecting streets shall be at approximately right angles. A distance of at least 150 feet shall be maintained between the centerlines of off-set intersecting streets. Intersections of more than two streets at one point shall be prohibited.

(d) All internal streets and roadways shall be constructed of concrete or macadam of sufficient bearing strength and design to accommodate mobile home units and of sufficient width to accommodate anticipated traffic and parking. In no case shall an internal street or roadway have less than 20 feet of paved width. Dead-end streets shall be provided at the closed end with a turnaround having an outside radius of not less than 40 feet.

(3) Illumination of Streets. All mobile home parks shall be furnished with lighting fixtures so spaced and so equipped with luminaries as will provide adequate levels, as determined by the township engineer, of illumination throughout the park for the safe movement of vehicles and pedestrians at night.

(4) Preservation of Sight Lines. No structure, fence, tree, shrub or other planting shall be maintained between a line two feet above the street level and a plane seven feet above the street level so as to interfere with traffic visibility across the corner within the triangle bounded by the intersecting street lines and a straight line drawn between points on each street twenty-five feet from the intersection of said street lines.

Section 804. Off-street Parking Areas and Walks.

(1) Off-street parking for at least two motor vehicles shall be provided at each mobile home site. Each parking stall shall be at least 10 x 20 feet and shall be of either gravel or porous pavement, which shall be specified in the plan. Off-site common parking areas may be provided in lieu of parking slots at each mobile home site; but, in such case, parking slots shall be provided at the ratio of two slots for each mobile home site not equipped with on-site parking.

(2) Additional parking spaces for vehicles of non-residents shall be provided at the rate of five (5) spaces for each 10 units. Such parking spaces may be provided either:

(a) On-street, on one side only, in which case the road width requirement specified in Section 803 (2) (d) shall be increased by adding 7 feet to the paved width; or

(b) By providing sufficient additional off-street parking spaces. In the event that such additional parking spaces are provided off-street, then parking shall be prohibited on internal roads and it shall be the duty of the owner or operator of the mobile home park to enforce this provision.

(3) All mobile home parks shall provide safe, convenient, all-season pedestrian walkways of adequate width for their intended use, durable and convenient to maintain, between the park streets and all community facilities provided for park residents.

(a) Where pedestrian traffic is concentrated, each walk shall have a minimum width of 3 1/2 feet.

(b) All mobile home sites shall be connected to common walks, and to streets or to driveways connecting to a paved street. Each such walk shall have a minimum width of 2 1/2 feet.

Section 805. Storm Drainage, Erosion and Sedimentation Control.

All requirements contained in the West Pikeland Township Runoff and Erosion Control Ordinance shall be applicable

to all mobile home park developments, and are accordingly incorporated herein by reference.

Section 806. Water Supply.

(1) Wherever an existing public water system is geographically and economically accessible to the proposed mobile home park, a distribution system connecting thereto shall be designed to furnish an adequate supply of water to each mobile home and all service buildings with adequate main sizes and fire hydrant location to meet the specifications of the Middle States Department Association of Fire Underwriters. Applicant shall provide proof of adequacy of supply before any permit shall issue.

(2) Where a satisfactory public water supply system is not available, a mobile home park may be served by a community water supply system which shall meet all applicable requirements and regulations of state and county agencies having jurisdiction. Applicant shall provide proof of adequacy of supply before any permit shall issue.

Section 807. Sanitary Sewage Disposal.

(1) Wherever an existing public sanitary sewer system is geographically and economically accessible to the proposed mobile home park, the park's sanitary sewer system shall be connected thereto.

(2) Where a satisfactory public sanitary sewer system is not available, a mobile home park shall be served by the highest type sanitary sewage disposal facility consistent with existing physical, geophysical and geological conditions and in conformance with all applicable requirements of the Department of Environmental Resources, township ordinances and state, county and federal regulations. Such sanitary sewage disposal facility may include a spray irrigation system constructed and operated in conformity with all state and county regulations.

(3) Any community sewage system, the effluent of which is proposed to enter a watercourse of the Commonwealth of Pennsylvania, must be designed to comply with all effluent control standards established by state, county and municipal authorities and shall be operated at all times at that level of efficiency.

Section 808. Utility Distribution System.

All utilities shall be installed and maintained in accordance with utility company specifications regulating such systems, and shall be underground.

Section 809. Common Open Space Areas and Buffers.

(1) Standards for location and management. Common open space areas shall be located and designed as areas easily accessible to residents and preserving natural features. Common open space areas should include both active recreation areas for all age groups and, particularly where the site includes a watercourse or hilly or wooded areas, land which is left in its natural state.

At least 50 percent of the open space areas shall be located in an area not subject to flooding and which is usable for active recreational use. No such active recreational open space areas shall be less than 1/2 acre in size.

(2) Buffered setbacks shall consist of a visual screen of mixed evergreen and deciduous plant material of varying species. At the time of planting, a sufficient amount of evergreen material to visually screen the property shall be at least 5 feet in height (after planting) and the remainder of plantings may be of varying lesser heights.

(3) The plantings shall be maintained permanently and replaced within six months in the event of death of any plant material. Plantings shall not be placed closer than 3 feet from any property line.

(4) All existing deciduous and evergreen trees above 2 inches in caliper and/or 6 feet in height shall be preserved in the buffer areas, except where clearance is required to insure sight distance.

(5) Generally, a minimum of 50 percent of plant material shall be evergreen and 10 percent flowering material.

#### Section 810. Service Buildings and Facilities.

(1) Where a service building is to provide laundry facilities and/or a management office, it must contain a toilet and lavatory.

(2) Construction Requirements and Maintenance.

Construction of service buildings shall be in compliance with all applicable building codes, plumbing codes, etc., and shall be maintained in a clean, sanitary and structurally safe condition.

Section 811. Fuel Supply and Storage

(1) Liquified Petroleum Gas Systems.

(a) The design, installations and construction of containers and pertinent equipment for the storage and handling of liquified petroleum gases shall conform to the Act of Pennsylvania Legislature 1951, December 27, P.L. 1793, as it may be amended; and to the regulations therefor promulgated by the Pennsylvania Department of Labor and Industry, or its successor.

(b) Liquified petroleum gas systems provided for mobile homes, service buildings or other structures when installed shall be maintained in conformity with the rules and regulations of the Pennsylvania Department of Labor and Industry and shall include the following:

(i) Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.

(ii) Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.

(iii) All liquified petroleum gas piping outside of the mobile home shall be well supported and protected against mechanical injury. Undiluted liquified petroleum gas in liquid form shall not be conveyed through piping equipment or systems in mobile homes.

(iv) Vessels of at least 12 U.S. gallons and less than 60 U.S. gallons gross capacity shall be maintained in a vertical position and shall be securely, but not permanently, fastened to prevent accidental overturning. No vessel shall be placed any closer to a mobile home exit than five feet, and no closer to any window than three feet.

(v) No liquified petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure.

(vi) All pipe connections shall be of a flare type.

## 2. Fuel Oil Supply Systems.

(a) All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with the rules and regulations of the authority having jurisdiction.

(b) All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.

(c) All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shut-off valves located within five inches of storage tanks.

(d) All fuel storage tanks or cylinders shall be securely placed and shall not be less than five feet from any mobile home exit, and not less than three feet from any window.

(e) Storage tanks located in areas subject to traffic shall be protected against physical damage.

Section 812. Fire Protection.

(1) All mobile home parks shall be provided with fire hydrants to meet the specifications of the Middle States Department Association of Fire Underwriters, but in any case, in sufficient numbers to be within 600 feet of all existing and proposed structures and mobile homes, measured by way of accessible streets.

(2) Portable hand-operated fire extinguishers of a type suitable for use on oil fires and approved by the local fire prevention authority shall be kept in each service building under park control and shall be required by the mobile home operator to be placed in each mobile home in the park, located inside the mobile home in a fixed location preferably near a door but not in close proximity to cooking facilities.

Section 813. Landscaping.

(1) No portions of tree masses or trees with caliper of two (2) inches or greater shall be cleared unless clearly necessary for effectuation of the proposed mobile home park development. Applicants shall make all reasonable efforts to harmonize their plans with the preservation of existing trees.

(2) In addition to plantings for buffered setbacks, a mobile home park shall be provided with the following landscaping requirements:

(a) Disturbed topsoil shall be stockpiled and replaced after construction.

(b) Deciduous trees of varying species shall be planted within the mobile home park at the ratio of four per mobile home. In the event that a substantial portion of the tract is wooded and a substantial number of trees remain after development, the governing body may modify this requirement.

(c) Deciduous and/or evergreen shrubs of varying species shall also be planted within the mobile home park at a ratio of at least four per mobile home.

(d) Planting of landscape material shall be in accordance with a plan prepared by a registered landscape architect and shall be completed within six months of approval of Final Plan, and failure to carry-out the landscaping plan within such time shall warrant denial of the park's annual license under Section 814(2) hereof.

Section 814. Permits Required.

(1) It shall be unlawful for any person to construct, alter or extend or operate a mobile home park within West Pikeland Township unless and until he obtains:

(a) A valid permit issued by the Chester County Department of Health, in the name of the operator, for a specified construction, alteration or extension proposed, and

(b) A permit issued by the West Pikeland Township subdivision officer in the name of the operator, which shall not be issued until a copy of the health department permit has been furnished, all permits for water supply and sewage systems shall have been obtained and all other requirements contained herein have been complied with, and final approval of the application has been granted by the governing body.

(2) Annual Licenses. In addition to the initial permits, the operator of a mobile home park shall apply to the Chester County Department of Health and to the West Pikeland Township subdivision officer on or before the first day of January of each year for an annual license to continue operation of the mobile home park. The subdivision officer shall issue the annual license upon satisfactory proof that the park continues to meet the standards prescribed by state and county agencies

having jurisdiction and the standards of this Ordinance. The license so issued shall be valid for one year from the date of issuance. The subdivision officer may refuse to issue an initial permit if, in his opinion, there is clear evidence that either the character or prior business experience of the applicant is such that issuance of the permit would not be in the best interest of the residents of West Pikeland Township.

(3) Assignability. Before any person can assign a permit or a license issued under this section or any of the rights thereunder, all of the provisions of Sections 814 and 817 must be satisfied on the same basis as though the assignee were a new applicant.

(4) Fees.

(a) Fees for the initial application and preliminary and final approvals shall be prescribed by regulation by the governing body of West Pikeland Township.

(b) The fee for the annual license shall be prescribed by regulation of the governing body and shall be submitted to the subdivision officer with the application for the annual license.

(5) Inspection.

(a) Upon notification to the licensee, manager or person in charge of a mobile home park, a representative of West Pikeland Township may inspect a mobile home park at any reasonable time to determine compliance with this Ordinance.

(b) Upon receipt of the application for annual license and before issuing such annual license, the subdivision officer or other designated representative of West Pikeland Township shall make an inspection of the mobile home park to determine compliance with this Article. The subdivision officer or other representative shall thereafter notify the licensee of any instances of non-compliance with the Article and shall not issue the annual license until the licensee has corrected all such violations.

Section 815. Maintenance of Facilities.

The operator and owner shall be responsible for maintaining all common facilities including, but not limited to roads, parking areas, sidewalks or pathways, common open space, water supply and sewage disposal systems and service buildings, in a condition of proper repair and maintenance. If upon inspection by the subdivision officer or other representative it is determined that the mobile home park is not in compliance with this standard of maintenance, the licensee shall be considered to be in violation of this Article and the subdivision officer shall notify the operator or licensee of the particulars of any such violation.

Section 816. Failure to Maintain.

The operator and licensee shall thereafter have 30 days in which to correct any such violations, except that if the

violation is determined by the subdivision officer or other representative to constitute a hazard to the health or safety of the resident of the mobile home park, he shall order that the violation be corrected forthwith.

Section 817. Maintenance Bond.

(1) The licensee of a mobile home park shall, prior to issuance of any certificate of occupancy pursuant to final approval of an application, post with the Township a maintenance bond in a form acceptable to the Township solicitor in an amount sufficient to cover, for a period of two years, the cost of maintenance of all common facilities as defined in Section 815, as determined by the Township subdivision officer or other representative. Such bonding shall remain in effect for the duration of the operation of the mobile home park.

(2) In the event of non-compliance with an order pursuant to Section 816, whether a 30 day order or an order to correct violations forthwith, the Township may forfeit the maintenance bond and use the proceeds thereof to effect correction of the violations.

Section 818. Summary Offense.

Any person who violates any provision of this Article shall be guilty of a summary offense and upon conviction shall be required to pay a penalty for the use of West Pikeland Township in a sum not more than \$1,000.00, together with the costs of

prosecution or shall be imprisoned for a term not to exceed 30 days, or both. Each day that a violation is continued shall constitute a separate offense.

Section 819. Revocation or Suspension of License.

Upon repeated violations by the same permittee, such permittee's right to the issuance of a permit, or to continued operation under a permit, may be suspended for a fixed term or permanently revoked, after notice and hearing, subject to the right of appeal to the Chester County Common Pleas Court.

Section 2. Article VIII of the West Pikeland Township Sub-division and Land Development Ordinance shall be renumbered Article IX and Sections 800 through 805 shall be renumbered Sections 900 through 905, respectively.

Section 3. The effective date of this ordinance shall be ten (10) days after publication as required by law.

Approved and adopted by the Board of Supervisors of West Pikeland Township this 5 day of June, 1978.

Thomas A. Lichten  
Chairman

Orlando D. McLaughlin

Greg M. Allen

ATTEST:

Meta R. Miller  
Township Secretary

ARTICLE IX

Amendments, Penalties, Appeals, Validity, Repealer

Section 900 - Amendments.

(1) Power to Amend. The regulations set forth in this Ordinance may, from time to time, be amended by the Board of Supervisors.

(2) Procedure. The following requirements shall be observed prior to making any amendment to this Ordinance.

(a) Proposed amendments must be submitted to the Planning Commission for their recommendation before any further public action is taken:

(b) The recommendations of the Planning Commission shall be submitted to the Board of Supervisors in a written report. Failure to submit such report within thirty (30) days shall constitute an approval.

(c) Upon receipt of the report of the Planning Commission, a public hearing pursuant to public notice on the proposed amendment shall be held, at which time the parties in interest and citizens shall have an opportunity to be heard.

Section 901 - Penalties (Amended 5/21/90)

Any person, partnership or corporation who or which has violated any provision of this ordinance shall, upon being found liable therefor in a civil enforcement proceeding, pay a judgment of not more than \$500., plus all court costs including reasonable attorney's fees incurred by the township as a result thereof. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall have been only one such violation until the fifth day following the date of determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

The township may bring any action in law or in equity to enforce the provision of this ordinance, and is authorized to undertake any of the preventive remedies set forth in Section 515.1 of the Municipalities Planning Code.

Section 902: - Appeals. In any case where the Board of Supervisors shall disapprove a Preliminary Plan or a Final Plan, any person aggrieved thereby may, within thirty (30) days, appeal therefrom by petition to court.

Section 903 - Validity. If any section, paragraph, subsection, clause, or provisions of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.

Section 904 - Repealer. All Ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 905 - Effective Date. This Ordinance shall become effective ten (10) days after final approval.

Enacted and ordained into an Ordinance this 18th day of February  
A.D. 1974

BOARD OF SUPERVISORS

Attest:

/s/ Marguerite S. Grady

/s/ Andrew N. McCreight

/s/ Thomas G. Ashton

/s/ John T. Scott

Chairman

## AMENDMENTS

**West Pikeland Township**

**Subdivision and Land Development Ordinance**

**Amendments Supplementary to Zoning Ordinance Adopted April 25, 2005**

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*The following definitions shall be added to Section 201*

**Section 201. DEFINITION OF TERMS**

**BUFFER or BUFFERING** – Provision for year-round visual and/or sound attenuation between uses, through the application of such means as plantings, earthen berms, depressions, fences, and walls.

**CALIPER** - The diameter of a tree trunk measured at a point six (6) inches above ground level.

**DBH or dbh** - See **DIAMETER AT BREAST HEIGHT**

**DIAMETER AT BREAST HEIGHT (DBH or dbh)** - The diameter of a tree trunk measured at a point four (4) feet above ground level.

**DRIP LINE** - A generally circular line, the circumference of which is determined by the outer reaches of a tree's widest branching points.

**EFFECTIVE VISUAL SCREEN or EFFECTIVE VISUAL SCREENING**- A wall, fence, plantings, earth works, or combinations thereof, which are arranged or placed as provided in Section 630 of this Ordinance to create either an opaque visual barrier or to provide for a filtered view which diverts attention from, or obstructs at least fifty (50) percent of an otherwise clear view of a use or activity during all seasons of the year.

**FLOOR AREA, GROSS** – See “Gross Floor Area.”

**GROSS FLOOR AREA** - The floor area within the perimeter of the outside walls of the building under consideration, or from the centerline of the wall separating two (2) buildings, without deduction for hallways, stairs, closets, thickness of walls, or other features.

**HEDGEROW**: A hedgerow is a linear plant community dominated by trees and/or shrubs. Hedgerows often occur along roads, fence lines, property lines, or between fields, and may occur

naturally or be specially planted (e.g. as a windbreak). For the purposes of this Ordinance, where hedgerows meet the definitional criteria for woodlands, they shall be regulated as such.

**INVASIVE PLANT SPECIES** – Predominantly non-native, non-indigenous, alien tree, shrub, vine, or herbaceous species that grow or reproduce aggressively, usually because they have few or no natural predators, and which can so dominate an ecosystem that they kill off or drive out many indigenous plant species. Invasive trees, shrubs, vines, or herbaceous species include, but are not limited to:

Norway Maple (*Acer platanoides*), Tree-of-Heaven (*Ailanthus altissima*), Paper Mulberry (*Broussonetia papyrifera*), White Mulberry (*Morus alba*), Empress Tree (*Paulownia tomentosa*), White Poplar (*Populus alba*), Multiflora Rosa (*Rosa multiflora*), Japanese Barberry (*Berberis thunbergii*), European Barberry (*Berberis vulgaris*), Autumn Olive (*Eleagnus umbrella*), Border Privet (*Ligustrum obtusifolium*), Common Privet (*Ligustrum vulgare*), Morrow's Honeysuckle (*Lonicera morrowii*), Tartarian Honeysuckle (*Lonicera tatarica*), Japanese Honeysuckle (*Lonicera japonica*), Common Buckthorn (*Rhamnus cathartica*), Wineberry (*Rubus phoenicolasius*), Japanese Spiraea (*Spiraea japonica*), Linden Viburnum (*Viburnum dilatatum*), Guelder Rose (*Viburnum opulus*), Oriental bittersweet (*Celastrus orbiculatus*), Leatherleaf Climatis (*Clematis terniflora*), Mile-a-Minute Weed (*Polygonum perfoliatum*), Kudzu (*Pueraria lobata*), Garlic Mustard (*Alliaria petiolata*), Canada Thistle (*Cirsium arvense*), Crown Vetch (*Coronilla varia*), Tall Fescue (*Festuca elatior*), Purple Loosestrife (*Lythrum salicaria*), Sweet Clover (*Melilotus affinis*), Japanese Stilt Grass (*Microstegium vimineum*), Reed Canary Grass (*Phalaris arundinacea*), and Johnson Grass (*Sorghum halepense*).

**LANDSCAPE PLAN** - A plan conforming to the requirements of Section 630 of this Ordinance, required to accompany subdivision and/or land development plans, or as otherwise required pursuant to the provisions of the West Pikeland Township Zoning Ordinance.

**LANDSCAPING** - The planting of turf-grass or other appropriate ground cover in all open areas of the lot, and in addition, the planting of evergreen and deciduous trees, and shrubs, including the maintenance thereof, for the control of erosion, retention of precipitation, protection against the elements, promotion of human comfort, and otherwise protecting the public health, safety and welfare.

**NATIVE PLANTS** - Plants that are indigenous and original to the specific area or region (i.e., southeastern Pennsylvania) and are most appropriate for planting as a result of their adaptation to regional environmental conditions including climate, soils, topography, winds, precipitation, wildlife and other living organisms.

**PRACTICABLE** - Reasonably feasible to perform, technically, physically and/or economically, as applicable.

**REFORESTATION** - The restocking of an area with forest trees, including natural regeneration, as well as tree planting.

**RIPARIAN BUFFER:** A riparian buffer is an area of trees and other vegetation adjacent to a watercourse that forms a transition area between the aquatic and terrestrial environment. The riparian buffer is designed to intercept runoff from upland sources for the purpose of mitigating the effects of nutrients, sediment, organic matter, pesticides or other pollutants prior to entry into surface waters. For the purposes of this Ordinance, the riparian buffer shall be divided into two Zones:

- A. **Zone One: Inner Riparian Buffer** - This zone shall begin at each edge of any identified wetland or watercourse and shall occupy a margin of land on each side, each with a minimum width of fifteen (15) feet from any wetland or twenty-five (25) feet from any watercourse, whichever is greater. The width of such margin shall be measured horizontally on a line perpendicular to the applicable edge of the wetland or, in the case of a watercourse, to the nearest edge of the water at bankful flow. Where very steep slopes (+25%) are located within and extend beyond such margin, Zone One shall extend to include the entirety of the very steep slopes up to a maximum dimension of seventy five (75) feet on either side of the subject wetland or watercourse.
- B. **Zone Two: Outer Riparian Buffer** - Zone Two begins at the outer edge and on each side of any area delineated within Zone One and occupies any additional area, if any, within seventy five (75) feet of the nearest edge of any wetland or watercourse, measured as for Zone One.

**SPECIMEN VEGETATION:** Individual trees or other vegetation determined to be of specimen quality as determined by a registered landscape architect or which generally fall within the parameters of the following table shall be protected in accordance with these standards. The examples of specimen trees included in the following table are intended to provide general guidelines and examples of what constitutes a specimen tree and is not considered an all-inclusive list.

**Examples of Potential Specimen Trees**

Species	dbh	Species	dbh	Species	dbh
Apple	24"	Locust	30"	Sassafras	20"
Ash	32"	Maple	32"	Spruce	30"
Beech	32"			Sycamore	36"
Cherry	24"	Oak	32"	Tulip Poplar	36"
Elm	30"	Osage Orange	20"	Walnut	30"
Hemlock	30"	Pine	30"	Hickory	32"

**WATERCOURSE:** A watercourse is a channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow, but does not include manmade swales constructed expressly for the purpose of stormwater management.

**WOODLANDS:** A tree mass or plant community in which tree species are dominant or co-dominant and the branches of the trees form a complete, or nearly complete, aerial canopy. Except as provided herein, any area, grove, or stand of mature or largely mature trees (i.e., larger than six inches dbh) covering an area of one-quarter acre or more shall be considered a woodland. For the purposes of this Ordinance, the extent of any woodland plant community or any part thereof shall be measured from the outer-most dripline of all the trees in the community. Woodlands shall include any area where timber has been harvested within the previous three (3) years and/or woodland disturbance has occurred within the previous three (3) years which would have met the definition of woodland prior to timbering or disturbance. Regulation of woodlands as set forth in this Ordinance shall not apply to any area within fifty (50) feet of any dwelling existing at the time of adoption of this Section, nor to any orchards or oldfields (former agricultural fields or pastures where natural succession has been allowed to occur, but where most trees are smaller than six (6) inches dbh).

**WOODLAND DISTURBANCE:** Any activity which alters the existing structure of a woodland or hedgerow; alterations include the cutting or removal of canopy trees, subcanopy trees, understory shrubs and vines, woody and herbaceous woodland floor species. Woodland disturbance also includes any activity which constitutes a land disturbance (exposes soils, alters topography) within a woodland or hedgerow. Woodland disturbance does not include the selective cutting or removal of invasive plant species. (See Article II for examples of invasive plants.)

*The following new Section 630 shall be added to the SALDO*

**Section 630. LANDSCAPE, BUFFER & SCREENING DESIGN, INSTALLATION AND MAINTENANCE STANDARDS**

**(1) Applicability.**

Landscaping conforming to the provisions of this Section shall be provided on any tract subject to subdivision or land development approval, or any lot or tract occupied by a use or activity subject to the provisions of Sections 1109 or 1110 of the West Pikeland Township Zoning Ordinance as follows:

**(a) General Landscaping Requirement.**

Any part or portion of any lot or tract, which is not occupied by buildings or structures or used for loading, parking spaces and aisles, sidewalks and designated storage areas, shall be landscaped according to an overall Landscape Plan, prepared and approved as provided in this Section OR, subject to the approval of the Township, shall be left in its natural state (e.g., forest, meadow or hedgerow). Any required Landscape Plan shall clearly identify all landscaped areas and any areas to

be left in a natural state. The total number of trees and shrubs required as set forth in Section 630(4) may be used for any required landscape purpose (e.g., effective visual screen, street trees, parking lot landscaping) and for general landscaping and may be augmented by additional plantings.

(b) Effective Visual Screening.

An effective visual screen shall be established and maintained in accordance with the provisions set forth in Section 630(3)(d) where required as provided in Section 1109 of the West Pikeland Township Zoning Ordinance or where imposed by the Zoning Hearing Board or Board of Supervisors as a condition of any applicable approval or permit. In consideration of any approval or permit, the Township may require an effective visual screen or other buffering to provide privacy for dwellings, visually separate incompatible land uses or structures, abate noise, or reduce light or glare.

(c) Street Trees.

Street trees shall be provided on both sides of all streets as set forth in Section 630(3)(e).

(d) Parking Lot Landscaping Requirement.

All parking lots or areas shall be landscaped in accordance with the provisions of Section 630(3)(f).

(e) Conservation of Existing Vegetation and Natural Features.

All development shall be designed to maximize conservation of existing woodlands, hedgerows, water courses, specimen trees, and riparian buffer areas, and to minimize woodland disturbance. Woodland disturbance in excess of 15,000 square feet shall require woodland replacement plantings as provided in Section 630(4)(b)(v). Replacement plantings may be utilized to establish naturalized areas or for any other required landscape purpose. Applicants shall make all reasonable efforts to harmonize Landscape Plans with the conservation of existing vegetation and natural features.

## (2) Landscape Plan.

- (a) All required landscaping and screening shall be installed and maintained in accordance with a Landscape Plan that is prepared by a Landscape Architect registered in the Commonwealth of Pennsylvania and approved by the Township.
- (b) All required Landscape Plans shall be submitted when all other required applications and plans are submitted (e.g., sketch, preliminary, or final land development plan submission, conditional use approval application, change in use). These plans shall address the following objectives:
- (i) Respond appropriately to the functional and aesthetic characteristics of the tract or lot and the existing and proposed structures and other improvements.
  - (ii) Preserve to the maximum extent feasible existing topography, landscaping, and other natural features such as hedgerows and woodlands, and incorporate them into the design.
  - (iii) Provide an effective visual screen of proposed uses or activities from adjoining properties where required.
  - (iv) Enhance views and create visual interest for the users or residents of the proposed project.
  - (v) Promote effective stormwater management while utilizing strategies that minimize soil erosion and sedimentation, and create opportunities for infiltration and groundwater recharge (e.g., bioretention, biofiltration).
  - (vi) Maximize the use of plants - particularly along roads, tract perimeters and common open spaces - which are: native to Chester County or the Pennsylvania Piedmont; are tolerant of the conditions in which they are installed (e.g. salt tolerant near roads); are appropriate to the ecosystems in which they are planted (e.g. hydrophytes in wet areas); are located and spaced to achieve an effective visual screen where required; establish compatible groupings of plants; and are not injurious to people, property, natural ecosystems, or pedestrian and vehicular circulation.
- (c) Submitted Landscape Plans shall include plans, notes, diagrams, sketches or other depictions appropriate to demonstrate the following:
- (i) Consistency with the objectives stated in Section 630(2)(b) above, as well as the design standards of Section 630(3) below.
  - (ii) Analysis of existing site conditions, including topography and vegetation, and views to and from areas proposed for development.
  - (iii) Analysis of any screening or buffering needs related to the proposed development or use.

- (iv) Calculation of the minimum numbers of trees and shrubs required, as set forth in Section 630(4).
  - (v) Indication of any modifications requested to the standards set forth herein and specific justification therefor.
  - (vi) Depiction of how required plantings and any additional plantings shall be allocated in order to complement, buffer, screen or accentuate buildings, roads, parking areas, stormwater management areas, sidewalks, walkways, sitting areas, service or maintenance structures, courtyards, entry road treatments, and other site features or structures.
  - (vii) Indication of all areas to be retained in a natural state and any areas to be established as naturalized woodland replacement areas.
  - (viii) Indication of all plant species to be utilized, including both botanical and common names and the minimum quantities, sizes and spacing of each.
  - (ix) Design specifications for all non-vegetative landscape material to be utilized, including earthen berms, fences and walls, as applicable.
- (3) Landscape Design Standards.

(a) All required landscaping shall be designed, installed and maintained in accordance with the standards herein.

(b) Total Plantings Required.

The minimum number of plantings required on any lot or tract shall be determined in accordance with Section 630(4)(b) below. The total number of required plantings may be utilized anywhere on the subject site for purposes of compliance with general landscape standards as well as specific standards for effective visual screening, street trees, and parking area landscaping, as applicable. Additional plantings may be provided to further the purposes of this Section. Regardless of the total number of plantings provided, required plantings utilized for street trees and parking lot landscaping and screening shall not be less than as specified in Section 630(4)(b) as applicable. Plantings provided in excess of minimum requirements need not comply with the dimensional standards herein. Existing trees and shrubs to be retained and protected may be credited towards the Minimum Planting Standards on a 1 for 1 basis, subject to review and approval by the Township. Where existing trees have been identified for credit, the Township shall require the Applicant to protect trees during construction, and commit to a tree replacement program for non-surviving plants.

(c) General Landscape Design.

- (i) Plantings and other landscape improvements shall be located and arranged to meet the specific design requirements set forth herein and in a manner that has an overall benefit to the landscape and responds to site specific conditions

including; the proximity of existing dwellings, compatibility with adjacent uses and existing landscapes, views into and across the subject site, and consideration of the privacy of neighboring residential properties.

- (ii) Native plant species shall be used to the maximum extent practicable, consistent with the design objectives set forth herein.
  - (iii) Use of linear measurements for purposes of calculation is not intended to specify linear arrangement of plantings. Groupings of plantings are encouraged in lieu of linear arrangement, consistent with the provisions of this Section.
  - (iv) In selecting the location and mix of required plantings, consideration shall be given to the natural landscape characteristics of the setting, the environmental conditions to be created following site disturbance, and the texture, coloration and compatibility of different plant species. It is strongly encouraged that disturbed or improved landscapes, including areas used for stormwater management and areas required for effective visual screening, be designed in such a manner as to be creative and attractive, blend into the surrounding landscape, and maintain the integrity of the natural landscape within which such work is proposed.
  - (v) The locations, dimensions, and spacing of required plantings shall be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and their present and future environmental requirements, such as moisture and sunlight. In selecting locations for shade trees, consideration also shall be given to aesthetic qualities of the site and to the protection of solar access.
  - (vi) Plantings shall be limited or carefully selected for locations where they might be disturbed or contribute to conditions hazardous to public safety. Examples of such locations include but shall not be limited to: the edges of parking areas; public street rights-of-way; underground and above-ground utilities; and sight triangle areas required for unobstructed views at street intersections. No trees shall be planted closer than fifteen (15) feet from fire hydrants, street lights, or stop signs. Other than as may be required for street tree planting, no trees shall be placed with their centers less than five (5) feet from any property line, and no shrubs with their centers less than three (3) feet from any property line.
  - (vii) The height and size of required plantings shall be as provided in Section 630(4)(d).
- (d) Effective Visual Screening.
- (i) Where an effective visual screen is required under this Section or in accordance with the West Pikeland Township Zoning Ordinance, or where a need for effective visual screening has been identified during the plan review process, an effective visual screen shall be provided, subject to review and approval by the Township. An effective visual screen shall be accomplished by a combination

of plantings, berming or fencing as may be required to achieve the desired screening effect, either a filtered view or an opaque visual barrier:

a) **Filtered View.**

Vegetative buffer plantings providing for a filtered view, as set forth below, shall generally be considered an effective visual screen.

b) **Opaque Visual Barrier.**

Where the Township determines that a use or structure or portion thereof is incompatible with the character of neighboring properties or its neighborhood generally, establishment of an opaque visual barrier may be required. To the maximum extent practicable, an opaque visual barrier shall be established to screen outdoor storage areas, truck or heavy equipment parking, loading docks, trash dumpsters and mechanical equipment from view from neighboring properties or public view.

- (ii) **Specific Standards for Filtered View.** Where the Township is satisfied that the use of vegetative buffer plantings to provide for a filtered view shall result in the establishment of an effective visual screen, plantings shall include a variety of native deciduous and evergreen species planted in naturalized groupings rather than linear strips. In keeping with the landscape of West Pikeland Township, deciduous species shall be utilized to the greatest extent possible on the side of the screen facing the property's exterior or the street. At a minimum, one deciduous tree and two evergreen trees shall be provided for each forty (40) feet of screen, each tree of a size and height consistent with the provisions of Section 630(4)(d). Tree species provided may be augmented by shrubs and flowering trees.
- (iii) **Specific Standards for Opaque Visual Barrier.** Where the Township determines that an opaque barrier is required to obscure an offensive or incompatible use or structure, a combination of earthen berm(s), fence(s) and/or evergreen plantings, as appropriate, shall be installed to establish an opaque visual barrier at least eight (8) feet in height. Evergreen plantings may be used in lieu of fencing where an eventual rather than an immediate opaque visual barrier is acceptable to the Township. In addition, deciduous trees shall be added in naturalized groupings on the side of the screen facing the property's exterior or the street, as applicable, and may be augmented by shrubs and flowering trees in order to blend the screen into the surrounding landscape. At a minimum, one deciduous tree and two evergreen trees shall be provided for each thirty (30) feet of screen, each tree of a size and height consistent with the provisions of Section 630(4)(d).
- (iv) **General Design Standards for Effective Visual Screening.**
- a) Wherever landscaping is required to provide for an effective visual screen, the specific location(s) within the subject lot or tract shall be approved by

the Township and shall be determined based on site conditions and the relationship of the use or structure(s) to be screened to the view from neighboring properties and/or public view. Selected location(s) shall be as deemed most effective (e.g., an effective visual screen may be required near the property or right of way line, or may be located toward the interior of the site immediately adjacent to the item to be screened, or somewhere in between depending on the circumstances of the site and the character of the object(s) to be screened).

- b) Except where otherwise specifically approved at the discretion of the Township, the overall width of the landscape area comprising the effective visual screen shall not be less than thirty (30) feet regardless of otherwise applicable minimum yard area setbacks.
- c) All plants shall be installed at intervals sufficient to create an effective visual screen, while allowing the plants to thrive (i.e., specific plant spacing shall depend upon the species used). To the greatest extent possible, plants will be situated in locations and under conditions substantially similar to those in which they naturally occur (e.g., hydrophytes in wetter situations, drought tolerant plants on ridge tops, etc.).
- d) Where earthen berms are used, plantings shall be installed irregularly on both sides and the top of the berm, and not solely in a line along the top of the berm. Side slopes shall not exceed a 3:1 ratio, and berms shall be designed to blend with adjoining topographic conditions.
- e) Vegetative screening shall be continuously maintained for the duration of operation of the use for which an effective visual screen is required. During such period, any plant material which does not survive shall be replaced prior to the start of the next growing season.

(e) Street Trees.

- (i) All subdivisions and land developments shall provide Street Trees of varying species along the entire length of any existing or proposed public street that forms a property boundary and on both sides of any street within the subdivision or land development. Street Trees shall not be planted so close to the cartway edge that they become a maintenance problem, but close enough to the cartway edge to provide shade. The arrangements and locations of all Street Trees should be shown on the Landscape Plan and are subject to review and approval by the Township. The specific arrangements and locations of Street Tree plantings shall respond to specific site conditions and development design objectives, consistent with the criteria set forth herein.
- (ii) Selected Street Trees shall be hardy, indigenous species with minimal maintenance requirements, and shall be selected such that, at maturity, they shall provide adequate summer shade along the public road. Selected Street

Tree species shall be of the non-grafted type. A Suggested Plant List is included in Section 630(7). Tap-rooted species shall be required in locations proximate to streets or sidewalks.

- (iii) The spacing between Street Trees shall be no greater than 50 feet, staggered, on each side of the street.

(f) **Parking Lot Landscaping and Buffering.**

All off-street parking areas, except those intended solely for use by individual single family residences, shall be landscaped with trees and shrubs of varying species, in accordance with the following:

- (i) Off-street parking areas shall be landscaped to provide for a more attractive setting and to moderate wind and air turbulence, heat and noise, and the glare of automobile lights, to reduce the level of carbon dioxide, to provide shade, and to ameliorate storm water drainage problems to the extent practicable.
- (ii) Any parking for five (5) or more vehicles shall be buffered from any adjacent property and from the street by an effective visual screen along the entire length of such parking lot where bordering or in direct view from an adjacent property or the street, in accordance with the requirements of this Section and Section 630(3)(d). The minimum number of plantings utilized for parking lot buffering shall be as specified in Section 630(4)(b)3.
- (iii) The interior of parking areas containing less than ten (10) parking spaces shall have at least two (2) shade trees. For every additional ten (10) parking spaces, two (2) additional shade tree shall be provided. All such shade trees shall meet standards provided for Street Trees herein. Additional parking lot landscaping may be required to enhance the overall appearance and function of the parking lot.
- (iv) Planting areas shall be placed so as to facilitate snow removal and to provide for safe movement of traffic without interference of proper surface water drainage. Planting areas shall be bordered appropriately to prevent erosion or damage from automobiles. Bollards may be used to protect trees from vehicular movement.
- (v) Planting areas shall be reasonably dispersed throughout the parking lot, except where there are more than ten (10) spaces in which the following shall apply.
  - a) Landscaped areas at least fifteen (15) feet wide shall be provided around the periphery of parking areas. Such areas shall, at a minimum, extend the full length and width of the parking areas, except for necessary access ways, to prevent the encroachment of moving vehicles into parking areas.
  - b) Landscaped islands at least fifteen (15) feet wide shall be provided between each set of two parking bays, except as otherwise approved by the Township.

c) Landscaped islands shall be provided at the end of each parking bay where such parking bay abuts or opens onto any street or accessway. Such landscaped islands shall be at least fifteen (15) feet in width and shall extend parallel to the parking spaces in each abutting parking area the length of one parking space. No more than ten (10) parking spaces shall occur between islands. Parking bays providing more than ten (10) spaces in a single bay shall be broken by a similar landscape island.

(vi) All parking lots shall be designed to provide for safe, reasonable pedestrian access. Parking lots with more than fifty (50) spaces shall include paved pedestrian walkways. Pedestrian walkways may be located along or through landscaped islands or other landscaped areas adjacent to the parking lot.

(4) Minimum Planting Standards.

(a) All required landscaping shall meet the minimum planting standards, criteria for selection of plant material, and design standards of this Section. The total number of plantings required shall be no less than the total calculated from all subsections in the following table, as applicable. Calculations resulting in fractions shall be rounded up to the next whole number. The total number of required plantings for general landscaping, perimeter buffering and screening may be dispersed throughout the tract to meet the objectives of this section. Plantings required as street trees and for parking lot landscaping and screening shall not be less than the numbers set forth in the charts below. Additional plantings may be provided.

(b) In all situations subject to the provisions of this Section, plantings shall be installed in accordance with the numerical requirements set forth below and as otherwise required herein:

Improvement/Conditions		Trees	Shrubs
(i) GENERAL LANDSCAPING AND SCREENING, WHERE REQUIRED		(Mixed deciduous & evergreen trees and shrubs depending upon effective screening needs)	
a)	per 1,000 sq. ft. of gross floor area of the ground floor only (building "footprint").	3	8
b)	per 100 linear ft. of new and existing public or private road frontage, measured on both sides where applicable	3	5
c)	per 100 linear ft. of existing tract boundary, where not coincident with existing or proposed road frontage	3	8

<p>(ii) PARKING LOT LANDSCAPING per 10 parking spaces (min. of 2 shade trees for the first 10 parking spaces or fraction thereof)</p>	<p>2 (Deciduous trees only)</p>	<p>Not specified</p>
<p>(iii) PARKING LOT BUFFERING per 2,000 sq. ft. of off-street parking or loading area, excluding driveways less than 18 ft. wide and in additional to plantings required under Subsection (ii) above</p>	<p>2  (Mixed deciduous &amp; evergreen trees and shrubs depending upon effective screening needs)</p>	<p>4</p>
<p>(iv) STREET TREES per 100 linear ft. of new and existing public or private road frontage, measured on both sides where applicable</p>	<p>2 (Deciduous trees only)</p>	<p>0</p>
<p>(v) WOODLAND REPLACEMENT per 500 square feet of woodland disturbance area or fraction thereof, wherever exceeding a threshold of 15,000 square feet maximum woodland disturbance</p>	<p>1 (Native deciduous trees only)</p>	<p>2</p>

(c) Where Applicant can demonstrate to the satisfaction of the Township that existing vegetation, structural or topographic conditions located on the subject property shall conceal, on a year-round basis, the proposed development or activity from view from such tract boundary (including road frontage), the linear footage of such tract boundary may be excluded from the calculation of required landscape plantings as provided in Subsection 630.4(b)(i) above, but shall not reduce any requirement for street trees or parking lot landscaping or screening.

(d) Except as specifically provided above, at the time of their planting, plantings used to comply with the minimum number of plantings required shall be:

- (i) Deciduous trees: 2.5-3 inch caliper, minimum;
- (ii) Evergreen trees: 7-8 feet in height, minimum;
- (iii) Shrubs: 24-30 inches in height, minimum.

(e) Plantings and their measurement shall conform to the standards of the publications "American or U.S.A. Standard for Nursery Stock," American National Standards Institute (ANSI) or U.S.A.S. Z60.1 of the American Association of Nurserymen, as amended. All plant material used on the site shall have been grown within the same U.S. Department of Agriculture (USDA) hardiness zone as the site, shall be free of disease, and shall be nursery grown, unless it is determined by the Township that the transplanting of trees partially fulfills the requirements of this Section.

- (f) At the discretion of the Township, plantings required as above may be substituted for greater numbers of smaller plantings where utilized for purposes of general landscaping or reforestation of naturalized areas.
  - (g) At the discretion of the Township, plantings required as above may be waived or reduced if Applicant can demonstrate to the satisfaction of the Township that retaining existing plant material or other means of landscaping substantially achieves the objectives of this Section. The Applicant shall note, on all appropriate submittals, the location, type, extent, and condition of the existing plant materials or other means of landscaping that would be the basis for the proposed waiver or reduction. Should the Township issue a waiver or reduction, the approved, existing plant materials or other means of landscaping shall be protected during construction from impacts such as, but not limited to, root compaction, debarking, and soil stripping. The Township shall conduct a post-construction inspection, and reserves the right to require additional plantings if the existing plant material or other means of landscaping are damaged or did not survive construction.
- (5) **Criteria for Selection of Plant Material.**
- (a) Species selected by the Applicant shall reflect careful evaluation of the required Site Analysis Plan and in particular the following considerations:
    - (i) Existing and proposed site conditions and their suitability for the plant materials, based upon the site's geology, hydrology, soils, and microclimate.
    - (ii) Specific functional and design objectives of the plantings, which may include but not necessarily be limited to: provision for landscape buffer, visual screening, noise abatement, energy conservation, wildlife habitats, and aesthetic values.
    - (iii) Maintenance considerations such as hardiness, resistance to insects and disease, longevity, availability, and drought and salt resistance.
  - (b) Use of native plants, because of their many benefits (such as ease of maintenance, longevity, wildlife habitat, etc.), is generally required to meet the requirements of this Section. A Suggested Plant List is included in Section 630(7).
  - (c) Species for shade trees, including Street Trees, shall be selected with particular emphasis on hardiness, growing habit for pedestrian and vehicle passage, minimal need for maintenance, and compatibility with other features of the site and surrounding environs.
  - (d) For the purposes of promoting disease protection, minimum maintenance, diverse natural plant associations, and long-term stability of plantings, the Applicant is encouraged to choose those combinations of species which may be expected to be found together under more-or-less natural conditions on sites comparable to those where the trees and shrubs are to be planted.
- (6) **Site Maintenance and Guarantee.**

- (a) All landscape improvements, to be provided in accordance with this Section, shall be installed and maintained by accepted practices as recognized by the American Association of Nurseryman. Planting and maintenance of vegetation shall include, as appropriate, but not necessarily be limited to, provisions for: surface mulch, guy-wires and stakes, irrigation, fertilization, insect and disease control, pruning, mulching, weeding, and watering.
- (b) Applicant shall provide arrangements acceptable to the Township to ensure that all landscaping incorporated into the Landscape Plan and proposed in accordance with this Section, including existing vegetation to be retained, shall be maintained in a healthy and sound condition, or will be replaced by equivalent plant material and improvements, for 18 months after dedication of improvements. Prior to Township acceptance of the site improvements, representatives of the Township shall perform an inspection of the finished site for compliance with approved Landscape Plan(s).
- (c) Installation of landscape improvements shall be guaranteed along with all other site improvements in accordance with applicable provisions of this Subdivision and Land Development Ordinance. The costs of landscape material and installation shall be considered in determining the amount of any performance guarantee required.
- (7) Suggested Plant List (not an exclusive list).

Selected examples of species particularly appropriate for use where an effective visual screen is required are indicated with an asterisk (\*). Selected examples of appropriate street trees are noted by "ST."

COMMON NAME	BOTANICAL NAME
<b>Evergreen Trees</b>	
Eastern red cedar*	<i>Juniperus virginiana</i>
Hemlock	<i>Tsuga canadensis</i>
Red (Eastern or Yellow) spruce*	<i>Picea rubens</i>
Norway spruce*	<i>Picea abies</i>
Balsam fir*	<i>Abies balsamea</i>
Eastern white pine*	<i>Pinus strobus</i>
<b>Shade Trees</b>	
Red maple, ST	<i>Acer rubrum</i>
Sugar maple, ST	<i>Acer saccharum</i>
White ash, ST	<i>Fraxinus americana</i>
Green ash, ST	<i>Fraxinus pennsylvanica</i>
Sycamore	<i>Platanus occidentalis</i>

COMMON NAME	BOTANICAL NAME
White oak, ST	Quercus alba
Northern red oak, ST	Quercus rubra
Tulip poplar	Liriodendron tulipifera
Scarlet oak, ST	Quercus coccinea
Pin oak, ST	Quercus palustris
Shagbark hickory	Carya ovata
Honey Locust, ST	Gleditsia triacanthos
Linden, ST	Tilia cordata
American basswood	Tilia americana
American beech	Fagus grandifolia
London plane tree	Platanus acerifolia
<b>Small Trees and Shrubs</b>	
Rhododendron	Rhododendron sp.
Mountain laurel	Kalmia latifolia
American holly	Ilex opaca
Black cherry	Prunus serotina
Shadbush/Serviceberry*	Amelanchier canadensis
Bayberry	Myrica pennsylvanica
Redbud	Cercis canadensis
Flowering dogwood*	Cornus florida
Winterberry	Ilex verticillata
Washington hawthorn*	Crataegus phaenopyrum
Witch hazel	Hamamelis virginiana
Highbush blueberry	Vaccinium corybosum
Highbush cranberry	Viburnum trilobum
Sassafras	Sassafras albidum
Ironwood	Ostrya virginiana
Sourwood	Oxydendrum arboreum
Arrowwood	Viburnum dentatum
Black Haw	Viburnum prunifolium