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Chapter 255. SUBDIVISION OF LAND


Attachments:


255a Illustrations 1 through 9 

255b Table 1 

255c Appendix A 

255d Trip Generation Rates 

255e Color Figs 1 thru 10 and Sketches 

255f Figures 1-9 

[HISTORY: Adopted by the Board of Commissioners of the Township of Radnor 6-13-1983 by Ord. No. 83-19 (Ch. 120 of the 1974 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 125.

Numbering of buildings — See Ch. 134.

Certificates of occupancy — See Ch. 142.

Uniform construction codes — See Ch. 144A.

Contractors — See Ch. 145.

Design review — See Ch. 150.

Fees — See Ch. 162.

Grading, excavations and fills — See Ch. 175.

Historic Districts — See Ch. 178.

Sewers — See Ch. 235.

Stormwater management — See Ch. 245.

Streets and sidewalks — See Ch. 250.

Trees — See Ch. 263.

Zoning — See Ch. 280.

Article I. General Provisions

§ 255-1. Title.

- A. This chapter shall be entitled "An Ordinance Establishing Rules, Regulations and Standards Governing the Subdivision of Land Within the Township of Radnor, Delaware County, Pennsylvania, Pursuant to

the Authority Set Forth in the Pennsylvania Municipalities Planning Code, Setting Forth the Procedure To Be Followed by the Planning Commission and the Board of Commissioners in Applying and Administering These Rules, Regulations and Standards and Providing Penalties for the Violation Thereof."

- B.** This chapter shall be known and may be cited as the "Subdivision and Land Development Ordinance of the Township of Radnor."

§ 255-2. Purpose.

This chapter is established to regulate and control the subdivision and development of land within Radnor Township so as to provide sites suitable for human habitation, commercial and industrial operations and other uses for which land may be developed, thereby creating conditions favorable to the health, safety and welfare of the community and consistent with the goals of the Comprehensive Plan of Radnor Township.

§ 255-3. Conformance required.

From and after the effective date of this chapter, any subdivision shall be in conformity with this chapter and all standards and specifications adopted as a part of such chapter.

§ 255-4. Construal of provisions.

In interpreting and applying the provisions of this chapter, they shall be held to be minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. When provisions of this chapter and all standards and specifications adopted under it impose greater restrictions than those of any statute, other ordinance or regulations, the provisions of this chapter and its standards and specifications shall be controlling unless specified to the contrary. The illustrations in this chapter are not a part of the chapter, but are included herein for purposes of explanation and clarification only.

§ 255-5. Notification of public.

[Amended 10-22-1990 by Ord. No. 90-49; 6-28-1993 by Ord. No. 93-15; 9-18-1995 by Ord. No. 95-21; 5-8-2006 by Ord. No. 2006-12] Notices shall be sent by the applicant to the owners of properties located within a radius of 1,000 feet from all sides of the tract in question, except within R-5 Zoning Districts, where the distance shall be 500 feet. Notices shall be mailed not less than 10 days prior to the Planning Commission meeting using Radnor Township return address envelopes and labels provided by the Township. Proof of said mailing on United States Postal Service Form 3877 shall be delivered to the Township no less than three days prior to the meeting. Failure by the owner of any neighboring property to receive notice when sent in compliance with this section shall not invalidate any action taken by the Planning Commission.

§ 255-6. Definitions and word usage.

- A.** Unless a contrary intention clearly appears, the following words and phrases shall have, for the purpose of these regulations, the meanings given in the following clauses.
- B.** For the purpose of this chapter, words and terms used herein shall be interpreted as follows:
- (1) Words used in the present tense include the future.
 - (2) The singular includes the plural.
 - (3) The word "person" includes a corporation, partnership, association or other legal entity, as well as an individual.
 - (4) The word "lot" includes the word "plot" or "parcel."
 - (5) The term "shall" is mandatory.
 - (6) The word "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged or designed to be occupied."

- (7) The word "Commission" and the words "Planning Commission" shall mean the Radnor Township Planning Commission.
- (8) The word "Commissioners" and the words "Board of Commissioners" shall mean the Radnor Township Board of Commissioners.

C. Any word or term not defined herein shall be used with a meaning of standard usage.

D. As used in this chapter, the following terms shall have the meanings indicated:

ALLEY

A right-of-way which provides only secondary service access for vehicles to the side or rear of abutting properties.

APPLICANT

A subdivider or agent authorized thereby requesting the approval of a proposed subdivision or land development under this chapter.

AVERAGE DAILY TRAFFIC (ADT)

The actual or calculated total vehicular trips that occur or are expected to occur on a specific street within a typical weekday.

BERM

A linear earth mound with a maximum slope of 33% with grass cover or 50% when shrubbery or ground cover is used.

BLOCK

An area bounded by three or more streets.

BUILDING SETBACK LINE

The rear line of the minimum front yards as designated for each zoning district, measured from the street line.

CALIPER

The diameter of the main trunk of a tree. "Caliper" measurement shall be taken at a point on the trunk six inches above the natural ground line for trees up to four inches in "caliper" and at a point 12 inches above the natural ground line for trees over four inches in "caliper."

CARTWAY

The paved portion of a street right-of-way intended for vehicular use.

CLEAR SIGHT TRIANGLE

An area within a triangle bounded by any two intersecting street lines and a straight line drawn between points on each such line 30 feet from the intersection of said lines or extensions thereof. *Editor's Note: A diagram illustrating a clear sight triangle is included at the end of the chapter.*

CONDOMINIUM

A dwelling unit which is owned and maintained in accordance with the Uniform Condominium Act of July 2, 1980, P.L. 286, No. 82. *Editor's Note: See 68 Pa.C.S.A. § 3101 et seq. [Amended 10-22-1990 by Ord. No. 90-49]*

CROSSWALK

A publicly- or privately-owned right-of-way for pedestrian use which crosses a cartway or cuts across a block so as to furnish access for pedestrians to adjacent streets or properties.

CUL-DE-SAC

A street intersecting another street at one end and terminating at the other in a paved vehicular turnaround.

DENSITY

A measure expressed in dwelling units per acre, calculated by dividing the total number of dwelling units by the site area. *Editor's Note: A diagram illustrating density is included at the end of this chapter.*

DESIGN STANDARDS

Regulations, as stated in Article V, imposing standards in the layout by which a subdivision or land development is governed.

DEVELOPER

See the definition of "subdivider."

DWELLING

A building containing one or more dwelling units.

DWELLING UNIT

Any room or group of rooms located within a residential building and forming a single, habitable unit with facilities used or intended to be used for living, sleeping, cooking and eating by one family exclusively.

ENGINEER

A professional engineer registered by the Commonwealth of Pennsylvania.

FAMILY

One or more persons occupying the same dwelling unit and living and cooking as a single housekeeping unit, said unit consisting only of individuals who are related by blood, marriage or otherwise by law, except that such unit may also consist of foster children and one other individual not related to others in the housekeeping unit. A "family" as herein defined specifically excludes individuals and groups occupying a boarding- or rooming house, lodging house, club, fraternity, dormitory, hotel or other similar living environment. [Added 7-20-1992 by Ord. No. 92-13]

FLOODPLAIN

The low area adjoining and including any water or drainage course or body of water subject to a one-hundred-year-recurrence-interval flood, as delineated by the Flood Insurance Study for the Township of Radnor, Delaware County, Pennsylvania, as prepared by the United States Department of Housing and Urban Development, Federal Insurance Administration.

FLOODPLAIN SOILS

Soils in areas subject to periodic overflow and listed in the Soil Survey of Chester and Delaware Counties, Pennsylvania, United States Department of Agriculture, Soil Conservation Service, 1959, as amended, as being subject to flooding. "Floodplain soils" include but are not limited to:

- (1) Bowmansville silt loam.
- (2) Chewacla silt loam.
- (3) Congaree silt loam.
- (4) Lindside silt loam.
- (5) Melvin silt loam.
- (6) Rowland silt loam.
- (7) Wehadkee silt loam.

FOREST

Areas, groves or stands of mature or largely mature trees (i.e. greater than six inches in caliper) covering an area greater than 1/4 acre; or groves of mature trees (greater than 12 inches in caliper) consisting of more than 10 individual trees.

IMPERVIOUS SURFACE

That portion of a tract where, due to surface coverage, the water runoff coefficient is 0.85 or more, as determined by the Township Engineer. *Editor's Note: A diagram illustrating an impervious surface is located at the end of this chapter.*

IMPERVIOUS SURFACE RATIO

A measurement calculated by dividing the total area of all impervious surfaces within the site or lot by the site area or lot area respectively.

IMPROVEMENTS SPECIFICATIONS

Regulations, as stated in Article VI, imposing minimum standards for the construction of required improvements, including but not limited to streets, curbs, sidewalks and sewers.

LAKES AND PONDS

Natural or artificial bodies of water which retain water year round. Artificial ponds may be created by dams or result from excavation. The shoreline of such water bodies shall be measured from the spillway crest elevation rather than the permanent pool, if there is any difference. "Lakes" are bodies of water two or more acres in extent. "Ponds" are any water body less than two acres in extent.

LAND DEVELOPMENT [Amended 5-26-1987 by Ord. No. 87-13; 10-22-1990 by Ord. No. 90-49]

- (1) The improvements of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

- (a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.
 - (b) 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.
- (2) A subdivision of land.
- (3) Those activities described in Section 503(1.1) of the Municipalities Planning Code *Editor's Note: See 53 P.S. § 10503(1.1)*. shall not be considered land developments for purposes of this chapter.

LANDSCAPE ARCHITECT

A professional landscape architect registered by the Commonwealth of Pennsylvania.

LEVEL OF SERVICE

Level of service as described in the 1965 Highway Capacity Manual, indicating the quality of traffic movement on a particular street or through a specific intersection.

LOT

A parcel of land used or set aside and available for use as the site of one or more buildings, and any building thereto, or for any other purpose, in single ownership. *Editor's Note: A diagram illustrating various kinds of lots is included at the end of this chapter.*

- (1) **CORNER LOT** — A lot which has an interior angle of less than 135° at the intersection of two street lines. A lot abutting upon a curved street or streets shall be considered a "corner lot" if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines with the street lines intersect at an angle of less than 135°.
- (2) **INTERIOR LOT** — A lot containing a narrow projecting segment which is the sole means of access from a street. Said segment shall have a minimum width of 20 feet.
- (3) **THROUGH LOT** — A lot having frontage on two parallel or approximately parallel streets.
- (4) **REGULAR LOT** — A lot rectangular in shape, with a depth approximately 1 1/2 to 2 1/2 times its width, the width of which shall front a street.
- (5) **DEPTH OF LOT** — The mean distance from the street line of the lot to its opposite rear line measured in the general direction of the side lines of the lot.
- (6) **LOT WIDTH** — The distance measured between the side lot lines at the required building setback line. In a case where there is only one side lot line, lot width shall be measured between such side lot line and the opposite rear lot line or street line.

LOT AREA

The area contained within the property lines of a lot shown on a subdivision plan or required by this chapter less the following: **[Amended 7-17-2000 by Ord. No. 2000-20]**

- (1) Seventy-five percent of the calculated one-hundred-year floodplain.
- (2) Seventy-five percent of the wetlands as defined by § 255-20B(4)(d) of the Code not within the calculated one-hundred-year floodplain.
- (3) Seventy-five percent of the slopes equal to or in excess of 20% of the area not within the one-hundred-year floodplain and wetlands.
- (4) The land area within an existing public right-of-way located within any R-1, R-1A, R-2, R-3, R-4, R-5, and R-6 Residential Zoning District. **[Added 5-22-2006 by Ord. No. 2006-15]**

LOT CONSOLIDATION

The joining together of two or more contiguous but separately deeded parcels of land.
[Added 5-8-2006 by Ord. No. 2006-10]

MAJOR INTERSECTION

Any intersection of one or more collector or arterial streets.

MARKER

A metal pipe or pin of at least 1/2 inch in diameter and at least 24 inches in length.

MONUMENT

A stone or concrete monument with a flat top of at least four inches square, scored with an X to mark the reference point, at least 30 inches in length, the bottom sides of which are at least two inches greater than the top to minimize movements caused by frost.

MUNICIPALITIES PLANNING CODE

The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended and reenacted by Act 170 of 1988, 53 P.S. 10101 et seq., and any subsequent amendments thereto.

[Added 10-22-1990 by Ord. No. 90-49]

OPEN SPACE

A portion of a tract available and accessible for use by the residents of the tract, unless dedicated to the Township, generally undeveloped. "Open space" may include areas of steep slopes, floodplains and other significant features to be preserved. "Open space" shall not include street or street rights-of-way, parking areas, yards and lots of individual dwelling units or other public improvements nor does it include required buffer areas. "Open space" uses may include active and passive recreation.

OPEN SPACE RATIO

The total amount of open space within a site divided by the site area. *Editor's Note: A diagram illustrating the open space ratio is included at the end of this chapter.*

PARK

A tract of land for ornament and as a place for the resort of the public for recreation and amusement.

PEAK-HOUR TRAFFIC

The highest number of vehicles found or expected to be found, during the a.m. and p.m. hours, passing over a section of street in 60 consecutive minutes.

PLAN, FINAL

A complete and exact subdivision plan, including all required supplementary data, prepared for official recording as required by statute, defining property rights and proposed streets and other improvements.

PLAN, IMPROVEMENT CONSTRUCTION

A plan or set of plans and supporting documents prepared by an engineer detailing the engineering specifications for streets, sanitary sewers, stormwater drainage facilities and other improvements required by this chapter.

PLANNING MODULE FOR LAND DEVELOPMENT

An application required by the Pennsylvania Sewage Facilities Act, Section 71.15(b) and (c) of Chapter 71, Administration of the Sewage Facilities Program, as amended. *Editor's Note: See 35 P.S. § 750.1 et seq.*

PLAN, PRELIMINARY

A tentative, formal subdivision plan, including all required supplementary data, showing proposed street and lot layout as a basis for consideration prior to preparation of the final plan.

PLAN, RECORD

The copy of the final plan which contains the original required endorsements of the Township and which is intended to be recorded with the Delaware County Recorder of Deeds.

PLAN, SKETCH

An informal plan indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision.

PLAT

The map or plan of a subdivision or land development, whether preliminary or final.

PUBLIC NOTICE

Notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such "notice" shall state the time and place of any hearing or meeting and the particular nature of the matter to be considered at the hearing or meeting. The first publication shall not be more than 30 days and the second publication shall not be less than seven days prior to the date of the hearing or meeting. [Added 10-22-1990 by Ord. No. 90-49]

PUBLIC TRANSPORTATION

Transportation service for the general public provided by a common carrier of passengers, generally on a regular route basis.

RESUBDIVISION

Any replatting or new division of land. Replatting shall be considered as constituting a new subdivision of land. See the definition of "subdivision."

REVIEW

An examination of the sketch plan, preliminary plan or final plan to determine compliance with Chapter 280, Zoning, this chapter and other pertinent requirements.

RIGHT-OF-WAY

Land set aside for passage, such as a utility, street, alley or other means of travel.

- (1) **EXISTING RIGHT-OF-WAY** — The legal right-of-way as established by the commonwealth or other appropriate governing authority and currently in existence.
- (2) **ULTIMATE RIGHT-OF-WAY** — The right-of-way deemed necessary by the Radnor Township Comprehensive Plan as appropriate to provide adequate width for future street improvements.

SEWER

A public or private sanitary sewer system.

- (1) **PUBLIC SEWER SYSTEM** — Any system, approved by the Pennsylvania Department of Environmental Resources and Radnor Township, which collects sewage and/or industrial wastes of a liquid nature from two or more lots and treats and/or disposes such sewage and/or industrial wastes at a common plant on another site.
- (2) **PRIVATE SEWER SYSTEM** — A system of piping, tanks or other facilities serving a single lot which collects or disposes of sewage, in whole or in part, into the soil on the same lot.

SIGHT DISTANCE

The 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 3.75 feet above the center line of the road surface to a point 0.5 feet above the center line of road surface. *Editor's Note: Diagrams illustrating sight distance are included at the end of this chapter.*

SITE

A parcel or contiguous parcels of land intended to have one or more buildings or intended to be subdivided into two or more lots.

SITE AMENITY

A public space improvement, including but not limited to landscaping, sidewalks, street lighting and parking. [Added 10-26-2009 by Ord. No. 2009-27]

SITE AREA

All land area within the site, calculated from an actual site survey rather than from a deed description.

SOLICITOR

The solicitor of Radnor Township, Delaware County, Pennsylvania.

STEEP SLOPES

Areas subject to regulations by § 280-112 of the Code of the Township of Radnor, as amended.

STREET

A public or private thoroughfare used or intended to be used for passage or travel by motor vehicles. Streets are further classified according to the functions they perform.

- (1) **EXPRESSWAYS** — Limited access highways, with full grade separation, serving a large volume of high-speed through traffic designed for an operating speed of 70 miles per hour.
- (2) **ARTERIALS** — Major regional highways, with full or partial access control, designed for a large volume of through traffic. An ADT count of 10,000 trips or greater and an intended operating speed of 60 miles per hour is expected.
- (3) **MAJOR COLLECTORS** — Streets designed to provide access between local and minor collector streets and arterials and expressways. Access is controlled by limiting curb cuts. An ADT count of 3,501 to 10,000 trips and an intended operating speed of 50 miles per hour is expected. [Amended 1-2-2001 by Ord. No. 2001-03]
- (4) **MINOR COLLECTORS** — Streets which primarily serve to connect local streets with major collectors and arterials. An ADT count of 651 to 3,500 trips and an intended operating speed of 40 miles per hour is expected.
- (5) **LOCAL STREETS** — Streets used primarily to provide access to more heavily traveled streets for abutting properties in internally developed areas. An ADT count of up to 650 trips and an intended operating speed of 30 miles per hour is expected.

- (6) **COURTS** — Local non-through residential streets which are typically designed as culs-de-sac or loops. An ADT count of less than 100 trips and an intended design speed of 20 miles per hour is expected. *Editor's Note: Former Subsection (7), marginal access streets, was repealed 1-2-2001 by Ord. No. 2001-03.*

STREET LINE

The existing or proposed right-of-way line.

STUDY AREA

An area extending 1/2 mile along a street adjacent to the site in both directions from all proposed or existing access points or to and including a major intersection with a collector or arterial, whichever area is greater.

SUBDIVIDER

Any individual, partnership, copartnership or corporation, or agent authorized thereby, which undertakes the development or subdivision of land as defined by this chapter as the owner, or agent authorized thereby, of the land being developed or subdivided.

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, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access of any residential dwelling, shall be exempted. [Amended 10-22-1990 by Ord. No. 90-49]

SUBDIVISION, MAJOR

The division of a lot or tract of land or part thereof into two or more lots or tracts for the purpose, whether immediate or future, of transfer of ownership or of building development not defined as a minor subdivision.

SUBDIVISION, MINOR

The division of a lot or tract of land into five or less lots for the purpose, whether immediate or future, of transfer of ownership or of building development of less than three acres, provided that the proposed lots thereby created have frontage on an improved street or streets, and provided further that there is not created by the subdivision any new street or the extension of an existing street.

SURVEYOR

A surveyor registered by the Commonwealth of Pennsylvania.

TOWNSHIP ENGINEER

A registered engineer designated by the Board of Commissioners to perform the duties of engineer as herein specified.

TRACT

A lot or parcel of land; an area of real estate.

TRIP GENERATION RATES

The total count of trips expected to and from a particular land use.

VOLUME/CAPACITY ANALYSIS

A procedure, as described in the 1965 Highway Capacity Manual, Highway Research Board Special Report 87, which compares the volume of a street or intersection approach to its capacity (maximum number of vehicles that can pass a given point during a given time period).

WARRANTS FOR TRAFFIC SIGNAL INSTALLATION

A series of justifications which detail the minimum traffic or pedestrian volumes or other criteria necessary for the installation of a traffic signal. These warrants are contained in the Manual on Uniform Traffic Control Devices for Streets and Highways, United States Department of Transportation, Federal Highway Administration, 1971, Sections 4C-1 through 4C-10.

WATER SUPPLY, CENTRAL

Any municipal water supply system or any private system franchised to serve the public. Such systems shall include any existing private franchise area and the entire system or a water supply capable of supporting the entire development or a standpipe or water-storage system meeting Township specifications.

WATER SUPPLY, PRIVATE

A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

WETLANDS

Those areas that are inundated and saturated by surface or ground water at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas; or as further defined by the Pennsylvania Department of Environmental Resources. [Amended 6-26-1989 by Ord. No. 89-28; 10-22-1990 by Ord. No. 90-49; 10-15-1991 by Ord. No. 91-41]

Article II. Administration and Enforcement**§ 255-7. Intent; applicability.**

It is the intention of the Board of Commissioners to exercise, through adoption of this chapter, the maximum lawful jurisdiction over subdivision and land development permitted by the Pennsylvania Municipalities Planning Code, its amendments or successors. Without limitation, in the exercise of this power, the following are subject to the provisions thereof:

- A. Any subdivision.
- B. Any land development.
- C. Any resubdivision.

§ 255-8. Enforcement.

- A. This chapter shall be enforced by the person or agency specifically so directed in any provision hereof or by the Township Manager or by any person or agency designated by the Board of Commissioners or Township Manager from time to time.
- B. Inspection of actual construction under any approved subdivision plan shall be the sole responsibility of the Township, which shall undertake reasonable measures to provide an adequate inspection of all projects.
- C. Any action not in accordance with the provisions of this chapter shall be subject to a cease-and-desist order and other appropriate measures necessary to obtain or produce compliance with this chapter.
- D. In addition to other remedies, the Board of Commissioners may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. [Added 10-22-1990 by Ord. No. 90-49]
- E. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this chapter. This authority to deny such a permit or approval shall apply to any of the following applicants: [Added 10-22-1990 by Ord. No. 90-49]
 - (1) The owner of record at the time of such violation.
 - (2) The vendee or lessee of the owner of record at the time of such violation, without regard as to whether such vendee or lessee has actual or constructive knowledge of the violation.
 - (3) The current owner of record who acquired the property subsequent to the time of violation, without regard as to whether such current owner had actual or constructive knowledge of the violation.

(4) The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation, without regard as to whether such vendee or lessee has actual or constructive knowledge of the violation.

F. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property. [Added 10-22-1990 by Ord. No. 90-49]

G. Adjacent lots with the identical zoning classification and owned by the same person may be consolidated by recording a deed describing the lots as a single parcel, without subdivision plan approval, where the only change being made to a lot line is the elimination of one or more of them, subject to administrative review by the Township Engineer and the Director of Community Development. This exemption from the approval procedures set forth in this Chapter shall be subject to the following: [Added 5-8-2006 by Ord. No. 2006-10; amended 5-23-2011 by Ord. No. 2011-14]

(1) A statement must be placed in the deed acknowledging that it is a deed of consolidation intended to merge the lots and that any future independent use of the lots would require subdivision approval.

(2) The land development application to the Engineering Department shall constitute an application to amend the Township's parcel map to show the consolidation.

(3) Each deed submitted for consolidation and recording shall have attached thereto a plan prepared, signed and sealed by a registered engineer or surveyor in the State of Pennsylvania showing the metes and bounds, gross and net (after deducting the rights-of-way of any public or private street) areas and error of closure of the consolidated lot. The error of closure shall not be greater than one part in 5,000.

(4) Upon merger by deed, adjacent lots shall lose their separate identity for all purposes relating to their individual development.

(5) This administrative review exemption shall not apply in any of the following circumstances:

(a) When more than three parcels are involved in the consolidation.

(b) When the area of the proposed consolidated parcel exceeds twice the minimum lot size for the zoning district.

(c) When there is a change of use or an expansion of an existing commercial or industrial use.

§ 255-9. Fees; escrow account.

A. The Board of Commissioners shall establish a schedule of fees and a collection procedure for all applications and other matters pertaining to these regulations. *Editor's Note: See Ch. 162, Fees.* The applicant shall be required to submit an additional fee to the Delaware County Planning Commission to cover the review process. No action shall be taken until all fees are paid and the applications are properly signed.

B. The applicant shall furnish an escrow fund sufficient to pay all fees and costs required by this chapter. The escrow fund shall be paid when preliminary plans (or final plans) are submitted for review and approval. Application fees shall be fixed by the Board of Commissioners from time to time. The escrow fund shall be sufficient to guarantee the payment of the services of the Township Engineer and Township Solicitor related to review and consideration of the application and all other costs for engineering, traffic surveys and professional certification deemed necessary by the Board of Commissioners in reviewing plans.

§ 255-10. Final plan approval required.

No lot, unit or other section of a subdivision shall be sold, leased or otherwise transferred, nor shall a building permit be issued unless a final plan has been approved and recorded.

§ 255-11. Relief from unnecessary hardship.

[Amended 10-22-1990 by Ord. No. 90-49]

- A. The Board of Commissioners may grant a modification of the requirements of one or more provisions of this chapter, if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this chapter is observed.
- B. Any request for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the chapter involved and the minimum modification necessary.
- C. The Board of Commissioners may refer the request for modification to the Township Planning Commission for advisory comments.
- D. In granting modifications, the Board of Commissioners may impose such conditions as will, in its judgment, secure substantially the objectives of the standards and requirements so modified.
- E. The Township shall keep a written record of all action on all requests for modifications.

Article III. Procedure

§ 255-12. General provisions.

[Amended 6-12-1989 by Ord. No. 89-23]

- A. There are three stages in the procedure for approval of subdivision and land development plans. These stages are necessary to enable the Planning Commission and the Board of Commissioners to have an adequate opportunity to review the submission and to ensure that their formal recommendations are reflected in the final plans. The separate stages of approval include the submission of an optional sketch plan, a preliminary plan and a final plan. These plans differ in their purpose and required level of detail. The table below indicates the recommended and required plans for the different types of submissions:

Plan Approval Stage	Type of Submission		
	Minor Subdivision	Major Subdivision	Land Development
Plan			
Sketch (§ 255-13)	Recommended	Recommended	Recommended
Preliminary (§ 255-14)	Not required	Required	Required
Final (§§ 255-15 and 255-16)	Required	Required	Required

- B. Sketch plans shall require no more than a sixty-day review period. The review process required for preliminary and final plans shall include no more than 90 days, starting from the date of the regular meeting of the Planning Commission next following the date the application is accepted by the Township Engineer and ending with the applicant being notified of the decision of the Board of Commissioners.
- C. The submission of amended or revised plans, whether in the form of a sketch, preliminary or final plan, shall constitute a new application date, and the 60 or 90 days mentioned above for the required review process shall begin upon the date of resubmission of the amended or revised plans.

- D. The presentation of a preliminary plan and a final plan shall each be considered a separate submission, and the maximum ninety-day review period may be required for each. A sixty-day review period may be required for a sketch plan. No limitations for the action of any public official or agency set forth in this article shall be construed as mandatory.
- E. The applicant is encouraged to meet informally with the Township Engineer and the Director of Community Development to obtain information regarding zoning and subdivision requirements and development alternatives prior to the initial submission.

§ 255-13. Sketch plan.

A. Purpose.

- (1) The purpose of the sketch plan, which is an optional submission, is to afford the applicant the opportunity to consult early and informally with both the Planning Commission, the Director of Community Development and the Township Engineer before the preparation of the preliminary plan and formal application for approval.
- (2) During the sketch plan procedure, the applicant can advantageously make use of the services of the Planning Commission, the Director of Community Development and the Township Engineer to help him analyze the problem of the development and plan more adequately for its sound coordination with the community. The sketch plan procedure also affords the opportunity to give informal guidance to the applicant at a stage when potential points of difference can be more easily resolved. It can also simplify official action and save unnecessary expense and delay.

B. Deposit and fees. The Township shall collect and transmit all fees to applicable agencies.

C. Procedure. *Editor's Note: A diagram outlining sketch plan procedure is included at the end of this chapter.*

- (1) The applicant shall prepare the sketch plan and application form, including the data specified in § 255-19.
- (2) The applicant shall submit 15 copies of the sketch plan and one application form to the Township Engineer. **[Amended 5-26-1987 by Ord. No. 87-13]**
- (3) The Township Engineer shall check the submission for completeness and, if the submission is incomplete, shall notify the applicant within seven days and indicate the deficiencies. If the application is complete, the Township Engineer shall accept the sketch plan and application form.
- (4) The Township Engineer shall retain four copies and immediately distribute copies of the sketch plan and application form in the following manner:
 - (a) One copy to the Delaware County Planning Commission.
 - (b) Nine copies to the Planning Commission. **[Amended 5-26-1987 by Ord. No. 87-13]**
 - (c) One copy to the Radnor Township Zoning Officer.
- (5) The Zoning Officer shall, within 30 days following acceptance of the sketch plan application, review the zoning considerations in the applicant's submission and make recommendations to the Township Engineer.
- (6) The Planning Commission may, within 30 days following acceptance of the sketch plan application, meet with the applicant to review the submission.
- (7) The Township Engineer shall, within 30 days following acceptance of the sketch plan application:
 - (a) Review the engineering, design and site planning considerations in the applicant's submission.

- (b) Review the recommendations of the Zoning Officer.
- (c) Prepare a report for the Planning Commission and the applicant.
- (8) The Delaware County Planning Commission may review the sketch plan and prepare a report for the Township Engineer and the Planning Commission.
- (9) The Planning Commission shall, within 60 days following acceptance of the sketch plan application:
 - (a) Review the reports on the submission by the Township Engineer and the Delaware County Planning Commission.
 - (b) Determine whether the sketch plan meets the objectives and requirements of this chapter and other pertinent regulations and ordinances.
 - (c) Recommend revisions, if any, so that the subsequent preliminary or final plan will conform to Township regulations and ordinances.

§ 255-14. Preliminary plan.

- A. Purpose. The purpose of the preliminary plan is to obtain formal conditional approval in order to minimize changes and revisions before final plans are submitted.
- B. General.
 - (1) A preliminary plan shall be submitted conforming to the changes recommended during the sketch plan procedure, if any.
 - (2) The preliminary plan and all information and procedures relating thereto shall, in all respects, be in compliance with the provisions of this chapter, except where variation therefrom may be required pursuant to § 255-11.
- C. Deposit and fee.
 - (1) Deposits and fees for the different types of subdivision and land development submissions are listed in the Radnor Township Fee Schedule. *Editor's Note: See Ch. 162, Fees.* Fees, pursuant to the Delaware County Planning Commission Fee Schedule, may also be required.
 - (2) The Township shall collect and immediately deposit all Township fees in the proper Township bank account, as directed by the Board of Commissioners, and shall collect and transmit all other fees to applicable agencies.
- D. Procedure. *Editor's Note: A diagram outlining preliminary plan procedure is located at the end of this chapter.*
 - (1) The applicant shall prepare the preliminary plan and application form as specified in §§ 255-18 and 255-20.
 - (2) The applicant shall submit to the Township Engineer:
 - (a) Eighteen copies of the preliminary plan. **[Amended 5-26-1987 by Ord. No. 87-13]**
 - (b) The Radnor Township subdivision and land development application form.
 - (c) The Delaware County Planning Commission application form.
 - (d) The application for the planning module for land development.

- (3) The Township Engineer shall check the submission for completeness and, if the submission is incomplete, shall notify the applicant within 14 days and indicate the deficiencies. If the submission is complete, the Township Engineer shall accept the preliminary plan and applications.
- (4) The Township Engineer shall retain two copies and immediately distribute the preliminary plan and applications in the following manner: **[Amended 5-26-1987 by Ord. No. 87-13]**
 - (a) Four copies of the plan to the Delaware County Planning Commission.
 - (b) One copy of the plan to the Delaware County Conservation District.
 - (c) Nine copies of the plan to the Planning Commission.
 - (d) One copy of the plan to the Radnor Township Public Works Department.
 - (e) One copy of the plan to the Radnor Township Zoning Officer.
 - (f) The application for the planning module for land development to the Pennsylvania Department of Environmental Resources.
- (5) The Zoning Officer shall, within 30 days following acceptance of the preliminary plan application:
 - (a) Review the proposed zoning considerations in the application's submission.
 - (b) Make recommendations to the Township Engineer.
- (6) The Public Works Department shall, within 30 days following acceptance of the preliminary plan application:
 - (a) Review the proposed public improvements in the applicant's submission.
 - (b) Make recommendations to the Township Engineer.
- (7) The Township Engineer shall, within 40 days following acceptance of the preliminary plan application:
 - (a) Review the engineering, design and site planning considerations in the applicant's submission.
 - (b) Review the recommendations of the Zoning Officer and Public Works Department.
 - (c) Prepare a report for the Planning Commission, Board of Commissioners and the applicant.
- (8) The Delaware County Planning Commission shall review the preliminary plan and prepare a report for the Township Engineer, Planning Commission and Board of Commissioners. The Board of Commissioners shall not approve or deny any preliminary plan until it has received the report from the County Planning Commission or until 30 days have been allowed for receipt of such report.
[Amended 10-22-1990 by Ord. No. 90-49]
- (9) The Planning Commission shall, within 60 days following acceptance of the preliminary plan application: **[Amended 5-28-1985 by Ord. No. 85-13]**
 - (a) Meet with the applicant at its scheduled meeting to discuss the plan. Failure of the applicant to appear at this meeting, after proper notification, may result in the subdivision application being denied.
 - (b) Review the reports on the submission by the Township Engineer and Delaware County Planning Commission and other pertinent reports. The Planning Commission may also solicit reviews and reports from adjacent municipalities and other governmental agencies affected by the plan. **[Amended 10-22-1990 by Ord. No. 90-49]**

- (c) Determine whether the preliminary plan meets the objectives and requirements of this chapter and other pertinent regulations and ordinances.
 - (d) Recommend revisions, if any, so the plan will conform to Township regulations and ordinances.
 - (e) Recommend approval or disapproval of the preliminary plan in a written report to the Board of Commissioners.
- (10) The Board of Commissioners shall, within 75 days following acceptance of the preliminary plan application: **[Amended 5-28-1985 by Ord. No. 85-13]**
- (a) Meet with the applicant at its scheduled caucus meeting to discuss the plan. Failure of the applicant to appear at this meeting after proper notification may result in the subdivision application being denied.
 - (b) Review the reports of the Planning Commission, Delaware County Planning Commission, Township Engineer and other pertinent reviewing agencies.
 - (c) Determine whether the preliminary plan meets the objectives and requirements of this chapter and other pertinent regulations and ordinances.
 - (d) Recommend revisions, if any, so the plan will conform to Township regulations and ordinances.
 - (e) Approve or disapprove the preliminary plan. If approved, the Board of Commissioners shall express its approval and state the condition of approval, if any, in writing. Whenever approval is subject to such specified conditions, the written action of the Board of Commissioners also shall require the written approval of the applicant to the conditions. If such written approval of the conditions is not received by the Board of Commissioners within the time period required by this chapter for a decision, the plan shall be deemed to have been denied by the Board of Commissioners. If disapproved, the Board of Commissioners shall state the reasons for this action. **[Amended 10-22-1990 by Ord. No. 90-49]**
- (11) The decision of the Board of Commissioners shall be in writing and shall be communicated to the applicant (or his agent) personally or mailed to him at the last known address not later than 15 days following the decision.
- (12) Approval of the preliminary plan shall not constitute approval of the final plan or authorize the sale of lots or construction of buildings.
- (13) If the preliminary plan is disapproved, the applicant may file a revised preliminary plan with the Township Engineer in order to secure approval. The normal fee will be charged for this revision. **[Amended 11-11-1991 by Ord. No. 91-46]**
- (14) If the preliminary plan is approved, the Township may submit a copy of the approved plan to the Pennsylvania Department of Transportation.

§ 255-15. Final plan for major subdivision or land development.

- A. Purpose. The purpose of the final plan is to require formal approval by the Board of Commissioners before plans for all subdivisions and land developments are recorded as by § 255-17.
- B. General. The final plan shall conform to the preliminary plan, as approved. The final plan and all information and procedures relating thereto shall, in all respects, be in compliance with the provisions of this chapter, except where variation therefrom may be specifically approved by the Board of Commissioners pursuant to § 255-11.
- C. Deposit and fee.

- (1) Deposits and fees for the different types of subdivision and land development submissions are listed in the Radnor Township Fee Schedule. *Editor's Note: See Ch. 162, Fees.* Fees pursuant to the Delaware County Planning Commission Fee Schedule may also be required.
- (2) The Township shall collect and immediately deposit all Township fees collected in the proper Township bank account, as directed by the Board of Commissioners, and shall collect and transmit all other fees to applicable agencies.

D. Procedure. *Editor's Note: A diagram outlining final plan procedure is included at the end of this chapter.*

- (1) The applicant shall prepare the final plan and application form as specified in §§ 255-18 and 255-21.
- (2) The applicant shall prepare planning modules for land development as required in Chapter 71 of the Pennsylvania Sewage Facilities Act. *Editor's Note: See 35 P.S. § 750.1 et seq.*
- (3) The applicant shall submit to the Township Engineer:
 - (a) Twelve copies of the final plan.
 - (b) The Radnor Township subdivision and land development application form.
 - (c) The Delaware County Planning Commission application form.
 - (d) Three copies of the planning modules for land development.
- (4) The Township Engineer shall check the submission for completeness and, if the submission is incomplete, shall notify the applicant within 14 days and indicate the deficiencies. If the submission is complete, the Township Engineer shall accept the final plan, applications and planning modules.
- (5) The Township Engineer shall retain four copies of the plan and one copy of the planning module; and immediately distribute copies of the final plan, applications and planning modules in the following manner:
 - (a) Four copies of the plan and one copy of the planning module to the Delaware County Planning Commission.
 - (b) One copy of the plan to the Planning Commission.
 - (c) One copy of the plan to the Radnor Township Public Works Department.
 - (d) One copy of the plan to the Radnor Township Zoning Officer.
 - (e) One copy of the plan and one copy of the planning module to the Pennsylvania Department of Environmental Resources.
- (6) The Zoning Officer shall, within 30 days following acceptance of the final plan application:
 - (a) Review the zoning considerations in the applicant's submission.
 - (b) Make recommendations to the Township Engineer.
- (7) The Public Works Department shall, within 30 days following acceptance of the final plan application:
 - (a) Review the proposed public improvements in the applicant's submission.
 - (b) Make recommendations to the Township Engineer.

- (8) The Planning Commission may, within 30 days following acceptance of the final plan application, meet with the applicant to review the submission.
- (9) The Township Engineer shall, within 40 days following acceptance of the final plan application:
- (a) Review the engineering, design and site planning considerations in the applicant's submission.
 - (b) Review the recommendations of the Zoning Officer and Public Works Department.
 - (c) Prepare a report for the Planning Commission, Board of Commissioners and the applicant.
- (10) The Delaware County Planning Commission shall review the final plan and prepare a report for the Township Engineer, Planning Commission and Board of Commissioners. The Board shall not approve or deny any final plan until it has received the report from the County Planning Commission or until 30 days have been allowed for the receipt of said report. **[Amended 10-22-1990 by Ord. No. 90-49]**
- (11) The Planning Commission shall, within 60 days following acceptance of the final plan application: **[Amended 5-28-1985 by Ord. No. 85-13]**
- (a) Meet with the applicant at its scheduled meeting to discuss the plan. Failure of the applicant to appear at this meeting, after proper notification, may result in the subdivision application being denied.
 - (b) Review the reports on the submission by the Township Engineer, Delaware County Planning Commission and other pertinent reports. The Planning Commission also may solicit reviews and reports from adjacent municipalities and other governmental agencies affected by the plan. **[Amended 10-22-1990 by Ord. No. 90-49]**
 - (c) Determine whether the final plan meets the objectives and requirements of this chapter and other pertinent regulations and ordinances.
 - (d) Recommend revisions, if any, so that the plan will conform to Township regulations and ordinances.
 - (e) Recommend approval or disapproval of the final plan to the Board of Commissioners.
- (12) The Board of Commissioners shall, within 75 days following the date of the first meeting of the Planning Commission next following the date of the acceptance of the final plan application: **[Amended 5-28-1985 by Ord. No. 85-13]**
- (a) Meet with the applicant at its scheduled caucus meeting to discuss the plan. Failure of the applicant to appear at this meeting, after proper notification, may result in the subdivision application being denied.
 - (b) Review the reports of the Planning Commission, Delaware County Planning Commission, Township Engineer and other reviewing agencies.
 - (c) Determine whether the final plan meets the objectives and requirements of this chapter and other pertinent regulations and ordinances.
 - (d) Recommend revisions, if any, so that the plan will conform to Township regulations and ordinances.
 - (e) Approve or disapprove the final plan. If approved, the Board of Commissioners shall express its approval and state the conditions of approval, if any, in writing. Whenever approval is subject to such specified conditions, the written action of the Board shall also require the written approval of the applicant to the conditions. If such written approval of the conditions is not received by the Board within the time period required for a decision, as specified by this

chapter, the plan shall be deemed to have been denied by the Board. If disapproved, the Board of Commissioners shall state the reasons for this action. **[Amended 10-22-1990 by Ord. No. 90-49]**

(13) The decision of the Board of Commissioners shall be in writing and shall be communicated to the applicant (or his agent) personally or mailed to him at the last known address, not later than 15 days following the decision.

(14) If the final plan is approved:

(a) The Board of Commissioners shall adopt a resolution approving the final plan.

(b) Approval shall not be final until entry into contract and production of completion guaranty as set forth in Article VII.

(c) Two exact copies of the approved final plan on linen, with the signatures of the required agencies as specified in § 255-23, shall be submitted to the Board of Commissioners.

(15) If the final plan is disapproved, the applicant may file a revised final plan with the Township Engineer in order to secure approval. The normal fee will be charged for this revision.

[Amended 11-11-1991 by Ord. No. 91-46]

§ 255-16. Final plan for minor subdivision.

A. Purpose. In the case of minor subdivisions, it is the purpose of this section to provide a simplified procedure by which said minor subdivision may be submitted and approved.

B. General. In the event that the proposed subdivision shall involve a change in the location of streets, then the provisions of this section on minor subdivisions shall not be applicable and the owner shall be required to comply with the requirements of § 255-15.

C. Deposit and fees.

(1) Deposits and fees for the submission of a minor subdivision plan are listed in the Radnor Township Fee Schedule. *Editor's Note: See Ch. 162, Fees.* Fees, pursuant to the Delaware County Planning Commission Fee Schedule, may also be required.

(2) The Township shall immediately deposit all Township fees collected in the proper Township bank account, as directed by the Board of Commissioners, and shall transmit all other fees to applicable agencies.

D. Procedure.

(1) The applicant shall prepare a minor subdivision plan and application form as specified in §§ 255-18 and 255-22.

(2) The applicant shall prepare planning modules for land development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act, *Editor's Note: See 35 P.S. § 750.1 et seq.* if required by the Township Engineer.

(3) The applicant shall submit to the Township Engineer:

(a) Eighteen copies of the final minor subdivision plan. **[Amended 5-26-1987 by Ord. No. 87-13]**

(b) The Radnor Township subdivision and land development application form.

(c) The Delaware County Planning Commission application form.

(d) Two copies of the planning modules for land development.

- (4) The Township Engineer shall check the submission for completeness and, if the submission is incomplete, shall notify the applicant within seven days and indicate the deficiencies. If the submission is complete, the Township Engineer shall accept the final minor subdivision plan, application, planning modules and fees.
- (5) The Township Engineer shall retain two copies of the plan and one copy of the planning module and immediately distribute copies of the final minor subdivision plan, applications and planning modules in the following manner: **[Amended 5-26-1987 by Ord. No. 87-13]**
 - (a) Four copies of the plan and one copy of the planning module, if required, to the Delaware County Planning Commission.
 - (b) Nine copies of the plan to the Planning Commission.
 - (c) One copy of the plan to the Radnor Township Public Works Department.
 - (d) One copy of the plan to the Radnor Township Zoning Officer.
 - (e) One copy of the plan and one copy of the planning module to the Pennsylvania Department of Environmental Resources, if required.
- (6) The Zoning Officer shall, within 30 days following acceptance of the final minor subdivision application:
 - (a) Review the zoning considerations in the applicant's submission.
 - (b) Make recommendations to the Township Engineer.
- (7) The Public Works Department shall, within 30 days following acceptance of the final minor subdivision application:
 - (a) Review the proposed public improvements in the applicant's submission, if any.
 - (b) Make recommendations to the Township Engineer.
- (8) The Planning Commission may, within 30 days following acceptance of the final minor subdivision application, meet with the applicant to review the submission.
- (9) The Township Engineer shall, within 40 days following acceptance of the final minor subdivision plan application:
 - (a) Review the engineering, design and site planning considerations in the applicant's submission.
 - (b) Review the recommendations of the Zoning Officer and Public Works Department.
 - (c) Prepare a report for the Planning Commission, Board of Commissioners and the applicant.
- (10) The Delaware County Planning Commission shall review the final minor subdivision plan and prepare a report for the Township Engineer, Planning Commission and Board of Commissioners. The Board shall not approve or deny any final plan until it has received the report from the County Planning Commission or until 30 days have been allowed for the receipt of said report.
[Amended 10-22-1990 by Ord. No. 90-49]
- (11) The Planning Commission shall, within 60 days following acceptance of the final plan application:
[Amended 5-28-1985 by Ord. No. 85-13]
 - (a) Meet with the applicant at its scheduled meeting to discuss the plan. Failure of the applicant to appear at this meeting, after proper notification, may result in the subdivision application being denied.

- (b) Review the reports on the submission by the Township Engineer, Delaware County Planning Commission and other pertinent reports. The Planning Commission also may solicit reviews and reports from adjacent municipalities and other governmental agencies affected by the plan. **[Amended 10-22-1990 by Ord. No. 90-49]**
 - (c) Determine whether the final minor subdivision plan meets the objectives and requirements of this chapter and other pertinent regulations and ordinances.
 - (d) Recommend revisions, if any, so the plan will conform to Township regulations and ordinances.
 - (e) Recommend approval or disapproval of the final minor subdivision to the Board of Commissioners.
- (12) The Board of Commissioners shall, within 75 days following the date of the first meeting of the Planning Commission next following the date of the acceptance of the final minor subdivision plan application: **[Amended 5-28-1985 by Ord. No. 85-13]**
- (a) Meet with the applicant at its scheduled caucus meeting to discuss the plan. Failure of the applicant to appear at this meeting, after proper notification, may result in the subdivision application being denied.
 - (b) Review the reports of the Planning Commission, Delaware County Planning Commission, Township Engineer and other reviewing agencies.
 - (c) Determine whether the final minor subdivision plan meets the objectives and requirements of other pertinent regulations and ordinances.
 - (d) Recommend revisions, if any, so the plan will conform to Township regulations and ordinances.
 - (e) Approve or disapprove the final minor subdivision plan. If approved, the Board of Commissioners shall express its approval and state the conditions of approval, if any, in writing. Whenever approval is subject to such specified conditions, the written action of the Board also shall require the written approval of the applicant to the conditions. If such written approval of the conditions is not received by the Board within the time period required for a decision, as specified by this chapter, the plan shall be deemed to have been denied by the Board. If disapproved, the Board of Commissioners shall state the reasons for this action. **[Amended 10-22-1990 by Ord. No. 90-49]**
- (13) The decision of the Board of Commissioners shall be in writing and shall be communicated to the applicant (or his agent) personally or mailed to him at the last known address not later than 15 days following the decision.
- (14) If the final minor subdivision plan is approved, two exact copies of the approved final minor subdivision plan on linen, with the signatures required in § 255-23, shall be submitted to the Board of Commissioners.
- (15) If the final minor subdivision plan is disapproved, the applicant may file a revised final minor subdivision plan with the Township Engineer in order to secure approval. The normal fee will be charged for this revision. **[Amended 11-11-1991 by Ord. No. 91-46]**

§ 255-17. Recording of final plan.

- A. Copies of the approved final plan shall, within 90 days of the date of approval, be recorded by the applicant in the office of the Recorder of Deeds of Delaware County. No such plan shall be accepted for recording without official notification of approval by the Board of Commissioners and of review by the Delaware County Planning Commission. **[Amended 10-22-1990 by Ord. No. 90-49]**

B. Effect of recording.

- (1) Streets, open space, parks and other public improvements shown on the subdivision or land development plan to be recorded may be offered for dedication to the Township by formal notation thereof on the plan, or the owner may note on the plan that such improvements have not been offered for dedication to the Township.
- (2) Every street, open space, park or other improvement shown on a subdivision or land development plan that is recorded, as provided therein, shall be deemed to be a private street, open space, park or improvement until such time as the same has been offered for dedication to the Township and accepted, by ordinance, and recorded in the office of the Clerk of Common Pleas of Delaware County or until it has been condemned for use as a public street, park or improvement.

C. Recorded plan. All plans recorded shall contain the information specified in § 255-23.

Article IV. Application and Plan Requirements**§ 255-18. General application requirements.**

For the purpose of having a subdivision or land development considered and approved by the Planning Commission or Board of Commissioners, the applicant shall file with the Township Engineer the following items as the initial submission, in addition to the required number of plans:

- A. A signed subdivision and land development application.
- B. A title report, including but not limited to a list of all encumbrances and, if appearing on record, the book and page numbers.
- C. A statement setting forth in detail the character of the improvements the applicant proposes to make on the property to be developed, if known.
- D. A development schedule indicating the approximate date when construction can be expected to begin and be completed, if known.
- E. A copy of all restrictions, covenants and limitations, if any, under which lots are to be sold.
- F. Appropriate evidence that the applicant is the owner or has an equitable interest in the property.
- G. A statement concerning ownership of the applicant.

§ 255-19. Sketch plan.

A sketch plan may be submitted by the applicant as a basis for informal discussion with the Planning Commission. Data furnished at this stage shall include the following information:

- A. Site plan, showing:
 - (1) The name of the subdivision or land development.
 - (2) The name and address of the owner/applicant.
 - (3) The name and address of the engineer, surveyor, architect, landscape architect or planner responsible for the plan.
 - (4) Zoning requirements, *Editor's Note: See Ch. 280, Zoning.* including:
 - (a) Applicable district and district boundaries.
 - (b) Maximum density permitted and proposed density, if applicable.

- (c) Lot size and yard requirements.
 - (d) Required and/or proposed open space and impervious surface coverage ratios.
 - (e) Average slope.
 - (f) Any variances or special exceptions granted.
 - (5) A location map showing the relation of the site to adjoining properties and streets, within 500 feet (scale: one inch equals 600 feet). **[Amended 6-28-1993 by Ord. No. 93-15]**
 - (6) The North point.
 - (7) Written and graphic scales, including scale of location map.
 - (8) The total acreage of the site.
 - (9) The site boundaries.
 - (10) Boundaries of all adjoining properties (with names and addresses of landowners in the case of unplatted land). **[Amended 6-28-1993 by Ord. No. 93-15]**
 - (11) Existing streets on and adjacent to the site with rights-of-way.
 - (12) Existing principal buildings, and their respective uses, and driveways on the adjacent peripheral strip; sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site (this includes properties across streets).
 - (13) The proposed general street layout.
 - (14) The proposed general lot layout.
 - (15) The types of buildings proposed.
 - (16) The number of dwelling units proposed.
 - (17) Parking areas, with dimensions and number of parking spaces.
 - (18) Open space areas.
 - (19) Recreation areas.
- B. Natural features map.** This plan is required for all major subdivision and land development submissions. For minor subdivisions, the information below may be included on the site plan. The following information shall be indicated:
- (1) Contour lines measured at intervals of two feet. Slopes may be determined by interpretation of United States Geological Survey maps at this stage.
 - (2) Floodplain areas.
 - (3) Floodplain soil areas.
 - (4) Steep slope areas.
 - (5) Forest areas.
 - (6) Streams.

(7) Lakes and ponds.

(8) Wetlands, where their potential presence is indicated by any one or more of the following: the National Wetlands Inventory Maps, as prepared by the United States Fish and Wildlife Service or any other governmental agency having jurisdiction; hydric soils or soils with hydric inclusions, as depicted in the Soil Survey of Chester and Delaware Counties and/or in the United States Department of Agriculture Soil Conservation Service (USDA SCS) Hydric Soils Lists; and the existence of hydrophytic vegetation or hydrologic conditions, as determined by on-site investigations. Upon review of the information submitted or the applicant's conclusion that no wetlands appear to exist on the site, the Township may indicate whether it concurs in these preliminary findings and whether it feels the applicant should undertake a wetlands delineation as part of the preliminary plan submission. **[Amended 6-26-1989 by Ord. No. 89-28; 10-15-1991 by Ord. No. 91-41]**

§ 255-20. Preliminary plan.

A. Drafting standards.

- (1) The plan shall be drawn at a scale of no less than one inch equals 100 feet.
- (2) Dimensions shall be set in feet and decimal parts thereof; and bearings in degrees, minutes and seconds.
- (3) Each sheet shall be numbered and shall show its relationship to the total number of sheets.
- (4) Where any revision is made or when the plan is a revision of a previously approved plan, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the currently proposed features. Notations of revisions shall be dated.
- (5) The plan shall be so prepared and bear an adequate legend to indicate clearly which features are existing and which are proposed.
- (6) The boundary line of the subdivision shall be shown as a solid heavy line.
- (7) All plans and surveys shall be prepared in accordance with the Act of May 23, 1945 (P.L. 913, No. 367), known as the "Professional Engineers Registration Law." *Editor's Note: See 63 P.S. § 148 et seq.* **[Added 10-22-1990 by Ord. No. 90-49]**

B. The preliminary plan shall show or be accompanied by the following information on individual sheets:

(1) Site plan, showing:

- (a) The name of subdivision or land development.
- (b) The name and address of owner/applicant.
- (c) The name and address of the engineer, surveyor, architect or landscape architect responsible for the plan.
- (d) Zoning requirements, *Editor's Note: See Ch. 280, Zoning.* including:
 - [1] Applicable district and district boundaries.
 - [2] Maximum density permitted, if applicable.
 - [3] Lot size and yard requirements.
 - [4] Open space and impervious surface ratios, if applicable.
 - [5] Any variances or special exceptions granted.

- (e) Proposed standards:
 - [1] Density.
 - [2] Open space ratio.
 - [3] Impervious surfaces.
 - [4] Dwelling unit mix, if known.
 - [5] Size of units (in bedrooms), if known.
- (f) Location map showing the relation of the site to adjoining properties and streets, within 500 feet (scale: one inch equals 600 feet). **[Amended 6-28-1993 by Ord. No. 93-15]**
- (g) The North point.
- (h) Written and graphic scales, including a scale of location map.
- (i) The total acreage of the site.
- (j) A complete outline survey of the property to be subdivided or developed, showing all courses, distances, tie-ins to all adjacent intersections, and areas.
- (k) The location of all existing monuments.
- (l) Boundaries of all adjoining properties (with names and addresses of landowners in the case of unplatted land). **[Amended 6-28-1993 by Ord. No. 93-15]**
- (m) Existing streets and alleys on and adjacent to the site with rights-of-way.
- (n) Existing principal buildings, and their respective uses, and driveways on the adjacent peripheral strip; sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site (this includes properties across streets).
- (o) The proposed layout:
 - [1] The layout and names of streets, including widths of cartways and rights-of-way; and recommended improvements pursuant to Subsection B(5)(d)[6] below.
 - [2] The layout and approximate dimensions, areas and uses of lots; buildings setback lines and rear and side yard lines.
 - [3] The arrangement and use of buildings and parking areas in nonresidential developments and multifamily residential developments with all necessary dimensions and number of parking spaces. Elevations and perspective sketches of proposed buildings are encouraged.
 - [4] Open space areas and indication as to whether offered for dedication.
 - [5] Recreational facilities.
 - [6] Rights-of-way and/or easements for all drainage facilities, utilities or other purposes.
 - [7] Sidewalks and pedestrian paths.
 - [8] Streetlights.
 - [9] Fire hydrants.

[10] Monuments.

[11] Water mains.

[12] Driveway locations.

[13] Locations of private sewer systems, if applicable.

(2) Soil map, showing:

- (a) Soil types within the site, based on maps contained in the Soil Survey of Chester and Delaware Counties, Pennsylvania, United States Department of Agriculture Soil Conservation Service, 1959, as amended. An attached table shall indicate each soil's limitations for community development.
- (b) Contour lines measured at vertical intervals of two feet. Such elevations shall be determined by on-site survey, not interpretation of United States Geological Survey maps.
- (c) Datum to which contour lines refer. Where practicable, data shall refer to established elevations.
- (d) Floodplain areas.
- (e) Base flood elevation data as defined in Chapter 280, Zoning, if available. If unavailable, the base flood elevation shall be established as a point on the boundary of the Floodplain Conservation District, as defined and delineated in Chapter 280, Zoning.
- (f) Floodplain soil areas.
- (g) Steep slope areas.

(3) Vegetation map, showing:

- (a) Forest areas.
- (b) Large trees over six inches in caliper. **[Amended 6-28-1993 by Ord. No. 93-15]**
- (c) Other significant vegetation.

(4) Water resources map, showing:

- (a) Streams.
- (b) Swales.
- (c) Lakes and ponds.
- (d) Wetlands, where their potential presence is indicated by any one or more of the following: the National Wetlands Inventory Maps, as prepared by the United States Fish and Wildlife Service or any other governmental agency having jurisdiction; hydric soils or soils with hydric inclusions, as depicted in the soil survey of Chester and Delaware Counties and/or in the USDA SCS Hydric Soils Lists; and the existence of hydrophytic vegetation or hydrologic conditions, as determined by on-site investigations performed in accordance with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, dated January 10, 1989, as later amended. **[Amended 10-15-1991 by Ord. No. 91-41]**

[1] If, after examination of the site, a qualified professional selected by the applicant determines that wetlands are not located on the site, the following note must appear on the plan: "This site has been examined by a qualified professional in accordance with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, dated January 10, 1989, as later

amended, and no wetlands were found to exist." In addition, a written statement of the qualifications of the professional who examined the site shall accompany the submission.

- [2] Should the existence of wetlands be shown by one or more of the indicators cited above, a wetlands delineation in accordance with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, dated January 10, 1989, as later amended, shall be performed by a licensed professional engineer, hydrogeologist, soil scientist or similarly qualified professional experienced in wetlands ecology, selected by the applicant. Plans shall be submitted to the Township for review; such plans shall show the delineation and any disturbance of wetlands anticipated. The qualifications of the consultant performing the delineation shall be submitted with such plans.
- [3] Should the Township Engineer dispute the delineation submitted by the applicant:
- [a] The applicant and the Township may select a mutually acceptable, qualified professional to reexamine the site for boundary confirmation or readjustment. All costs for such work shall be borne by the applicant. The Township shall, at no time, be held accountable for any additional boundary modifications imposed by state or federal agencies. If either party is dissatisfied with the wetlands boundary as confirmed or adjusted through this procedure, it shall have the right to appeal those findings to the appropriate regulatory agency, including the United States Army Corps of Engineers, the Pennsylvania Department of Environmental Resources or the United States Fish and Wildlife Service, for final determination.
- [b] As an alternative to the procedure described in Subsection B(4)(d)[3][a] above, the applicant may appeal the Township Engineer's findings directly to the appropriate regulatory agency, including the United States Army Corps of Engineers, the Pennsylvania Department of Environmental Resources or the United States Fish and Wildlife Service, for boundary confirmation.
- [4] Should the Township conclude, on the basis of the criteria cited above, that wetlands exist on the site, contrary to the applicant's findings:
- [a] The Township and the applicant may select a mutually acceptable, qualified professional to reexamine the site, using the above criteria, to determine if wetlands exist. All costs for such work shall be borne by the applicant. The Township shall, at no time, be held accountable for any wetlands found to exist by any state or federal agencies.
- [b] As an alternative to the procedure described in Subsection B(4)(d)[4][a] above, the Township may, at its discretion, request that either the United States Army Corps of Engineers, the Pennsylvania Department of Environmental Resources or the United States Fish and Wildlife Service verify the existence of wetlands. In the event that such agency or agencies verify the existence of wetlands, the applicant shall be required to perform a delineation in accordance with the requirements of Subsection B(4)(d)[2] above and secure any required wetlands permits or waivers pursuant thereto in accordance with the requirements of Subsection B(4)(d)[5] below.
- [5] Unless it is clearly evident in the plans submitted by the applicant and/or through any field review by the Township Engineer that no disturbance to the designated wetlands is anticipated, the accepted delineation shall be submitted to the appropriate regulatory agencies, including but not limited to the United States Army Corps of Engineers and the Pennsylvania Department of Environmental Resources, for requisite wetlands permits or waivers pursuant thereto. All potential impacts on wetlands shall conform to applicable regulations, as amended.

(5) *Editor's Note: Former § 120-20B(5), (6), (7) and (8), which immediately preceded this section, was repealed 5-28-1985 by Ord. No. 85-13. Transportation impact study.*

- (a) A transportation impact study shall be undertaken for all major subdivisions and land developments as defined in Subsection B(5)(c) below. This study will enable the Township to assess the impact of a proposed development on the local transportation system. Its purpose is to ensure that proposed developments do not adversely affect the transportation network and to identify any traffic problems associated with access from the site to the existing transportation network. The study's purpose is also to delineate solutions to potential problems and to present improvements to be incorporated into the proposed development. The study shall assist in the protection of air quality, the conservation of energy and the encouragement of public transportation.
- (b) In accordance with the requirements of the Township, the traffic impact study shall be prepared by a qualified traffic engineer with previous traffic study experience. The procedures and standards for the traffic impact study are set forth in Subsection B(5)(d) below.
- (c) Subdivisions and land developments that require a transportation impact study.
- [1] A transportation impact study shall be required for all subdivisions and land developments that meet one or more of the following criteria:
- [a] Residential: a development consisting of 50 or more dwelling units.
[Amended 10-22-1990 by Ord. No. 90-49]
- [b] Commercial: a commercial building or buildings consisting of 50,000 square feet or more of gross leasable floor space.
- [c] Office: a development consisting of 50,000 square feet or more of gross leasable floor space.
- [d] Industrial: a development consisting of 50,000 square feet or more of gross leasable floor space.
- [e] Institutional: all developments.
- [2] The Board of Commissioners, at its discretion, may request the preparation of a traffic impact study for any other subdivision or land development.
- (d) The transportation impact study shall contain, but not be limited to, the following information:
- [1] General site description. The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed land development. If the development is residential, types of dwelling units and number of bedrooms shall also be included. A brief description of other major existing and proposed land developments within the study area shall be provided. The general site description shall also include probable socioeconomic characteristics of potential site users to the extent that they may affect the transportation needs of the site (i.e., the number of senior citizens).
- [2] Transportation facilities description.
- [a] The description shall contain a full documentation of the proposed internal and existing external transportation system. This description shall include proposed internal vehicular, bicycle and pedestrian circulation, all proposed ingress and egress locations, all internal roadway width and rights-of-way, parking conditions, traffic channelizations and any traffic signals or other intersection control devices within the site. The site design shall be shown to maximize potential public transportation usage to and from the development, such as providing adequate turning radii at all access points to allow a bus to enter the development. Bus shelter and sign locations shall be designated where appropriate.

- [b] The report shall describe the entire external roadway system within the study area. Major intersections in the study area shall be identified and sketched. All existing and proposed public transportation services and facilities within a one-mile radius of the site shall also be documented. All future highway improvements, including proposed construction and traffic signalization, shall be noted. This information shall be obtained from the 12-Year Highway Capital Program for the Delaware Valley Region, the Radnor Township Comprehensive Plan and from the Pennsylvania Department of Transportation. Any proposed roadway improvements resulting from proposed surrounding developments shall also be recorded.
- [3] Existing traffic conditions. Existing traffic conditions shall be measured and documented for all streets and intersections in the study area. Traffic volumes shall be recorded for existing average daily traffic, existing peak-hour traffic and for the subdivision's peak-hour traffic. Complete traffic counts at all major intersections in the study area shall be conducted, encompassing the peak highway and development-generated hour(s), and documentation shall be included in the report. A volume capacity analysis based upon existing volumes shall be performed during the peak hour(s) and the peak development-generated hour(s) for all roadways and major intersections in the study area. Levels of service shall be determined for each location. This analysis will determine the adequacy of the existing roadway system to serve the current traffic demand. Roadways and/or intersections experiencing Levels of Service E or F shall be noted as congestion locations.
- [4] Transportation impact of the development. Estimation of vehicular trips to result from the proposal shall be completed for both the street system and the development-generated peak hours(s). Vehicular trip generation rates to be used for this calculation shall be obtained from the Trip Generation Rates Table, below. *Editor's Note: The Trip Generation Rate Table is included at the end of this chapter.* These development-generated traffic volumes shall be provided for the inbound and outbound traffic movements as estimated. The reference source(s) and methodology followed shall be cited. These generated volumes shall be distributed to the study area and assigned to the existing streets and intersections throughout the study area. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to all access points. Pedestrian volumes shall also be calculated, if applicable. If school crossings are to be used, pedestrian volumes shall be assigned to each crossing. Any characteristics of the site that will cause unusual trip generation rates and/or traffic flows shall be noted.
- [5] Analysis of transportation impact. The total future traffic demand based on full occupancy of the proposed subdivision or land development shall be calculated. This demand shall consist of the combination of the existing traffic expanded to the completion year, the development generated traffic and the traffic generated by other proposed developments in the study area. A volume/capacity analysis shall also be conducted using the total future demand and the future roadway capacity. If staging of the proposed development is anticipated, calculations for each stage of completion shall be made. This analysis shall be performed using the peak highway hour(s) and peak development-generated hour(s) for all streets and major intersections in the study area. Volume/capacity calculations shall be completed for all major intersections. All access points and pedestrian crossings shall be examined as to the feasibility of installing traffic signals. This evaluation shall compare the projected traffic and pedestrian volumes to the warrants for traffic signal installation. Levels of service for all streets and intersections shall be listed.
- [6] Conclusions and recommended improvements.
- [a] All streets and/or intersections showing a Level of Service below C shall be considered deficient, and specific recommendations for the elimination of these problems shall be listed. This listing of recommended improvements shall include, but not be limited to, the following elements: internal circulation design, site access location and design, external street and intersection design and improvements and traffic signal installation and operation, including signal timing and transit-design improvements.

- [b] Existing and/or future public transportation service shall also be addressed. A listing of all actions to be undertaken to increase present public transportation usage and improve service, if applicable, shall be included.
- [c] The listing of recommended improvements for both streets and transit shall include, for each improvement, the party responsible for the improvement, the cost and funding of the improvement and the completion date for the improvement.
- [d] The Planning Commission shall review the transportation impact study to analyze its adequacy in solving any traffic problems that will occur due to the land development or subdivision and make recommendations to the Board of Commissioners.
- [e] The Board of Commissioners may decide that certain improvements contained in the study on or adjacent to the site are required for preliminary plan approval and, if acceptable to the applicant, may attach these conditions to the preliminary approval.
- [f] The improvement plans shall not be submitted to the Pennsylvania Department of Transportation until such plans are approved by the Board of Commissioners. This submittal to the Pennsylvania Department of Transportation shall be accompanied by comments of the Planning Commission and the Delaware County Planning Commission.

(6) Acknowledgments.

- (a) A letter indicating the availability of public sanitary sewer facilities from the appropriate utility, if applicable.
- (b) A letter indicating the availability of central water supply from the appropriate utility, if applicable.

§ 255-21. Final plan for major subdivision.

A. Drafting standards.

- (1) The plan shall be drawn at a scale of no less than one inch equals 100 feet.
- (2) Dimensions shall be set in feet and decimal parts thereof; and bearings in degrees, minutes and seconds.
- (3) Each sheet shall be numbered and shall show its relationship to the total number of sheets.
- (4) Where any revision is made or when the plan is a revision of a previously approved plan, notations of revisions shall be dated.
- (5) The boundary line of the subdivision or land development shall be shown as a solid heavy line.
- (6) Final plans shall be on a sheet having a minimum size of 18 inches by 30 inches and a maximum size of 24 inches by 34 inches, and all lettering shall be so drawn as to be legible if the plan should be reduced to half size.
- (7) All plans and surveys shall be prepared in accordance with the Act of May 23, 1945 (P.L. 913, No. 367), known as the "Professional Engineers Registration Law." *Editor's Note: See 63 P.S. § 148 et seq.* [Added 10-22-1990 by Ord. No. 90-49]

B. The final plan shall show or be accompanied by the following information on individual sheets:

- (1) Site plan showing:

- (a) The name of the subdivision or land development, including the address, if available.
[Amended 10-22-1990 by Ord. No. 90-49]
- (b) The name and address of the owner/applicant.
- (c) The name, address and seal of the engineer or surveyor responsible for the plan.
- (d) Zoning requirements, *Editor's Note: See Ch. 280, Zoning*, including:
 - [1] Applicable district and district boundaries.
 - [2] Maximum density permitted, if applicable.
 - [3] Lot size and setback requirements.
 - [4] Applicable open space and impervious surface ratios.
 - [5] Any variances or special exceptions granted.
- (e) Proposed standards:
 - [1] Density.
 - [2] Open space ratio.
 - [3] Impervious surfaces.
 - [4] Dwelling unit mix, if known.
 - [5] Size of units (in bedrooms), if known.
- (f) A location map showing the relation of the site to adjoining properties and streets within 500 feet (scale: one inch equals 600 feet). **[Amended 5-27-1997 by Ord. No. 97-13]**
- (g) The North point.
- (h) Written and graphic scales (including the scale of location map).
- (i) The total acreage of the site.
- (j) A complete outline survey of the property to be subdivided or developed, showing all courses, distances, tie-ins to all adjacent intersections and areas.
- (k) The location of all existing monuments.
- (l) Boundaries in all adjoining properties (with names and addresses of landowners in the case of unplatted land). **[Amended 6-28-1993 by Ord. No. 93-15]**
- (m) Existing streets and alleys on and adjacent to the site with ultimate rights-of-way.
- (n) Existing principal buildings (and their respective uses) and driveways on the adjacent peripheral strip; sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site. (This includes properties across streets.)
- (o) The proposed layout:
 - [1] The layout and names of streets, including widths of cartways and rights-of-ways; and recommended improvements pursuant to § 255-20B(5)(d)[6].

- [2] The lot layout with exact dimensions, areas and uses of lots; building setback lines and rear and side yard lines.
 - [3] The arrangement and use of buildings and parking areas in nonresidential developments and multifamily developments with all necessary dimensions and number of parking spaces. Elevations and perspective sketches of proposed buildings are encouraged.
 - [4] Open space areas and indication as to whether offered for dedication.
 - [5] Recreational facilities.
 - [6] Rights-of-way and/or easements for all drainage facilities, utilities or other purposes.
 - [7] Sidewalks and pedestrian paths.
 - [8] Streetlights, in accordance with a streetlight plan, approved by the Philadelphia Electric Company.
 - [9] Fire hydrants.
 - [10] Monuments.
 - [11] Water mains.
 - [12] Driveway locations.
 - [13] Locations of private sewer systems, if applicable.
- (p) Where the final plan covers only a portion of the applicant's entire tract, a sketch plan shall be submitted of the prospective street layout for the remainder of the site.
- (2) Sedimentation and erosion control plan pursuant to Chapter 175, Grading, Excavations and Fills.
- (3) Sewer plan, showing:
- (a) Public sanitary sewer facilities, if applicable.
 - (b) Central water supply facilities, if applicable.
- (4) Landscaping and grading plan, showing:
- (a) Existing and proposed grades for the entire site.
 - (b) Existing vegetation to be removed.
 - (c) Existing vegetation to be preserved.
 - (d) Proposed planting schedule indicating the locations, species and sizes of plantings as required by §§ 255-29B, 255-38 and 255-42.
 - (e) Wetlands, as delineated in accordance with the requirements of § 255-20B(4)(d) above.
[Added 10-15-1991 by Ord. No. 91-41]
- [1] Where it is determined, in accordance with the terms of that subsection, that no wetlands exist on the site, a note to that effect shall appear on the site plan.
 - [2] Where wetlands exist and disturbance permits and/or mitigation activities are required, final plan approval or granting of applicable permits from the Township shall be conditioned upon the applicant receiving all necessary wetlands permits or waivers pursuant thereto and/or the approval of the Township Engineer.

(5) Improvement construction plan (drainage and construction) prepared by an engineer. The improvement construction plan shall be at a horizontal scale on the plan and profile of 40 feet to the inch and at a vertical scale on the profile of four feet to the inch. It shall show the following:

(a) Horizontal plan (streets):

- [1] Center line with bearings, distances, curve data and stations corresponding to the profile.
- [2] Right-of-way and curblines with radii at intersections.
- [3] Beginning and end of proposed construction.
- [4] Tie-ins by courses and distances to intersections of all public streets, with their names and widths.
- [5] Location of all proposed monuments with reference to them.
- [6] Property lines and ownership of abutting properties.
- [7] Location and size of all drainage structures, sidewalks, public utilities, lighting standards, street trees and street name signs.

(b) Profile (streets):

- [1] Profile of existing ground surface along center line and both right-of-way lines of streets.
- [2] Proposed center-line grade, with percent on tangents and elevations at fifty-foot intervals, grade intersections and either end of curb radii.
- [3] Vertical curve data, including length, tangent, elevations and minimum sight distance, as required in Article V.

(c) Cross-section (streets):

- [1] Right-of-way width and location and width of paving.
- [2] Type, thickness and crown of paving.
- [3] Type and size of curb and size of concrete chair under joints.
- [4] Grading of sidewalk area.
- [5] Location, width, type and thickness of sidewalks.
- [6] Typical location of sewers and utilities with sizes.

(d) Horizontal plan (storm drains and sanitary sewers):

- [1] Location and size of line with stations corresponding to the profile.
- [2] Location of manholes or inlets with grade between and elevation of flow line and top of each manhole or inlet.
- [3] Property lines and ownership, with details of easements where required.
- [4] Beginning and end of proposed construction.
- [5] Location of laterals and Y's.

- [6] Location of all other drainage facilities and public utilities in the vicinity of storm and/or sanitary sewer lines.
- [7] Hydraulic design data for culverts and/or bridge structures.
- (e) Profile (storm drains and sanitary sewers):
 - [1] Profile of existing ground surface with elevations at top of manholes or inlets.
 - [2] Profile of storm drain or sewer showing type and size of pipe, grade, cradle, manhole and inlet locations.
- (6) Management information: a formal contract for maintenance of open space and/or private streets and method of management and maintenance, if applicable.
- (7) Planning modules for land development, as required by Chapter 71 of the Pennsylvania Sewage Facilities Act, as amended. *Editor's Note: See 35 P.S. § 750.1 et seq.*
- (8) Acknowledgments:
 - (a) All offers of dedication and covenants governing the reservation and maintenance of undedicated open space, bearing certificate of approval of the Township Solicitor.
 - (b) Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition of sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided.
 - (c) Agreement for any street not offered for dedication.
 - (d) All required permits and related documentation from the Pennsylvania Department of Environmental Resources where any alteration or relocation of a stream or watercourse is proposed.
 - (e) Highways occupancy permits or documentation indicating that such permits are available to the applicant from the Pennsylvania Department of Transportation, if applicable.
 - (f) A written agreement, pursuant to § 255-66.

§ 255-22. Final plan for minor subdivision.

A. Drafting standards.

- (1) The plan shall be drawn at a scale of no less than one inch equals 100 feet.
- (2) Dimensions shall be in feet and decimal parts thereof; and bearings in degrees, minutes and seconds.
- (3) The boundary line of the subdivision shall be shown as a solid heavy line.
- (4) Plans shall be on sheets having a minimum size of 18 inches by 30 inches and a maximum size of 24 inches by 34 inches, and all lettering shall be so drawn as to be legible if the plans should be reduced to half size.
- (5) All plans and surveys shall be prepared in accordance with the Act of May 23, 1945 (P.L. 913, No. 367), known as the "Professional Engineers Registration Law." *Editor's Note: See 63 P.S. § 148 et seq.* [Added 10-22-1990 by Ord. No. 90-49]
- (6) Each sheet shall be numbered. [Added 6-28-1993 by Ord. No. 93-15]

B. The minor subdivision plan shall show or be accompanied by the following information:

- (1) Site plan, showing: **[Amended 4-9-1984 by Ord. No. 84-09]**
- (a) The name of the subdivision or land development, including the address if available.
[Amended 10-22-1990 by Ord. No. 90-49]
 - (b) The name and address of the owner/applicant.
 - (c) The name, address and seal of the engineer or surveyor responsible for the plan.
 - (d) Zoning requirements, *Editor's Note: See Ch. 280, Zoning.* including:
 - [1] Applicable district and district boundaries.
 - [2] Maximum density permitted and proposed density, if applicable.
 - [3] Lot size and yard requirements.
 - [4] Required and proposed open space and impervious surface ratios, if applicable.
 - [5] Any variances or special exceptions granted.
 - [6] Any calculated floodplain areas.
 - [7] Any steep slope areas.
 - (e) A location map showing relation of site to adjoining properties and streets within 500 feet (scale: one inch equals 600 feet). **[Amended 6-28-1993 by Ord. No. 93-15]**
 - (f) The North point.
 - (g) Written and graphic scales (including scale of location map).
 - (h) Wetlands delineated by an accredited consultant, and said delineation, unless waived by the Radnor Township Board of Commissioners, shall be approved by the Army Corps of Engineers. **[Amended 6-26-1989 by Ord. No. 89-28]**
 - (i) Site boundaries.
 - (j) Boundaries of all adjoining properties (with names and addresses of landowners in the case of unplatted land). **[Amended 6-28-1993 by Ord. No. 93-15]**
 - (k) Existing principal buildings (and their respective uses) and driveways on the adjacent peripheral strip. Sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site (this includes properties across streets).
 - (l) A lot layout, with exact dimensions, areas and uses of lots, building setback lines and rear and side yard lines.
 - (m) The types of buildings proposed, if any.
 - (n) The number of units proposed.
 - (o) Open space areas, if any.
 - (p) Contour lines measured at vertical intervals of two feet. Such elevations shall be determined by on-site survey, not interpolation of United States Government Survey maps. In the case of relatively flat or level areas, a lesser interval may be required.

- (q) Datum to which contour lines refer. Where practicable, data shall refer to established elevations.
- (r) Large trees over six inches in caliper. [Added 6-28-1993 by Ord. No. 93-15]
- (2) Management information: A formal contract for maintenance of open space and/or private streets and method of management and maintenance, if applicable.
- (3) Planning modules for land development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act, as amended. *Editor's Note: See 35 P.S. § 750.1 et seq.*
- (4) Acknowledgments.
 - (a) All offers of dedication and covenants governing the reservation and maintenance of undedicated open space, bearing certificate of approval of the Township Solicitor.
 - (b) Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition of sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided.
 - (c) All required permits and related documentation from the Pennsylvania Department of Environmental Resources where any alteration or relocation of a stream or watercourse is proposed.
 - (d) Highway occupancy permits or documentation indicating that such permits are available to the applicant from the Pennsylvania Department of Transportation, if applicable.
 - (e) A written agreement pursuant to § 255-66.
- (5) Wetlands, as delineated in accordance with the requirements of § 255-20B(4)(d) above. [Added 10-15-1991 by Ord. No. 91-41]
 - (a) Where it is determined, in accordance with the terms of that subsection, that no wetlands exist on the site, a note to that effect shall appear on the site plan.
 - (b) Where wetlands exist and disturbance permits and/or mitigation activities are required, final plan approval or granting of applicable permits from the Township shall be conditioned upon the applicant receiving all necessary wetlands permits or waivers pursuant thereto and/or the approval of the Township Engineer.
- (6) Improvement construction plan in accordance with § 255-21B(5). [Added 6-28-1993 by Ord. No. 93-15]

§ 255-23. Record plan.

- A. The record plan shall be a clear and legible blue or black line print and shall be an exact copy of the approved plan on a sheet of the size required for final plans.
- B. The following information shall appear on the record plan, in addition to the information required in §§ 255-21 and 255-22 for the final plan:
 - (1) Seals:
 - (a) The impressed seal of the engineer or surveyor who prepared the plan.
 - (b) The impressed corporate seal, if the subdivider is a corporation.
 - (c) The impressed seal of a notary public or other qualified officer acknowledging the owner's statement of intent.

(d) The impressed seal of the Delaware County Planning Commission.

(2) Acknowledgments.

(a) A statement to the effect that the applicant is the owner of the land proposed to be subdivided and that the subdivision shown on the final plan is made with his or their free consent and that it is desired to record the same.

(b) An acknowledgment of said statement before an officer authorized to take acknowledgments.

(c) A signed title block, if private sanitary sewer systems are proposed, as follows:

Observations of deep test holes as described in the planning module for land development and percolation tests on all lots have been performed by an approved sewage enforcement officer and it has been determined that all lots are suitable for _____ type sewage disposal system(s) under current rules and regulations. Permits for the construction of each individual sewage disposal system on each lot must be obtained prior to the commencement of construction of the system and/or buildings.

Date

Signature, Sewage Enforcement Officer

(3) The following signatures shall be placed on the plan in ink:

(a) The signatures of the owner or owners of the land. If the owner of the land is a corporation, the signatures of the president and secretary of the corporation shall appear.

(b) The signature of the notary public or other qualified officer, acknowledging the owner's statement of intent.

(c) The signature of the engineer or surveyor who prepared the plan.

(d) The signature of the Director of Public Works.

(e) The signature of the Zoning Officer.

(f) The signature of the Township Engineer.

(g) The signatures of the President and the Secretary of the Board of Commissioners.

Article V. Design Standards

§ 255-24. Applicability of standards.

A. The following subdivision and land development principles, standards and requirements will be applied in evaluating plans for proposed subdivisions and land developments.

B. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety and general welfare.

C. Where literal compliance with the standards specified herein is clearly impractical, the Board of Commissioners may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of this chapter.

§ 255-25. General standards.

- A. All portions of a site being subdivided shall be taken up in lots, streets, public lands or other proposed uses so that remnants and locked areas shall not be created.
- B. In general, lot lines shall follow Township boundary lines rather than cross them.
- C. The developer shall conform to all applicable performance standards, including but not limited to those contained in Chapter 175, Grading, Excavations and Fills; Chapter 280, Zoning; and Chapter 263, Trees. [Amended 7-20-1992 by Ord. No. 92-13; 6-28-1993 by Ord. No. 93-15]
- D. Subdivisions and land developments shall be laid out so as to avoid the necessity for excessive cut or fill.
- E. Land subject to subsidence and land deemed to be topographically unsuitable may not be platted for residential use or for such other uses as may increase danger to health, life or property until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the subdivision plans. Such land within the subdivision or land development shall be set aside on the plan for uses which shall not endanger life or property or further aggravate or increase the existing menace.

§ 255-26. Community facilities.

In accordance with the provisions of Chapter 280, Zoning, and other ordinances and regulations of the Township:

- A. In reviewing subdivision plans, the Board of Commissioners shall consider the adequacy of existing or proposed community facilities to serve the additional buildings proposed by the subdivision.
- B. Where deemed essential by the Board of Commissioners, upon consideration of the particular type of development proposed and especially in large-scale residential developments, the Board of Commissioners may require the dedication or reservation of such areas or sites of an extent and locations suitable to the needs created by the development for schools, open space, parks and other purposes.
- C. Areas provided or reserved for such community facilities shall be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed.
- D. Where a proposed park, playground, school or other public use shown in the Comprehensive Plan is located in whole or in part in a subdivision or land development, the Board of Commissioners may require the dedication or reservation of such area within the subdivision or land development, in those cases in which the Board of Commissioners deems such requirements to be necessary.

§ 255-27. Streets.**A. General standards for streets.**

- (1) Proposed streets shall conform to such county and state street and highway plans as have been prepared, adopted and/or filed as prescribed by law.
- (2) Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.
- (3) Residential streets shall be so laid out as to discourage through traffic; however, the arrangement of streets shall provide for continuation of existing or platted streets and for proper access to adjoining undeveloped tracts suitable for future subdivision.
- (4) If lots resulting from original subdivision are large enough to permit resubdivision or if a portion of the tract is not subdivided, adequate street rights-of-way to permit further subdivision shall be provided as necessary.

- (5) Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts or when designed as culs-de-sac. Stub streets shall be properly closed to through traffic until such time as the street is extended.
- (6) Stub streets greater in length than one lot width shall be provided with a turnaround designed to meet the standards required for culs-de-sac and shall be provided with sufficient rights-of-way to permit the future extension of the street into the adjacent property.
- (7) Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets. Street names shall not be repeated within the Township, and all street names shall be subject to the approval of the Board of Commissioners.
- (8) Any applicant who encroaches within the legal right-of-way of a state highway is required to obtain a highway occupancy permit from the Pennsylvania Department of Transportation.

B. Classification of streets.

- (1) Pursuant to the table below, new streets will be classified according to the average daily traffic (ADT) which will be expected to use the street. If a new street will serve as a stub or connector street, its classification must be determined in accordance with its ultimate traffic, given full development.

Class	ADT
Expressways	10,001 and greater
Arterials	10,001 and greater
Major collectors	3,501 to 10,000
Minor collectors	651 to 3,500
Local streets	101 to 650
Courts	1 to 100

- (2) ADT's may be based upon actual vehicle counts or calculated by using the Trip Generation Rates Table in § 255-20B(5).
- (3) Existing streets are classified as follows:
 - (a) Expressway: Mid-County Expressway (U.S. Interstate 476).
 - (b) Arterials: Lancaster Pike (U.S. Route 30), North Spring Mill Road (Pa. Route 320) and Sproul Road (Pa. Route 320).
 - (c) Major collectors: Bryn Mawr Avenue, Conestoga Road, County Line Road, Darby and Paoli Road, Eagle Road, King of Prussia Road, Matsonford Road, North Wayne Avenue, Radnor and Chester Road, South Wayne Avenue and Upper Gulph Road.
 - (d) Minor collectors: Brooke Road, Clyde Road, Godfrey Road (Darby and Paoli Road to Sproul Road), Goshen Road, Gulph Creek Road, Iven Avenue, Lowrey's Lane, Malin Road, Maplewood Road, Newtown Road, North Ithan Avenue, Pine Tree Road (King of Prussia Road to Upper Gulph Road), Radnor Street, Roberts Road (South Ithan Avenue to County Line Road), St. David's Road (southwest of Darby and Paoli Road), Sinkler Drive, South Aberdeen Avenue, South Devon Avenue, South Ithan Avenue, Valley Forge Road, West Wayne Avenue and Wyldhaven Road.
 - (e) Local streets: All other existing streets shall be classified as local streets.

- (4) New streets shall be classified on the basis of a traffic impact study and/or a classification approved by the Board of Commissioners.

C. Specific standards for streets.

- (1) The following chart indicates the required dimensional standards for the various classifications of streets as defined in § 255-6:

Basic Dimensions

	Right-of-Way (feet)	Cartway (feet)	Curbs	Sidewalks
Expressways	*	*	*	no
Arterials	*	*	*	*
Major collectors	80	48	*	*
Minor collectors	60	36	yes	yes
Local streets	60	28	yes	yes***
Culs-de-sac	60	28**	yes	yes***

NOTES:

*As recommended by the Pennsylvania Department of Transportation.

**Twenty-four feet in R-1 and AC Districts.

***Not required in the R-1 and AC Districts.

- (2) Additional right-of-way and/or cartway widths may be required by the Board of Commissioners in order to lessen traffic congestion, to secure safety from fire, panic and other dangers, to facilitate the adequate provision for transportation and other public requirements and to promote the general welfare.
- (3) Short extensions of existing streets with lesser rights-of-way and/or cartway widths than prescribed above may be permitted; provided, however, that no section of new right-of-way is less than 40 feet in width and such extensions shall be less than 100 feet in length.
- (4) Where a subdivision abut or contains an existing street of inadequate right-of-way width, the Board of Commissioners may require the reservation or dedication of rights-of-way to conform to the above standards. The center line of the ultimate right-of-way shall be the same center line as the existing right-of-way.
- (5) New half or partial streets will not be permitted, except where essential to reasonable subdivision 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 street can be secured.
- (6) Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.

D. Cul-de-sac streets.

- (1) Permanent or temporary culs-de-sac shall have a minimum length of 250 feet but shall neither exceed 800 feet in length nor furnish access to more than 20 dwelling units.

- (2) Culs-de-sac shall have at the closed end a turnaround with a right-of-way having a minimum outside radius of not less than 60 feet and shall be paved to a radius of not less than 40 feet.
- (3) Grades across culs-de-sac shall not exceed 3%.

E. Private streets. Private residential streets will be approved only if they meet the following requirements:

- (1) No more than five lots may be permitted to front on a private street.
- (2) The private street shall have a right-of-way width and a horizontal and vertical alignment consistent with the requirements for public streets.
- (3) The private street shall meet minimum pavement structure requirements.
- (4) The private street shall be owned and maintained by all abutting property owners. A homeowner's association or other legal entity approved by the Board of Commissioners shall be formed in order to properly administer such maintenance responsibilities.
- (5) The Board of Commissioners shall reserve the right to order the reconstruction of the private street up to Township standards and subsequent dedication as a public street, if such private street is deemed to be a safety or health hazard. Costs of such reconstruction shall be assessed against all abutting property owners and shall be borne by said property owners.
- (6) Private streets shall be indicated as such on the record plan and shall be subject to contract and guaranty requirements as described in Article VII.

F. Street alignment.

- (1) Whenever local street lines are deflected in excess of five degrees, connection shall be made by horizontal curves. All other streets shall not have angle points in the alignment.
- (2) Minimum center-line radii for horizontal curves shall be as follows:
 - (a) Local streets and courts: 150 feet.
 - (b) Minor collectors: 300 feet.
 - (c) Major collectors and arterials: 500 feet.
- (3) Except on local streets, a minimum tangent of 100 feet shall be required between curves.
- (4) A long radius curve shall be preferred to a series of curves and tangents.
- (5) The approaches to an intersection shall follow a straight course for at least 100 feet for local streets and courts. Approaches for other street types shall be designed in accordance with accepted engineering standards.

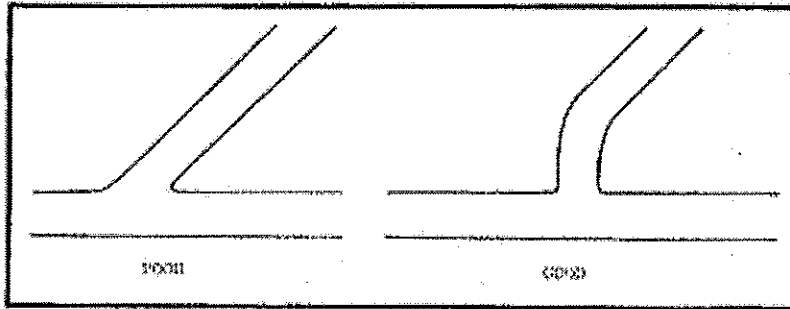
G. Street grades.

- (1) Center-line grades shall not be less than 1.5%.
- (2) The maximum street grades shall be as follows:
 - (a) Courts and local streets: 10%.
 - (b) Arterials and all collector streets: 6%.
- (3) Vertical curves shall be used at changes of grade exceeding 1%.

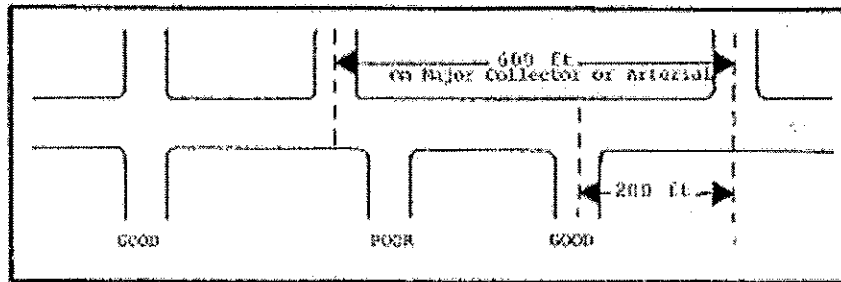
- (4) Where the grade of any street at the approach to an intersection exceeds 7%, a leveling area of 4% grade or less shall be provided for a minimum distance of 100 feet for local streets. Approaches for other street types shall be designed in accordance with accepted engineering standards.

H. Street intersections.

- (1) Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 70°.



- (2) Multiple intersections involving the junction of more than two streets shall be prohibited.
- (3) In all districts, no structure, fence, planting or other structure shall be maintained between a plane two feet above curb level and a plane seven feet above curb level so as to interfere with traffic visibility across the corner within that part of the required front, side or rear yard which is within the clear sight triangle.
- (4) Minor collectors and local streets shall not intersect on the same side of a major collector or arterial at an interval of less than 600 feet.
- (5) Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 200 feet between their center line.



- (6) Minimum curb radii at street intersections shall be 25 feet for local streets; 30 feet for collectors; 35 feet for arterials; and 10 feet for driveways.
- (7) Right-of-way radii shall be concentric with the curb radii.

I. Street access.

- (1) Where a subdivision abuts or contains an existing or proposed arterial or collector street, the Township may require reverse-frontage lots or such other treatment as will provide protection for abutting properties, reduce the number of intersections with the major street and separate local and through traffic. **[Amended 1-2-2001 by Ord. No. 2001-03]**
- (2) Access to parking areas on commercial, institutional, planned business and industrial sites shall be controlled and shall be so located as to provide a minimum of 200 feet between points of access.

- (3) Private driveways, where provided, shall be located not less than 40 feet from the intersection and shall provide access to the street of lower classification when a corner lot is bounded by streets of two different classifications as defined herein.
- (4) Driveway grades shall not exceed 16%.
- (5) In general, no private driveway shall take access to an arterial or major collector street. Driveways shall be so located and designed as to provide a reasonable sight distance at street intersections.
- (6) No common driveways shall be permitted between two or more single-family dwellings.
- (7) No common driveway shall provide access to more than three lots or three single-family dwellings.
[Added 6-11-1990 by Ord. No. 90-28]

§ 255-28. Sight distance.

A. The control of grades, curvature and obstructions at intersections is required to ensure adequate sight distance for safe and efficient vehicular operation. There are three types of sight distance:

- (1) For stopping.
- (2) For passing overtaken vehicles on two- and three-lane streets.
- (3) For intersections to ensure safe crossing or entering of an intersecting street.

B. The following table indicates the minimum sight distance required for the three forms of sight distance on the various street types:

Sight Distance	Street Classification			
	Arterial (feet)	Major Collector (feet)	Minor Collector (feet)	Court or Local (feet)
Stopping	350	275	275	200
Passing	To be determined by Township Engineer, in accordance with accepted engineering standards.			
Intersections	750	600	550	400

§ 255-29. Parking facilities.

A. The design standards specified below shall be required for all off-street parking facilities with a capacity of three or more vehicles.

(1) The minimum dimensions of stalls and aisles shall be as follows:

Angle of Parking (degrees)	Parking Stall		Aisle	
	Width (feet)	Depth (feet)	One-Way (feet)	Two-Way (feet)
90	9 1/2	20	*	22
60	9 1/2	21	18	21
45	9 1/2	20	15	18
30	9 1/2	18	12	15
Parallel	8	22	12	18

Angle of Parking (degrees)	Parking Stall		Aisle	
	Width (feet)	Depth (feet)	One-Way (feet)	Two-Way (feet)

*NOTE: Not permitted.

- (2) Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles.
- (3) All parking spaces shall be marked so as to provide for orderly and safe parking.
- (4) At no time shall angle or perpendicular parking be permitted along public streets.
- (5) Except at entrance and exit drives, all parking areas shall be set back from the right-of-way line and all property lines pursuant to the provisions of Chapter 280, Zoning. The distance between this required setback and the cartway shall be maintained as a planting strip or planting strip and sidewalk.
- (6) No more than 10 parking spaces shall be permitted in a continuous row without being interrupted by landscaping and concrete curb. **[Amended 6-28-1993 by Ord. No. 93-15]**
- (7) No one area for off-street parking of motor vehicles shall exceed 30 cars in capacity. Separate areas on a parcel shall be physically separated from one another by ten-foot-wide planting strips and concrete curb. **[Amended 6-28-1993 by Ord. No. 93-15]**
- (8) Parking lots with less than 30 spaces shall not have a grade exceeding 5%. Parking lots with more than 30 spaces shall not have a grade exceeding 3%. No grade cut, fill or height difference between terraced parking areas shall exceed four feet unless approved by the Board of Commissioners.
- (9) In no case shall parking areas for three or more vehicles be designed to require or encourage cars to back into a public street in order to leave the lot.
- (10) Entrances and exits to and from off-street parking areas shall be located so as to minimize interference with street traffic.
- (11) For the purpose of servicing any property held under single and separate ownership, entrance and exit drives crossing the street line shall be limited to two along the frontage of any single street and their center lines shall be spaced at least 80 feet apart. On all corner properties, there shall be a minimum spacing of 60 feet, measured at the street line, between the center line of any entrance or exit drive and the street line of the street parallel to said access drive.
- (12) The width of entrance and exit drives shall be:
 - (a) A minimum of 12 feet for one-way use only.
 - (b) A minimum of 25 feet for two-way use.
 - (c) A maximum of 25 feet at the street line and 35 feet at the curbline.
- (13) Tire bumpers shall be installed so as to prevent vehicle overhang on any sidewalk area.
- (14) No less than a five-foot radius of curvature shall be permitted for all curbline in parking areas.
- (15) All dead-end parking areas shall be designed to provide sufficient backup area for the end stalls of a parking area.
- (16) Raised pedestrian crosswalks and refuse islands shall be provided at intervals not exceeding 200 feet along the length of each parking area.

- (17) Pedestrian crosswalks in parking areas shall not be subject to passage or concentration of surface runoff.
- (18) All common parking areas shall be adequately lighted during after-dark operating hours. All lighted standards shall be located on raised parking islands and not on the parking surface.
- (19) All artificial lighting used to illuminate any parking space or spaces shall be so arranged that no direct rays from such lighting shall fall upon any neighboring property or streets, nor shall any high-brightness surface of the luminaries be visible from neighboring residential properties or from a public street.
- (20) Where semi-attached, attached or multiple dwellings are proposed and where private garages or driveways are proposed to be used to meet the off-street parking requirements, one parking space per four dwelling units of overflow off-street parking shall be provided. Such parking may be located either in a public parking facility or on individual lots.
- (21) Concrete curb shall be required along the perimeter of all parking areas exceeding a ten-car capacity. **[Added 6-28-1993 by Ord. No. 93-15]**

B. Landscaping for parking facilities.

- (1) All parking areas shall have at least one tree 2 1/2 inches minimum in caliper for every five parking spaces in single bays and one tree 2 1/2 inches minimum in caliper for every 10 parking spaces in double bays. Trees shall be planted in such a manner to afford maximum protection from the sun for parked vehicles. A minimum of 10% of any parking lot facility over 2,000 square feet in gross area shall be devoted to landscaping, inclusive of required trees. **[Amended 3-10-2003 by Ord. No. 2003-6]**
- (2) Plantings shall be able to survive soot and gas fumes. Trees which have low-growing branches, gum or moisture which may drop on vehicles, blossoms, thorns, seeds or pods which may clog drainage facilities shall be avoided.

§ 255-30. Off-street loading facilities.

Off-street loading facilities shall be designed to conform to the following specifications.

- A. Each space shall be no less than 14 feet wide, 60 feet long and 17 feet high, exclusive of drives and maneuvering space, and located entirely on the lot being served.
- B. There shall be appropriate means of access to a street or alley as well as adequate maneuvering space.
- C. The maximum width of driveways and sidewalk openings measured at the street lot line shall be 35 feet; the minimum width shall be 20 feet.
- D. All accessory driveways and entranceways shall be graded, have a bituminous surface and be drained to the satisfaction of the Township Engineer to the extent necessary to prevent nuisances of dust, erosion or excessive water flow across public streets or sidewalks.
- E. Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, a hazard or an unreasonable impediment to traffic.
- F. The lighting requirements of § 255-29A(19) shall be met, if applicable.

§ 255-31. Grading and drainage.

Editor's Note: See also Ch. 175, Grading, Excavations and Fills.

- A. Provisions for the control of surface water should, if possible, be constructed to encourage percolation of the water into the ground to aid in the recharge of groundwaters.

- B. Blocks and lots shall be graded to secure proper drainage away from buildings and to prevent the collection of stormwater in pools.
- C. All drainage provisions shall be of such design as to carry surface waters to the nearest practical and adequate street storm drain, retention basin, natural watercourse or other drainage facility.
- D. The subdivider or developer shall construct and/or install such drainage structures and/or pipes as are necessary to prevent erosion damage and to satisfactorily carry off or retain and release surface waters.
- E. No fill shall be made which creates any exposed surface steeper in slope than two horizontal to one vertical, except under one or more of the following conditions:
 - (1) The fill is located so that settlement, sliding or erosion will not result in property damage or be a hazard to adjoining property, streets, alleys or buildings.
 - (2) A written statement from an engineer experienced in erosion control, certifying that he has inspected the site and that the proposed deviation from the slope specified above will not endanger any property or result in property damage, is submitted to and approved by the Township Engineer.
 - (3) A concrete or stone masonry wall constructed in accordance with approved standards is provided to support the face of the excavation.
- F. The top or bottom edge of slopes shall be a minimum of three feet from property or right-of-way lines of streets or alleys in order to permit the normal rounding of the edge without encroaching on the abutting property.
- G. Storm drains and appurtenances shall be required to be constructed by the owner to take surface water from the bottom of vertical grades, to lead water away from springs and to avoid excessive use of cross gutters at street intersections and elsewhere.
- H. Unless otherwise directed by the Board of Commissioners and the Pennsylvania Department of Environmental Resources, watercourses shall remain open and shall not be piped or incorporated into a storm sewer system.
- I. Detention and retention basins shall be designed to utilize the natural contours of the land whenever possible. When such design is impracticable, the construction of the basin shall utilize slopes as shallow as possible to blend the structures into the terrain.

§ 255-32. Erosion and sediment controls.

- A. No changes shall be made in the contour of the land and no grading, excavation, removal or destruction of the topsoil, trees or other vegetation cover of the land shall be commenced until such time that a plan for minimizing erosion and sedimentation has been processed and reviewed by the Township Engineer and the Delaware County Conservation District. The Board of Commissioners may waive this requirement for minor subdivisions.
- B. No subdivision or land development plan shall be approved unless:
 - (1) There has been an erosion and sedimentation plan approved by the Township Engineer that provides for minimizing erosion and sedimentation, consistent with Chapter 175, Grading, Excavations and Fills, and an improvement bond or other acceptable security is deposited with the Township in the form of an escrow guaranty which will ensure installation and completion of the required improvements; or
 - (2) There has been a determination by the Board of Commissioners that a plan for minimizing erosion and sedimentation is not necessary.

- C. Measures used to control erosion and reduce sedimentation shall, as a minimum, meet the standards and specifications of the Delaware County Conservation District. The Township Engineer shall ensure compliance with the appropriate specifications, copies of which are available from the district.
- D. The Board of Commissioners, in its consideration of all preliminary plans of subdivision and land development, shall condition its approval upon the execution of erosion and sediment control measures as contained in Chapter 175, Grading, Excavations and Fills.
- E. Final approval of plans and specifications for the control of erosion and sedimentation shall be concurrent with the approval of the final subdivision or land development plans and become a part thereof.
- F. The Township Engineer shall review stream channel construction on watersheds with a drainage area in excess of 320 acres or in those cases where downstream hazards exist and shall submit a review of said construction to the Pennsylvania Department of Environmental Resources. Said construction shall be approved by the Pennsylvania Department of Environmental Resources prior to final plan approval.
- G. Final plans for minimizing erosion and sedimentation, as approved, will be incorporated into the agreement and bond requirements as required by the Township. (See Article VII.)

§ 255-33. Blocks.

- A. The length, width and shape of blocks shall be determined with due regard to the following:
 - (1) Provision of adequate sites for types of buildings proposed.
 - (2) Zoning requirements as to lot sizes, dimensions and minimum lot areas per dwelling unit.
 - (3) The limitations and opportunities of the topography.
 - (4) Requirements for safe and convenient vehicular and pedestrian circulation and access.
- B. Blocks shall have a maximum length of 1,600 feet and a minimum length of 300 feet. In the design of blocks longer than 1,100 feet, special consideration shall be given to the requirements of satisfactory fire protection.

§ 255-34. Lots.

[Amended 10-11-1983 by Ord. No. 83-28; 7-17-2000 by Ord. No. 2000-20; 10-15-2002 by Ord. No. 2002-26]

- A. Lot dimensions and areas shall not be less than specified by Chapter 280, Zoning.
- B. Residential lots shall front on an existing or proposed street.
- C. Through lots are prohibited, except where employed to prevent vehicular access to arterial or collector streets.
- D. Insofar as practical, side lot lines shall be at right angles to straight lines or radial to curved street lines. Acute angles or small projections shall be avoided. However, different lot shapes will be permitted if they can be shown to be necessary or desirable to relate building sites to the terrain or to provide better site utilization and building relationships.
- E. The depth of lots shall generally not exceed their width by more than 2.5 times. All lots shall be serviced by a street designed in accordance with the provisions of this chapter.
- F. The subdivision of a tract which creates nonconforming side and rear yards for existing buildings will not be approved unless variances have been granted by the Zoning Hearing Board prior to final-plan submission.

§ 255-35. Easements.

- A. Easements with a minimum width of 20 feet shall be provided as necessary for utilities.
- B. To the fullest extent possible, easements shall be adjacent to rear or side lot lines.
- C. No structure requiring a building permit or plantings, except for lawn and/or paving shall be set or put within the area of a utility easement.
- D. Where a subdivision or land development is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially to the line of such watercourse and of such width as will be adequate to preserve natural drainage but not less than 50 feet or as may be required or directed by the Township and/or the Department of Environmental Resources. The owner shall properly grade and seed slopes and fence any open ditches when it is deemed necessary by the Township.
- E. Where stormwater or surface water will be gathered within the subdivision or land development and discharged or drained without being detained over lands within or beyond the boundaries of the subdivision or land development, the applicant or owner shall reserve or obtain easements over all lands affected thereby, which easements shall be adequate for discharge or drainage; and for carrying off of such water; and for the maintenance, repair and reconstruction of the same, including the right of passage over and upon the same by vehicles, machinery and other equipment for such purposes; and which shall be of sufficient width for such passage and work. The owner shall convey, free of charge or cost, such easements to the Township upon demand.

§ 255-36. Curbs.

Curbs shall be provided along streets when required by the Township.

§ 255-37. Sidewalks and pedestrian paths.

- A. Sidewalks and pedestrian paths shall minimize pedestrian-vehicle conflict and shall be provided when required by the Board of Commissioners.
- B. The minimum width of all sidewalks and pedestrian paths shall be four feet.
- C. Sidewalks and public paths shall be located within a public right-of-way, a public easement or a common open space area.
- D. Curb cuts shall be provided at all street crossings.
- E. Sidewalks and pedestrian paths shall be adequately lighted, if required by the Board of Commissioners.
- F. The grades and paving of sidewalks and pedestrian paths shall be continuous across driveways. Where heavy traffic volume is expected, a special paving treatment may be required by the Board of Commissioners.
- G. Sidewalks and pedestrian paths shall be laterally pitched at a slope of not less than 1/4 inch per foot to provide for adequate surface drainage.
- H. Sidewalks and pedestrian paths shall not exceed a seven-percent grade. Steps or a combination of steps and ramps shall be utilized to maintain the maximum grades, where necessary. Where sidewalk grades exceed 5%, a nonslip surface texture shall be used.
- I. Sidewalks and pedestrian paths shall be of a hard surface composition if heavy pedestrian or bicycle traffic will be served and shall be constructed according to Township specifications. An occasionally utilized footpath may utilize gravel, pine bark chips or other material approved by the Board of Commissioners.

J. Sidewalks adjacent to angle parking areas shall be set back a minimum of five feet to prevent car overhang from restricting pedestrian movement along the sidewalk.

K. Sidewalks shall be required in developments where lot areas are 20,000 square feet or less. **[Added 6-28-1993 by Ord. No. 93-15]**

§ 255-38. Shade trees.

Editor's Note: See also Ch. 263, Trees.

- A. Within any land development or major subdivision, street trees shall be planted along all streets where suitable street trees do not exist.
- B. Street trees 2 1/2 inches dbh at intervals of not more than 30 feet along both sides of new streets and along one or both sides of an existing street within the proposed subdivision or land development. An equivalent number may be planted in an informal arrangement, subject to the approval of the Board of Commissioners. **[Amended 10-22-1990 by Ord. No. 90-49; 6-28-1993 by Ord. No. 93-15; 3-10-2003 by Ord. No. 2003-6]**
- C. Street trees shall not be planted opposite each other, but shall alternate.
- D. At intersections, trees shall be located no closer than 50 feet from the intersection of the street rights-of-way.
- E. Street trees shall be planted on lots rather than within the right-of-way, unless otherwise approved by the Board of Commissioners.
- F. Street trees shall be of nursery stock. They shall be of symmetrical growth, free of insects, pests and disease, suitable for street use and in conformity with the standards of the American Association of Nurserymen.
- G. The minimum caliper measured at a height of six inches above the finished grade level shall be 2 1/2 inches.
- H. Approved trees.
 - (1) In particular, approved trees including the following:
 - (a) Acer ginnala: Amur maple.
 - (b) Acer saccharum: sugar maple.
 - (c) Acer saccharum columnaris: columnar sugar maple.
 - (d) Acer rubra columnaris: columnar red maple.
 - (e) Crataegus phaenopyrum: Washington hawthorn.
 - (f) Fraxinus americana: white ash.
 - (g) Fraxinus pennsylvanica lanceolata: green ash.
 - (h) Ginkgo biloba: ginkgo (male).
 - (i) Gleditsia tricanthos inermis: moraine locust.
 - (j) Koelreuteria paniculata: goldenrain tree.
 - (k) Liquidambar styraciflua: sweet gum.

- (l) Phellodendron amurense: Amur cork tree.
 - (m) Plantanus acerifolia: London plane tree.
 - (n) Prunus kwansan: kwansan cherry (upright form).
 - (o) Pyrus calleryana bradford: Bradford pear.
 - (p) Quercus borealis: red oak.
 - (q) Quercus coccinea: scarlet oak.
 - (r) Quercus phellos: willow oak.
 - (s) Tilia cordata: European linden.
 - (t) Zelkova serrata: Japanese zelkova.
- (2) Upon the approval of the Board of Commissioners, other species may be utilized.

§ 255-39. Crosswalks.

- A. Interior crosswalks may be required whenever necessary to facilitate pedestrian circulation and to give access to community facilities in blocks of over 1,000 feet in length.
- B. Such crosswalks shall have an easement width of not less than 20 feet and a paved walk of not less than four feet. They shall be clearly marked by bollards, paving material, signing, lights or similar provisions to ensure their visibility to motorists.

§ 255-40. Multifamily and attached-dwelling residential development.

- A. Approval of the preliminary plan must be obtained for the entire proposed development. Final approval may be obtained section by section, but such sections shall be specified on the preliminary plan and must be numbered in the proposed order that they are to be developed. Such order of development must be adhered to, and if changes are required, plans must be resubmitted and processed pursuant to Article III.
- B. Attached-dwelling types should incorporate varied designs, architectural modes and setbacks.
- C. Access and circulation.
 - (1) Access to the dwellings and circulation between buildings and other important project facilities for vehicular and pedestrian traffic shall be comfortable and convenient for the occupants.
 - (2) Access and circulation for fire-fighting and other emergency equipment, moving vans, fuel trucks, garbage collection, deliveries and snow removal shall be planned for efficient operation and convenience.
 - (3) Walking distance from the main entrance of a building or single-family dwelling unit to a parking area shall be less than 100 feet. Exceptions to this standard shall be reasonably justified by compensating advantages, such as desirable views and site preservation through adaption to topography. In no case shall the distance exceed 250 feet.
- D. Grading.
 - (1) Grading shall be designed for buildings, lawns, paved areas and other facilities to assure adequate surface drainage, safe and convenient access to and around the buildings, screening of parking and other service areas and conservation of desirable existing vegetation and natural ground forms.
 - (2) Grading around buildings shall be designated to be in harmony with natural topography.

E. Driveways.

- (1) Driveways shall be provided on the site where necessary for convenient access to dwelling units, garage compounds, parking areas, service entrances of buildings, collection of refuse and all other necessary services. Driveways shall enter public streets at safe locations.
- (2) Driveways shall be planned for convenient circulation, suitable for traffic needs and safety.
- (3) All driveways shall be paved and constructed in accordance with Township standards.

F. Refuse collection stations.

- (1) Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided.
- (2) Collection stations shall be located so as to be separated adequately from habitable buildings to avoid being offensive, but at the same time be convenient for both collectors and residents and shall be adequately screened and landscaped.
- (3) If public collection is anticipated, the containers and the placement thereof shall be subject to the approval of the Township Engineer.

G. Planting. The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and desirable topographic features. Additional plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen out objectionable features.

§ 255-40.1. Town center residential.

[Added 10-12-2004 by Ord. No. 2004-37]

- A. All regulations in § 255-40 shall apply unless otherwise expressly superseded in this section.
- B. Plant material shall be added if it adds privacy, shade, or beauty to the buildings and grounds where possible, but not required as to force a setback or yard in a lot.
- C. Perpendicular and angle parking may be permitted along public streets.
- D. Parking and driveway design shall allow vehicles to back out of a lot on to a local street.
- E. Buildings in this district developed for town center residential use will be exempt from buffer, screen and setback requirements.
- F. Shade trees shall only be required when that they are physically possible within the lot and whose placement shall comply with § 255-38.
- G. Encroachment on or above the second floor of a structure shall be allowed over the public right-of-way so long as it does not project more than 36 inches into the right-of-way. An encroachment shall not present a hazard to public safety as determined by the Township Engineer.

§ 255-41. Nonresidential development.

- A. The platting of individual lots for nonresidential uses shall be avoided in favor of a comprehensive design of the land to be used for such purposes.
- B. Additional width of streets adjacent to areas proposed for nonresidential use may be required as deemed necessary by the Board of Commissioners to assure the free flow of through traffic from vehicles entering or leaving parking and loading areas.
- C. When two adjacent lots proposed for nonresidential uses front on an arterial or major collector street, the applicant may be required to provide common ingress and egress as well as common parking

facilities. When three or more adjacent lots are proposed for nonresidential uses, the applicant may be required to provide a service road for common ingress and egress.

- D. Alleys or service streets shall be required in commercial and industrial land developments, except where adequate provisions are made for off-street loading.
- E. Dead-end alleys shall be avoided; but where this proves impossible, they shall be terminated with a paved turnaround of adequate dimensions as approved by the Board of Commissioners.
- F. Streets shall not be connected to local streets intended for predominantly residential traffic.
- G. Parking areas shall be located and designed in such a manner that they are visibly secluded from eye level in the surrounding area. Grading to depress the parking area, raised berms, landscaping or fencing are satisfactory methods to create such seclusion.
- H. Outdoor collection stations shall be provided for garbage and trash removal when indoor collection is not provided. Collection stations shall be screened from view and landscaped.

§ 255-42. Buffer screens.

[Amended 3-10-2003 by Ord. No. 2003-6]

- A. Buffer screens are required between subdivisions and land developments and along existing streets to soften visual impact, to screen glare and to create a visual barrier between conflicting land uses. The extent of screening required shall be determined by the type of use proposed and the adjacent uses or streets surrounding the proposed development. The impact of the proposed use on adjoining properties is the basis for establishing buffer screen standards.
- B. To determine the required buffer screen and planting schedule, the following three-step procedure shall be adhered to:
 - (1) Step 1: site analysis and determination of buffer screen class. For each property boundary, the applicant shall determine the adjacent land use or street classification for each property boundary. The letter indicates the buffer yard class. *Editor's Note: Table 1: Determination of Buffer Yard Class is included at the end of this chapter.*
 - (2) Step 2: selection of the planting option for the buffer screen class. After determining the buffer screening class, the applicant shall select a planting option from Table 2. For each buffer screening class, several planting options are available, one of which the applicant shall select to meet the buffer screens requirement for each boundary. The Board of Commissioners may permit an alternative planting option which shall have a screening capability equal to or greater than any of the available options.

Table 2: Planting Options

The options below indicate the amount of plant material that is required per linear foot of property line. Unless stated below, plantings are required to be aligned on property or right-of-way boundaries but may be sited on any portion of the property for buffering, if permitted by the Board of Commissioners. Plant materials shall be so arranged to allow for proper growth and to provide the buffering intended herein. All buffers shall have a minimum width of 10 feet, unless otherwise specified in Chapter 280, Zoning.

Class	Option
A	1 canopy tree per 40 feet along boundary line, plus
	1 flowering tree per 60 feet (informally arranged), plus
	1 evergreen per 60 feet (informally arranged)

Class	Option
	1 canopy tree per 40 feet (informally arranged), plus
	1 evergreen per 30 feet (informally arranged)
B	1 evergreen per 8 feet (informally arranged)
	1 evergreen per 15 feet with 4-foot-high berm
	1 evergreen per 15 feet (informally arranged), plus
	1 evergreen shrub per 8 feet (informally arranged)
	1 evergreen per 10 feet (informally arranged), plus
	1 shrub per 4 feet (informally arranged)
	Buffer screening on property line (3-foot centers)

- (3) Step 3: selection of plant materials from the plant materials list. Each planting option may utilize any of the plant materials outlined in Appendix A. *Editor's Note: Said appendix is located at the end of this chapter.* Minimum plant size given either in height or in caliper is indicated on this table. The Board of Commissioners may permit other planting types if they are hardy to the area, are not subject to blight or disease and are of the same general character and growth habit as those listed in Appendix A. *Editor's Note: Said appendix is located at the end of this chapter.* All planting material shall meet the standards of the American Association of Nurserymen. The applicant shall not be required to provide buffer screens should existing planting, topography or man-made structures on the subject property be deemed acceptable for screening purposes by the Board of Commissioners.

§ 255-43. Recreation areas and open space.

- A. Plotting of recreation areas. Recreation areas shall be laid out in accordance with the best principals of site design. The recreation areas shall form part of an interconnecting open space system which extends throughout the development. The following criteria shall be utilized to determine whether the recreation areas have been properly designed:
- (1) Recreation areas shall be readily accessible to all development residents or, in the case of recreation areas dedicated to the Township, shall be easily and safely accessible to the general public. At least one side of the recreation area shall abut a street for a minimum distance of 50 feet for access of emergency and maintenance vehicles.
 - (2) Recreation areas shall have a suitable topography, drainage and soils for use and development of recreational activities.
 - (3) When active recreation activities are proposed, which entail the construction and installation of equipment or playing surfaces, a Class B type buffer, as described in § 255-42, shall be provided when such activities abut residential uses.
 - (4) Recreational areas shall not be traversed by streets or utility easements unless said utilities are placed underground and no part of them or their supportive equipment protrudes above ground level.
 - (5) The shape shall be suitable to accommodate those recreation and open-space activities appropriate to the location and needs of future residents.
- B. Open space designation. All land held for open space shall be so designated on the plans. The plans shall contain the following statement for lands in Subsection B(1), (2) or (3) below: "Open space land

may not be separately sold, nor shall such land be further developed or subdivided." All subdivision plans shall further designate the use of open space, the type of maintenance to be provided and a planting plan or schedule. In designating use and maintenance, the following classes may be used:

[Amended 6-28-1993 by Ord. No. 93-15]

- (1) Lawn: a grass area with or without trees which may be used by the residents for a variety of purposes and which shall be mowed regularly to ensure a neat and tidy appearance.
- (2) Natural area: an area of natural vegetation undisturbed during construction or replanted. Such areas may contain pathways. Meadows shall be maintained as such and not let to become weed-infested. Maintenance may be minimal, but shall prevent the proliferation of weeds and undesirable plants, such as honeysuckle and poison ivy. Litter, dead trees and brush shall be removed, and streams shall be kept in free-flowing condition.
- (3) Recreation area: an area designated for a specific recreation use, including but not limited to tennis, swimming, shuffleboard, playfield and tot lot. Such areas shall be maintained so as to avoid creating a hazard or nuisance and shall perpetuate the proposed use.

C. Conveyance and maintenance of open space.

- (1) All open space shown on the final plan as filed in the office of the Township Engineer and subsequently recorded in the office of the Recorder of Deeds of Delaware County must be conveyed in accordance with one or more of the following methods:
 - (a) Dedication in fee-simple to the Township of Radnor. The Township may, but shall not be required to, accept any portion or portions of the open space, provided that such land is freely accessible to and of benefit to the general public of Radnor Township, there are no acquisition costs involved and the Township agrees to and has access to maintain such land; and it must be acceptable with regard to size, shape, location and improvement.
 - (b) By conveying title (including beneficial ownership) to a corporation, association, funded community trust, condominium or other legal entity.
 - [1] The terms of such instrument of conveyance must include provisions suitable to the Township for guaranteeing:
 - [a] The continued use of such land for the intended purpose.
 - [b] Continuity of proper maintenance for those portions of the open space requiring maintenance.
 - [c] The availability of funds required for such maintenance.
 - [d] Adequate insurance protection.
 - [e] Provisions for payment of applicable taxes.
 - [f] Recovery for loss sustained by casualty, condemnation or otherwise.
 - [g] Such other covenants and/or easements that the Township shall deem desirable to fulfill the purposes and intent of these regulations.
 - [2] The following are prerequisites for such a corporation or association:
 - [a] It must be set up before any homes or dwelling units are sold or leased or otherwise conveyed.
 - [b] Membership must be mandatory for each buyer and/or lessee and any successive buyer and/or lessee.

[c] It must be responsible for liability, insurance, taxes, recovery for loss sustained by casualty, condemnation or otherwise and the maintenance of recreational and other facilities.

[d] Members or beneficiaries must pay their pro rata share of the costs, and the assessment levied can become a lien on the property.

[e] It must be able to adjust the assessment to meet future conditions.

[f] Such corporation or association shall not be dissolved nor shall it dispose of the open space, by sale or otherwise, except to an organization conceived and established to own and maintain the open space. The corporation or association must first offer to dedicate the open space to the Township before any such sale or disposition of the open space.

(2) The dedication of open space, streets or other lands in common ownership of the corporation, association or other legal entity or the Township shall be absolute and not subject to reversion for possible future use for further development.

(3) All documents pertaining to the conveyance and maintenance of the open space shall meet the approval of the Solicitor as to legal form and effect and to the Board of Commissioners as to suitability for the proposed use of the open space.

§ 255-43.1. Park and recreational land and fee requirements.

[Added 2-25-2013 by Ord. No. 2013-01]

A. Purpose. All residential subdivisions of four or more lots/dwelling units and nonresidential subdivisions or land development plans regulated under this section shall provide for suitable and adequate recreation land and/or fees in order to:

(1) Insure adequate park and recreational areas and facilities to serve the future residents of the Township.

(2) Maintain compliance with recreational standards as recommended by the Radnor Township Comprehensive Plan, and Radnor Township Parks, Recreation and Open Space Plan of 1991, or as may be amended.

(3) Allow for orderly acquisition and development of park and recreation areas needed to serve new residents.

(4) Ensure that dedicated park and recreation land is suitable for the intended use.

B. Park and recreational land dedication requirements.

(1) For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments, unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit.

(2) For all nonresidential subdivisions and/or land developments, the amount of land to be dedicated for park and recreational area shall be 2,500 square feet per 4,000 square feet of building area (herein defined as the area occupied by buildings to the extremities of all rooflines).

C. Criteria for location and suitability of park and recreation land dedication.

(1) The Radnor Township Planning Commission and Park and Recreation Board will advise the Board of Commissioners on land offered for dedication for park and recreational purposes.

- (2) The intended use must meet the goals and objectives as outlined in the Radnor Township Parks, Recreation and Open Space Plan of 1991, or as may be amended.
- (3) Factors to be considered in determining park and recreation land locations and suitability shall include but not be limited to:
 - (a) Site(s) should be easily and safely accessible, have good ingress and egress and have access to a public road or to a road to be dedicated as a public road, or to a road which the residents of the development in which the site is located can use to reach the park and recreation site.
 - (b) Site(s) should have suitable topography for the development as a particular type of active or passive recreation area. Suitability shall be determined upon recommendation by the Township Engineer and shall be judged on the basis of the type of recreation area proposed.
 - (c) Size and shape of the site(s) should be suitable for the development as a recreation area. The configuration of the recreation area must be able to accommodate recreation activities proposed by the development plans. The required area shall not include narrow or irregular pieces which are remnants from lotting or left over after street and parking areas have been laid out.
 - (d) Site(s) should meet the minimum size with respect to usable acreage as recommended by the Radnor Township Parks, Recreation and Open Space Plan of 1991 for Radnor Township.
 - (e) Sites designated for active recreation land shall not contain lands with natural resource restrictions, as defined by the Township Zoning Ordinance, *Editor's Note: See Ch. 280, Zoning*, stormwater detention facilities, or lands designated for any other purpose. Site(s) designated for passive recreation may contain lands with natural resource restrictions, provided that the site(s) can be used by residents of the Township for passive recreational activities.
 - (f) The recreational activities and/or facilities for which the area is intended must be specified on the approved record plan.
 - (g) Recreation areas shall not be traversed by utility easements unless said utilities are placed underground. Recreational areas shall not contain or be traversed by any underground gas pipelines.
 - (h) On-site improvements on the dedicated park and recreation land shall be commensurate with the adjacent on-site development improvements, including but not limited to, grading, curbing and utilities.
 - (i) Land shall comply with any other applicable requirements of the Township Zoning and Subdivision/Land Development Ordinances.

D. Ownership and dedication to the Township.

- (1) If the Board of Commissioners determines that a park and recreation land dedication would be in the public interest, such park and recreation land shall first be offered for dedication to Radnor Township. If the Township does not accept dedication, the land may be owned and maintained by an entity that the Board of Commissioners determines is acceptable to ensure proper long-term oversight and maintenance of the land and which agrees to accept such land for permanent park and recreation purposes:
 - (a) Retention by the owner of the development, if the dwellings are to be rented, with proper documentation to ensure that the land will be used in perpetuity for park and recreational purposes.
 - (b) Dedication to a formal homeowners' or condominium association, with such agreement subject to approval of the Board of Commissioners. If any entity responsible for such park and recreation land should dissolve or become inactive or decide that it no longer wishes to be responsible for such land, it shall offer such land at no cost to the Township.

- (c) Dedication to a state or county government, or other approved entity.
 - (2) If the Board of Commissioners deems it to be in the public interest to accept dedicated land for park and recreational purposes, such acceptance shall be by adoption of a resolution of the Board of Commissioners and acceptance of a deed of dedication from the developer.
 - (3) Park and recreation land shall include deed restrictions to permanently restrict its use for park and recreation and to prohibit the construction of buildings on the land, except buildings for noncommercial recreation or to support maintenance of the land.
- E. Fee in lieu of dedication.** Where, upon agreement with the applicant or developer, it is determined that the dedication of all or any portion of the land area required for park and recreation purposes is not feasible under the criteria set forth in Subsection C, the applicant or developer shall pay a fee in lieu of dedication of any such land to the Township as follows.
- (1) The fee for residential subdivisions or land developments shall be \$3,307 per dwelling unit, which is based upon the estimated value of the land that would have to be dedicated under Subsection C for each dwelling unit. The fee may be updated from time to time by separate resolution of the Board of Commissioners.
 - (2) The fee for nonresidential subdivisions or land developments shall be \$3,307 per 4,000 square feet of building area.
 - (3) Limitations on use of fees.
 - (a) Any recreation fees collected under this section shall be placed within an interest-bearing recreation fee account which shall function as a capital reserve fund and shall be accounted for separately from other Township finds.
 - (b) To ensure that the lands and facilities are accessible to the residents of the developments that paid fees towards their cost, any such fees shall only be expended within the applicable park planning district as set forth on Map 3 of the Radnor Township Parks, Recreation and Open Space Plan of 1991, or as may be amended except that fees from any district may be used for Township-wide community parks and recreation areas.
 - (c) Fees required under this section shall be paid prior to the recording of the applicable final plan or as determined by the Commissioners.
 - (4) If such fees are paid in installments or prior to the issuance of each building permit, then for the purposes of determining limits for the time within such finds are required to be expended under 53 P.S. 10503(11) of the MPC, such time limit shall begin when the total fees related to the final approval are paid in full, and not from the date of payment of any portion of such fees. Upon request, the Township shall refund such fee, plus interest accumulated thereon from the date of payment as aforesaid, if the Township has failed to utilize the fee paid for the purposes set forth in this section within three years unless the applicant has waived this requirement.

Article VI. Required Improvements

§ 255-44. Purpose; conformance required.

- A. The purpose of this article is to establish and define the public improvements which will be required by the Township to be constructed or cause to be constructed by the applicant.
- B. All improvements shall be constructed in accordance with the specifications of the Township.
- C. The improvements included in this article are minimum requirements. However, the Board of Commissioners reserves the right, in any case, to increase the same if conditions so warrant.

§ 255-45. Revision of plans during construction.

When changes from the accepted drawings and specifications become necessary during construction, written acceptance by the Township, upon the advice of the Township Engineer, shall be secured before the execution of such change.

§ 255-46. Maintenance of streets.

Adequate provisions for the satisfactory maintenance of all streets shall be made by dedication to and acceptance for maintenance by the Township or by other acceptable means.

§ 255-47. Streets.

Editor's Note: See also Ch. 250, Streets and Sidewalks.

- A. The construction of streets and driveways as shown upon final plans and as contained in contract agreements shall in every respect conform to such requirements as the Township may, by resolution, require for the construction of streets.
- B. All streets shall be graded to:
 - (1) The grades shown on the street profiles and cross-section plan submitted and approved with the final plan.
 - (2) The full width of the right-of-way; in wooded areas this may be modified to preserve existing trees.
- C. Along the existing street on which a subdivision or land development abuts (hereinafter called a "boundary street"), improvements shall be made to the street. The improvements to the boundary street shall be determined by the width of the required cartway and built to the specifications established by the Township.

§ 255-48. Street signs.

- A. The Township shall erect, at the developer's expense, at every street intersection a street sign or street signs meeting Township approval, having thereon the names of the intersecting streets. At intersections where streets cross, there shall be at least two such street signs; and at the intersections where one street ends or joins with another street, there shall be at least one such street sign.
- B. Street signs are to be erected when the first dwelling on the street is occupied. Temporary street signs may be erected on the approval of the Township, but shall be made permanent before final offer for the dedication of roads is made.
- C. Warning and regulatory signs shall be erected along streets as required by the Board of Commissioners.

§ 255-49. Streetlights.

Where appropriate, the developer shall install or cause to be installed, at the developer's expense, metal or fiberglass pole streetlights serviced by underground conduit in accordance with a plan to be prepared by the developer's engineer and approved by the Board of Commissioners and by the Philadelphia Electric Company. The equipment of metal or fiberglass poles may be waived in such instances as approved by the Board of Commissioners due to the existence of wooden poles already in place. Provisions shall be made for energizing said lighting after 50% or more of the dwellings in a given subdivision or land development or section of a subdivision or land development have been occupied. The developer shall be responsible for all costs involved in lighting the streets until such time that the streets are accepted or condemned as public streets by the Township.

§ 255-50. Monuments.

- A. Monuments shall be placed in each change in direction of street-line boundary; two to be placed at each street intersection and one on each side of any street at angle points and at the beginning and end of curves. Areas to be conveyed for public use shall be fully monumented at their external boundaries.
- B. Monuments shall be placed in the ground after final grading is completed, at a time specified by the Township Engineer.
- C. All monuments may be checked for accuracy by the Township Engineer or their accuracy certified by the owner's engineer or surveyor. Accuracy of monuments shall be within 3/100 of a foot.

§ 255-51. Sidewalks.

- A. Sidewalks shall be constructed as required by § 255-27C. These standards shall apply on all new streets and on existing streets, unless in the opinion of the Board of Commissioners they are unnecessary for public safety and convenience.
- B. All sidewalks shall be constructed in accordance with § 255-37 of this chapter.
- C. The alignment and gradient of walks shall be coordinated with the grading plan to prevent the passage of concentrated surface water on or across the sidewalk and to prevent the pocketing of surface water by sidewalks.

§ 255-52. Curbs.

- A. Curbs shall be provided as required in § 255-27C, unless in the opinion of the Board of Commissioners they are unnecessary.
- B. Curbs, where required, shall be the vertical type and constructed in accordance with Township specifications.

§ 255-53. Storm sewerage system.

The developer shall construct stormwater drainage facilities, including curbs, catch basins, inlets, storm sewers, culverts, road swales, open channels and other structures in order to prevent erosion, flooding and other hazards to life and property. All such facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow; and size, type and installation of all storm drains and sewers shall be constructed in accordance with approved plans. The Township shall have the option of requiring that those areas set aside as retention or catch basins shall be dedicated to the Township.

§ 255-54. Central water supply; fire hydrants.

[Amended 6-11-1990 by Ord. No. 90-27]

- A. The developer shall construct water mains in such a manner as to make adequate water service available to each lot or dwelling unit within the subdivision or land development. A minimum pressure of 20 pounds per square inch shall be provided at each house or other building to be connected to the water supply main. The water supply must comply with the regulations and the standards of the Department of Environmental Resources. Said supply shall be located and constructed so as to eliminate the possibility of flood damage.
- B. The system shall also be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specifications of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshal shall be required in order to ensure that adequate fire protection is provided. Therefore, any and all subdivision and land development plans submitted to this Township shall indicate, according to scale, the closest existing fire hydrant to the proposed subdivision and land development.
- C. Where water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, the applicant shall present evidence to

the Board of Commissioners that the subdivision or development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility. A copy of a certificate of public convenience from the Pennsylvania Public Utilities Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

[Added 10-22-1990 by Ord. No. 90-49]

§ 255-55. Private water supply.

Where no public water is accessible, water shall be furnished by the developer on an individual lot basis. If wells are installed on each lot and the lot also contains its own sewage disposal facilities, the well shall be of the drilled type, cased and grout-sealed into the bedrock. The well will be required to have a production of not less than six gallons per minute as established by bailor tests and certified by the well driller. Before being placed in consumer use, it shall be disinfected by the use of sodium hypochlorite or other acceptable solutions and a sample bacteriological examination collected by a licensed water analyst.

§ 255-56. Public sewer systems.

A. Wherever practical, sanitary sewers shall be installed and connected to an appropriate public sewer system. Where a sanitary sewer is not yet accessible but is planned for extension to the subdivision within 10 years, the developer shall install sewer lines, including lateral connections, as may be necessary to provide adequate service to each lot when connection with the public sewer system is made. The sewer lines shall be suitably capped at the limits of the subdivision, and the laterals shall be capped at the right-of-way line. The sewer installation shall include construction within rights-of-way or easements to bring the sewer to the future connection with the public sewer system.

(1) A sewer shall be considered to be planned for extension to a given area any time after preliminary engineering and related studies have been completed by the Township and the construction of facilities adequate to serve the area containing the subdivision or land development have been programmed for completion within a reasonable time.

(2) When capped sewers are provided, approved on-site disposal facilities shall also be provided.

B. All public sanitary sewers shall be designed and constructed in accordance with Township specifications. Such sewers shall be located or constructed so as to eliminate the possibility of flood damage.

C. No public sewer system or treatment plant shall be constructed until plans and specifications have been submitted to the Department of Environmental Resources and the Township and approved in accordance with existing laws.

§ 255-57. Lot area requirements when public sewer and/or water is unavailable.

[Added 3-10-1986 by Ord. No. 86-09; amended 10-22-1990 by Ord. No. 90-49]

A. When either public sewer or public water is unavailable, the minimum lot size shall be 43,560 square feet and the minimum width at the building line shall be 120 feet.

B. When both public sewer and water are unavailable, the minimum lot size shall be 60,000 square feet and the minimum width of the building line shall be 150 feet.

§ 255-58. Private sewer systems.

A. If public facilities are not available, as determined by the Township, the developer shall provide for sewage disposal on an individual lot basis.

B. On-lot sewage disposal facilities must comply with the provisions of Chapters 71 and 73, Administration of Sewage Facilities Program and Standards for Sewage Disposal Facilities, Pennsylvania Sewage Facilities Act (Act of January 24, 1966), P.L. 1535, No. 537, as amended (35

P.S. § 750.1). Prior to the granting of final approval by the Township, the proposed facilities shall be deemed satisfactory by the Pennsylvania Department of Environmental Resources, and a notation to this effect shall be placed on the record plan. [See § 255-23B(2)(c).]

C. The construction of on-lot systems shall be inspected by the Township Engineer and/or a registered Sewage Enforcement Officer, as follows:

(1) Upon completion of the excavation.

(2) Upon installation of the major equipment, such as septic tanks, distribution boxes and drain tiles, before any backfilling.

§ 255-59. Electric, telephone and communication facilities.

A. All electric-, telephone- and communication-service facilities, both main and service lines, shall be provided by underground cables installed in accordance with the prevailing standards and practices of the utility and other companies providing such services. Such facilities shall be located or constructed so as to eliminate the possibility of flood damage.

B. Where practicable, all utilities shall be located within the street right-of-way; otherwise, easements or rights-of-way of sufficient width for installation and maintenance shall be provided.

C. Final plans shall show locations of all utilities and shall be coordinated with required street tree planting.

§ 255-60. Grading.

Grading shall conform in all respects to the final plan.

§ 255-61. Planting.

A. Street trees and other required planting shall be in accordance with §§ 255-29B, 255-38 and 255-42.

B. Street trees and other required plant material shall not be planted until the finished grading of the subdivision or land development has been completed.

C. The developer shall replace, in accordance with landscaping plans, any plantings that die or, in the opinion of the landscape architect, are in an unhealthy or unsightly condition and/or have lost their natural shape due to dead branches, excessive pruning, inadequate or improper maintenance or any other causes due to the developer's negligence, prior to an offer of dedication. The developer shall not be held responsible for acts of vandalism occurring after the commencement of the guaranty period.

§ 255-62. Community facilities.

Additional community facilities, as set forth in § 255-26, may be required to serve the proposed lots or dwellings in a subdivision or land development. Where a proposed park, playground or other public facility shown in the Comprehensive Plan is located in whole or in part in a subdivision or land development or when additional facilities are made necessary by the development, the dedication or reservation of such areas or financial contribution for the construction of such facilities may be required by the Township in those cases in which it deems such requirements to be reasonable.

§ 255-63. Inspection of streets and improvements.

A. Preliminary inspection.

(1) Prior to commencing construction, the applicant shall notify the Township Engineer of the proposed construction schedule. Pursuant to notification by the applicant, the Township Engineer shall inspect required improvements during the initial construction phase and on a periodic basis thereafter, as may be required to ensure proper adherence to this chapter. The Township Engineer

shall notify the applicant, in writing, of those items of construction, material and workmanship which do not comply with Township specifications or the approved final plan.

- (2) The applicant, upon notification from the Township Engineer, shall proceed, at his own cost, to make such corrections as shall be required to comply with the Township specifications and approved final plans and shall notify the Township Engineer upon completion requesting final inspection.

B. Final inspection. The Township Engineer shall make a final inspection, with the applicant, of all required improvements.

C. As-built plan. An as-built plan prepared and certified by a land surveyor registered in the State of Pennsylvania shall be submitted to the Township Engineer for review and approval. This plan shall accurately indicate the location of all improvements, both public and private, on the site and whatever other information the Township Engineer or Director of Public Works feels necessary. *Editor's Note: Former Subsection D, Maintenance inspection of private stormwater management systems, added 2-26-1996 by Ord. No. 96-08, which immediately followed this subsection, was repealed 5-9-2005 by Ord. No. 2005-11.*
[Added 2-13-1995 by Ord. No. 95-02]

§ 255-64. Acceptance of streets and improvements.

- A.** The Board of Commissioners shall notify the applicant of acceptance of the required improvements, if satisfied that the applicant has complied with all specifications and ordinances of the Township.
- B.** The applicant shall furnish the Township with two paper prints of the completed required improvements, including drainage, profiles and utilities, and pay all costs for the Clerk of the Delaware County Court of Common Pleas on the petition and resolution of the Board of Commissioners to said Court for its approval of the acceptance of the required improvements.
- C.** No streets or other improvements will be accepted by the Township if such improvements were constructed during the period from October 15 to April 15 of each year, unless otherwise recommended by the Township Engineer.

Article VII. Guaranties and Contracts

§ 255-65. Guaranty required.

Before approving any subdivision or land development plan for recording, the Board of Commissioners shall either require that the necessary grading, paving and other improvements as herein specified shall have been installed in strict accordance with the standards and specifications of the Township or that the Township is assured, by means of a proper contract containing, among other items, performance and maintenance guaranty, that the improvements will subsequently be installed by the owner and/or applicant, hereinafter referred to as the "developer."

§ 255-66. Written agreements; dedication of improvements.

- A.** In all cases where the necessary grading, paving and other subdivision improvements (including both public and private improvements) required herein shall not have been installed in strict accordance with the standards and specifications of the Township prior to the Township approving any subdivision or land development plan for recording, the developer shall enter into a written agreement with the Township in the manner and form approved by the Solicitor, wherein the developer shall agree, to the extent applicable:
- (1) To construct or cause to be constructed, at his own expense, all streets; roadways; cartways; driveways; monuments; street signs and street names; off-street parking/parking lots; curbs; sidewalks; street tree and buffer plantings; lighting; fire hydrants; water mains; sanitary sewer, including capped sewers; storm sewers; drainage and erosion control improvements, including but not limited to stormwater detention and/or retention basins and other related facilities; recreation

facilities; open space improvements; tree protection and preservation; and other improvements shown on the approved subdivision or land development plan, all in strict accordance with the standards and specifications of the Township and within the time specified in said agreement.

[Amended 9-19-1994 by Ord. No. 94-21]

- (2) To deposit, with the Township, financial security in an amount sufficient to cover the cost of all subdivision improvements (including both public and private improvements). The financial security shall be posted contemporaneously with the execution of the agreement, in the form of either an irrevocable letter of credit with a federal- or a commonwealth-chartered lending institution, a restrictive/escrow account in the name of the Township with a federal or commonwealth lending institution, a corporate surety bond from a bonding company authorized to do business within the commonwealth or such other type of financial security which the Board of Commissioners may approve in an amount to be approved by the Township Engineer. The bonding company may be chosen by the developer, provided that the bonding company shall stipulate that it submits to Pennsylvania jurisdiction and Delaware County venue in the event of legal action. The financial security shall provide for and secure to the public the completion of all subdivision improvements for which the security is being posted within one year of the date fixed in the subdivision plan or subdivision agreement for completion of the improvements. The amount of financial security shall be equal to 110% of the cost of the required improvements for which financial security is to be posted. The cost of the improvements shall be established by submission to the Township Engineer of a bona fide bid or bids from the contractor or contractors chosen by the developer to complete the improvements or, in the absence of such bona fide bids, the cost shall be established by an estimate prepared by the applicant's engineer and approved by the Township Engineer. If the developer requires more than one year from the date of the posting of the financial security to complete the required improvements, the amount of financial security shall be increased by an additional 10% for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure.
- (3) In the case where a development is projected over a period of years, the Board of Commissioners may authorize submission of final plans by sections or stages of development subject to such requirements or guaranties as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- (4) If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the municipality, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.
- (5) As the work of installing the required improvements proceeds, the developer may request the Township Engineer to release or authorize the release, from time to time of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such request shall be in writing addressed to the Township Engineer, and the Township Engineer shall have 45 days from receipt of such request within which to certify, in writing, that such portion of the work upon the improvements has been completed in accordance with the approved plans. Upon such certification, the Township Engineer shall authorize release by the bonding company or lending institution of an amount, as estimated by the Township Engineer, fairly representing the value of the improvements completed. The Township Engineer may, prior to final release at the time of completion and certification, require retention of 10% of the estimated cost of the aforesaid improvements. The Township Engineer, in certifying the completion of work for a partial release, shall not be bound to the amount requested by the applicant, but shall certify his independent evaluation of the proper amount of partial releases.
- (6) To make adequate provisions with the Township Engineer for the inspection of the construction of the aforesaid improvements to assure strict compliance with Township standards and specifications.

- (7) To pay all costs, charges or rates of the utility furnishing fire hydrant and electric service for the fire hydrants and streetlighting facilities installed by the developer, until such time as the streets shown on the subdivision and/or land development plans shall have been accepted or condemned by the Township for public use, and to indemnify and save harmless the Township from and against all suits, actions, claims and demands for electric service and fire hydrant service as aforesaid, or any part thereof, to the time that said streets shall be accepted or condemned as public streets in the manner hereinabove set forth.
- (8) To reimburse the Township promptly for reasonable attorneys' and engineers' inspection fees and fees for other professionals employed by the Township to review, inspect or process subdivision and land development plans.

B. The developer shall, when the improvements are completed to the satisfaction of the Township Engineer, dedicate said streets and/or other parcels, together with any improvements thereunder or thereupon, to the Township by an agreement in a form approved by the Township Solicitor, which agreements shall include a reference to a plan of the streets and/or other parcels dedicated. The financial security shall provide for and secure to the public the completion of all required improvements for which the security is being posted on or before the date fixed in the Board's formal action of approval or accompanying agreement for completion of improvements. The amount of financial security shall be equal to 110% of the cost of the required improvements for which financial security is to be posted. The amount of such cost shall be that estimated as of 90 days following the date scheduled for completion by the developer. The Township may adjust annually the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the developer in accordance with the terms of this section. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the applicant or developer and prepared by a professional engineer, licensed as such in Pennsylvania, and certified by such engineer to be a fair and reasonable estimate of such cost. The Board, upon recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be determined in accordance with the terms of Section 509(g) of the Municipalities Planning Code. *Editor's Note: See 53 P.S. § 10509(g).* If the developer requires more than one year from the date.

[Amended 10-22-1990 by Ord. No. 90-49]

- C.** Where the Board of Commissioners accepts dedication of all or some of the required improvements following completion (whether such dedication is of the fee or of an easement), the developer shall post financial security to secure the structural integrity of the improvements and the functioning of the improvements in accordance with the design and specifications as depicted on the final plan. The security shall be in the form as authorized in Subsection A(2) above and shall be for a term of 18 months from the date of the acceptance of dedication and shall be in an amount equal to 15% of the actual cost of installation of the improvements so dedicated.
- D.** When the developer has completed all of the necessary and appropriate improvements, he shall notify the Board of Commissioners, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Board shall, within 10 days following receipt of such notice, direct and authorize the Township Engineer or his designate to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Board and shall promptly file a copy of the same to the developer by certified mail. The report shall be made and mailed within 30 days following receipt by the Township Engineer of the aforesaid authorization from the Board; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part. If said improvements or any portion thereof shall be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection. Approval of improvements shall not be given until all construction debris has been removed from the site; no such debris shall be buried, burned or otherwise disposed of on the site. The Board shall notify the developer, within 15 days of

receipt of the Township Engineer's report, in writing, by certified mail of the action of the Board with regard to approval, nonapproval or rejection of the improvements. If any portion of said improvements shall not be approved or shall be rejected by the Board, the developer shall proceed to complete those improvements and, upon completion, the same procedure of notification as outlined herein shall be followed. [Added 10-22-1990 by Ord. No. 90-49]

Article VIII. Miscellaneous Provisions

§ 255-67. Amendments.

[Amended 10-22-1990 by Ord. No. 90-49]

- A. The Board may, from time to time, revise, modify or amend the terms of this chapter. The Board shall submit any proposed amendment to the Township Planning Commission and, at least 30 days prior to the hearing on the proposed amendment, to the Delaware County Planning Commission, for review and recommendation. The Board shall take no action to approve or deny any proposed amendment until it has received a report on the proposed amendment from the County Planning Commission or until 30 days have been allowed for the receipt of such report.
- B. The Board of Commissioners shall, during a public meeting, fix the time and place of a public hearing on a proposed subdivision amendment and cause notice thereof to be given as follows:
 - (1) By publishing a legal notice once a week for two successive weeks in a newspaper of general circulation within the Township as provided for in § 9.02 of the Home Rule Charter. Such notice shall state the date, place, time and particular nature to be considered at the public hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.
 - (2) By mailing a notice thereof to contiguous municipalities, the Township School District and residents or associations of residents within the Township who shall have registered their names and addresses with the Township. The Board of Commissioners may fix an annual fee of provisions of notices to such registered persons or associations.
- C. In the event that substantial amendments are made in the proposed ordinance or amendment, before voting on enactment, the Board, at least 10 days prior to enactment, shall readvertise a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.
- D. Within 30 days following adoption, the Township shall forward a certified copy of any amendment to this chapter to the Delaware County Planning Commission.

§ 255-68. Violations and penalties.

[Amended 10-22-1990 by Ord. No. 90-49] Any person, partnership or corporation who or which has violated the provisions of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. 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 this chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice, and thereafter each day that a violation continues shall constitute a separate violation.

§ 255-69. Severability.

It is hereby declared to be the legislative intent that:

- A. If a court of competent jurisdiction declares any provisions of this chapter to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this chapter shall continue to be separately and fully effective.
- B. If a court of competent jurisdiction finds the application of any provision or provisions of this chapter to a lot, building or other structure or tract of land to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property or situation immediately involved in the controversy and the application of any such provision to other persons, property or situations shall not be affected.

Article IX. Wayne Business Overlay District

[Added 7-16-2007 by Ord. No. 2007-28]

§ 255-70. Legal basis.

The adoption of a new Article IX creating provisions for the Wayne Business Overlay District within Chapter 255, Subdivision of Land, of the Township Code is enabled through provisions of the Pennsylvania Municipalities Code, PL 805, No. 247, as reenacted and amended (MPC). *Editor's Note: See 53 P.S. § 10101 et seq., the Municipalities Planning Code.*

§ 255-71. Purpose; intent of regulations.

Article IX of the Zoning Code is enacted to provide and promote opportunities for development and redevelopment within the Wayne Business Overlay District (hereinafter WBOD) as set forth in the Master Plan adopted by the Board of Commissioners on September 11, 2006. These regulations are intended to provide opportunities for an appropriate mix of residential and nonresidential uses within the WBOD, establish regulations for special use districts within the boundaries of the Master Plan, promote the use of mass transportation, and provide for enhanced vibrancy through building, site, and streetscape design. Where there is a conflict between these regulations and regulations set in Chapter 255, the provisions of this article shall apply.

§ 255-72. Designation of district boundaries.

The WBOD shall be the boundaries designated within the Master Plan, adopted September 11, 2006 by the Board of Commissioners, as set forth in Exhibit A. *Editor's Note: Said map is on file in the Township offices.*

§ 255-73. Conflict with other code sections.

The definitions and regulations set forth in this article shall apply to the WBOD. Wherever there is a conflict or inconsistency between the WBOD regulations and other definitions and regulations of the Chapter 255, those regulations set forth in this article shall govern development and redevelopment within the WBOD.

§ 255-74. Site amenity requirements.

As a part of every application for development or redevelopment of a property, site amenities shall be provided and installed by the applicant where applicable. The maintenance of these amenities shall be provided by the property owner where applicable. Each application will be reviewed individually. Required amenities, or any deviation therefrom, shall be at the discretion of the Township.

§ 255-75. Tree design standards.

Street trees shall be installed and maintained as follows:

- A. Street trees, 2 1/2 to three inches in caliper, shall be planted along both sides of streets at an interval of 40 feet on center, but they shall not block visibility of store windows.

B. Street trees shall be deep-rooted and stress-tolerant. Street tree species shall comply with the following list:

(1) Street trees.

Acer rubrum	Red Maple
Acer saccharum	Sugar Maple
Fraxinus pennsylvanic Seedless Variety	Green Ash
Quercus acutissima	Sawtooth Oak
Quercus coccinea	Scarlet Oak
Zelkova serrata	Japanese Zelkova

(2) Street trees adjacent to power lines.

Acer campestre	Hedge Maple
Crataegus viridis	
Winter King	Green Hawthorn
Maackia amurensis Prunus seerrulata	Amur Maackia
Kwanzan Syringa reticulata	Kwanzan Cherry
Ivory Silk	Japanese Tree Lilac

(3) Parking lot trees.

(a) All parking areas shall have at least one tree for every five parking spaces in single bays and one tree for every 10 parking spaces in double bays.

(b) Trees shall be planted in such a manner as to afford even shade distribution across paved areas.

C. Street trees shall be installed and maintained in a four-foot by four-foot planting bed, and shall be coordinated with the stormwater management improvements set forth in the Master Plan.

D. Tree grates shall be manufactured by Neenah Foundry or an equal approved by the Zoning Officer.

§ 255-76. Streetlight and parking lot light standards.

A. Streetlights shall be installed as follows (see Figure 1 *Editor's Note: Figure 1 is included at the end of this chapter.*):

(1) Madison-style streetlight black fluted poles, shall be 15 feet in height, and shall be installed and maintained, along with the "Acorn ACN-1" post-top luminaire and "modern finial."

(2) Streetlights shall be spaced 60 feet to 90 feet apart in an alternating arrangement along both sides of streets.

B. Parking lot lights shall be installed as follows:

(1) Shoebox light fixtures shall be used to direct light downwards. Fixture height shall not reach higher than 15 feet.

(2) For lighting that abuts a residential property, a shield shall be used to deflect light away from the property.

C. Exterior lights attached to buildings. External lighting is restricted to that which is necessary for minimum safety and security levels. Light standards shall be low profile and shall have a sharp cutoff shield and directed downward to reduce dispersal of ambient light to the night sky. Sodium vapor lights shall not be allowed.

§ 255-77. Sidewalk design standards.

Sidewalks shall be provided and consistent with Figure 2 *Editor's Note: Figure 2 is included at the end of this chapter.* and as follows:

- A. Sidewalks shall be a minimum of six feet in width.
- B. Sidewalks shall be a minimum of eight feet in width (excluding twenty-four and one-fourth-inch brick herringbone and six-inch curb) if same are used for outdoor dining or a sidewalk cafe.
- C. Whenever a sidewalk is interrupted by a curb cut/driveway apron, a pedestrian-oriented crosswalk shall be constructed with a minimum width of six feet.
- D. Whenever any parking abuts a sidewalk, wheel stops shall be installed to prevent car overhang.
- E. Sidewalks shall be made of concrete or brick.
- F. Concrete shall have no exposed aggregate or color additive.
- G. Concrete sidewalks shall be designed using a minimum twenty-four-inch by twenty-four-inch squares to a maximum thirty-inch by thirty-inch squares and match the adjoining property throughout the WBOD.
- H. Sidewalks shall have a twenty-four and one-fourth-inch brick herringbone border with a six-inch curb.
- I. Sidewalks shall comply with the Township's specifications.

§ 255-78. Curb standards.

Curbs shall be installed and maintained as follows (see Figure 3 *Editor's Note: Figure 3 is included at the end of this chapter.*):

- A. Curbs shall be provided along all streets and access drives.
- B. Curbs shall be of the vertical concrete type with a six-inch reveal.
- C. Curbs shall comply with Article V of the Township's Administrative Code. *Editor's Note: See also Art. V, Design Standards, of this chapter.*
- D. Curbs shall be made to promote barrier-free access and to accommodate pedestrians with disabilities, in accordance with ADA requirements.
- E. All low points along curbs shall be adequately drained to prevent flooding and ponding of water.

§ 255-79. Curb cut design standards.

- A. New driveways shall be discouraged.
- B. Existing driveways shall be narrowed to the maximum extent possible.
- C. Existing curb cuts that are no longer needed shall be sealed-off and replaced with six-inch curbing and sidewalks that match surrounding properties.

- D. Whenever there is an existing curb cut, the sidewalk material (concrete, brick, etc.) shall be extended to promote pedestrian continuity along the sidewalk.
- E. Shared driveways through partnership agreements shall be encouraged and shall be subject to Township approval.

§ 255-80. Parking standards.

Parking shall be as follows:

- A. On-street parking shall be provided to the maximum extent possible and as follows:
 - (1) Curbside, parallel on-street parking spaces shall be eight feet in width and 22 feet in length.
 - (2) Angled parking spaces shall be 9.5 feet in width and 20 feet in depth.
- B. Off-street parking shall be as follows:
 - (1) Parking spaces shall be nine feet wide and 18 feet in depth.
 - (2) No more than five spaces shall be permitted in a continuous row without the incorporation of landscaping or trees.
- C. Parking surfaces shall be installed and maintained and shall be streetprint asphalt, or approved equal, or stamped, color-coated asphalt.
- D. Off-street parking shall comply with the following standards:
 - (1) All parking areas shall be buffered from views from adjacent properties and roads. The rear yard buffer shall be minimally 10 feet in width, unless otherwise specified by the Township.
 - (2) Intermediate buffers at a minimum of five feet in width shall be introduced where parking areas exceed 120 feet in any dimension. An equivalent area of internal planting areas may be substituted in other locations within parking areas, subject to the review and approval of the Township.
 - (3) If fencing is incorporated in any parking lot, it shall be designed so that not more than 25% of the fence permits through-views. Fencing shall be between four and six feet in height.
 - (4) Planting size at installation.
 - (a) Canopy trees: two to 2 1/2 inches in caliper.
 - (b) Understory trees: seven to eight feet in height.
 - (c) Evergreen trees: seven to eight feet in height.
 - (d) Large shrubs (over five-foot mature height): 42 to 48 inches in height.
 - (e) Small shrubs (under five-foot mature height): 24 to 30 inches in height.
 - (5) Buffer screen shall not be required should existing planting, topography or man-made structures remaining on the property be deemed acceptable for screening purposes by the Township.
- E. Parking shall also comply with Article V.

§ 255-81. Crosswalk standards.

Crosswalks at street intersections shall be consistent with the Master Plan and as follows:

- A. Crosswalks shall be provided at all street intersections.

- B. Crosswalks shall be from six feet to 12 feet in width.
- C. Crosswalks shall either be painted or stamped.
- D. Crosswalks shall otherwise comply with § 255-39.

§ 255-82. Plaza/commons standards.

Commons shall be provided and installed using the following examples:

- A. Unit pavers and concrete pavers shall be installed to the maximum extent possible.
- B. Streetlights shall be installed and maintained in accordance with § 255-76.
- C. Shade trees, planters, and other landscaping shall be installed and maintained.
- D. Benches, walls, kiosks, and other functional and aesthetic street furnishings shall be installed and maintained (see Figure 4 *Editor's Note: Figure 4 is included at the end of this chapter.*).

§ 255-83. Trash receptacle standards.

Waste receptacles shall be provided consistent with the following (see Figure 5 *Editor's Note: Figure 5 is included at the end of this chapter.*):

- A. Victor Stanley, Model S-42, Ironsites Series litter receptacle in black, or approved equal, shall be installed, anchored, and serviced.
- B. Waste receptacles shall be located every 200 feet of sidewalk length in the WBOD.
- C. Waste receptacles shall be positioned in strategic locations, especially at street intersections.
- D. Refer to § 255-74 for requirements.

§ 255-84. Benches.

Benches shall be provided as follows (see Figure 6 *Editor's Note: Figure 6 is included at the end of this chapter.*):

- A. The Victor Stanley, Model S-13, Ironsites Series bench in six-foot length, or approved equal, shall be installed and maintained.
- B. Benches shall be located every 200 feet of sidewalk length in the WBOD.
- C. Benches shall be located in plaza/commons areas to the maximum extent possible.
- D. Refer to § 255-74 for requirements.

§ 255-85. Bicycle rack standards.

Bicycle racks shall be provided and installed as follows:

- A. Anchor and maintain bicycle racks in plaza/commons areas whenever possible.
- B. An inverted "U" model, painted black to match other street furniture.
- C. Bicycle rack every 200 feet of sidewalk length (see Figure 7 *Editor's Note: Figure 7 is included at the end of this chapter.*).
- D. Refer to § 255-74 for requirements.

§ 255-86. Wayfinding standards.

- A. Wayfinding signage to aid in finding locations for parking and to the train station shall be installed, anchored, and maintained.
- B. Wayfinding signage in gateway locations shall be installed, anchored, and maintained.
- C. Design and location of wayfinding standards shall be subject to Township approval.

§ 255-87. Site amenity standards.

The following standards shall apply to all new or redeveloped properties in the WBOD:

- A. Setback zero to 35 feet (see Figure 10, sketch 1 *Editor's Note: Figure 10, Sketch 1 is included at the end of this chapter.*):
 - (1) Lights and street trees at curblineline (trees shall be in grates in accordance with § 255-75).
 - (2) Brick border at curblineline.
 - (3) Concrete paving to building.
- B. Setback 25 to 45 feet, parallel parking in front (see Figure 10, Sketch 2 *Editor's Note: Figure 10, Sketch 2 is included at the end of this chapter.*):
 - (1) Parallel parking bordered by bulbout plus special paving.
 - (2) Lights and street trees at curblineline (trees shall be in grates in accordance with § 255-75).
 - (3) Brick border at curblineline.
 - (4) Concrete walk.
 - (5) Remaining front yard.
 - (a) Maximum of 50% additional pedestrian paving (for non-vehicular circulation).
 - (b) No thru service drives.
 - (c) No bituminous paving.
 - (d) Additional paving shall be separated from the public walkway by a minimum of three feet of landscaping.
 - (e) Minimum of 25% landscape improvements (trees and shrubs in addition to street tree requirements).
 - (f) Placement shall include screening of views to rear service/parking.
- C. Setback 45 to 60 feet, angled parking in front (see figure 10, Sketch 3 *Editor's Note: Figure 10, Sketch 3 is included at the end of this chapter.*):
 - (1) Angled parking plus twenty-four and one-quarter-inch brick herringbone.
 - (2) Bulbout plus special paving for properties at corner locations.
 - (3) Lights and street trees at curblineline (trees shall be in grates in accordance with § 255-75).
 - (4) Permitted expansion of concrete walk to building line to permit dining area (or landscape area).
- D. Setback 36 feet and greater, parking in side and rear (see Figure 10, Sketch 4 *Editor's Note: Figure 10, Sketch 4 is included at the end of this chapter.*):

- (1) Lights at curblines.
- (2) Brick border at curblines.
- (3) Concrete walk.
- (4) Street trees inside of concrete walk in turf or landscape.
- (5) Maximum of 50% additional pedestrian paving (nonvehicular circulation).
- (6) No through service drives.
- (7) No bituminous paving.
- (8) Additional paving shall be separated from the public walkway by a minimum of three feet of landscaping.
- (9) Minimum of thirty-three-percent landscape improvements (trees and shrubs in addition to street tree requirements shall be subject to Township review to ensure clear sight lines at curbscuts).
- (10) Placement of landscaping shall include screening of views to rear service/parking by means of one of the following:
 - (a) Site walls shall be a minimum of six feet in height.
 - (b) Fencing shall be six feet in height and shall be made of either wood or brick. If wood fencing is used, then it shall not permit more than twenty-five-percent through-view.

Article X. Garrett Hill Zoning District

[Added 10-26-2009 by Ord. No. 2009-27]

§ 255-88. Legal basis.

A new Article X creating provisions for the Garrett Hill Zoning District within Chapter 255, Subdivision of Land, of the Township Code is enabled through provisions of the Pennsylvania Municipalities Code, PL 805, No. 247, as reenacted and amended. *Editor's Note: See 53 P.S. § 10101 et seq.*

§ 255-89. Purpose; intent of regulations.

Article X of the Zoning Code is hereby enacted to provide and manage opportunities for development and redevelopment within the Garrett Hill Zoning District (hereinafter "GHZD") as set forth in the Garrett Hill Master Plan adopted by the Board of Commissioners on July 21, 2008, and revised on July 20, 2009. These regulations are intended to provide for enhanced vibrancy through building, site, and streetscape design.

§ 255-90. Designation of district boundaries.

The GHZD shall be the boundaries designated within the Garrett Hill Zoning District Map. *Editor's Note: Said map is on file in the Township offices.*

§ 255-91. Conflict with other Code sections.

- A. The definitions and regulations set forth in this article shall apply to the GHZD.
- B. Wherever there is a conflict or inconsistency between these GHZD regulations and other definitions and regulations of Chapter 255, those regulations set forth in this article shall govern development and redevelopment within the GHZD.

§ 255-92. Site amenity requirements.

- A. Upon demolition of a principal building or structure, site amenities shall be provided and installed by the applicant where required by this chapter.
- B. The amenities shall be installed by the applicant, or, by agreement between the Township and applicant, the cost for such installation shall be escrowed in a Township fund or a Township-approved trust fund dedicated to GHZD improvements, to be held until applied to the installation of site amenities on the property for which the installation was deferred. The applicant shall not be required to spend more than 5% of the cost of improvements for the site amenities.
- C. The maintenance of these amenities shall be provided by the property owner where applicable. Each application will be reviewed individually. Required amenities, or any deviation therefrom, shall be at the discretion of the Township.

§ 255-93. Tree design standards.

Street trees shall be installed and maintained as follows:

- A. Street trees, 2 1/2 to three inches in caliper, shall be planted along both sides of Conestoga Road at an interval of 25 feet on center, but they shall not block visibility of existing store windows. In spacing trees, consideration shall be made for driveways, streetlights, utility poles, underground utilities, traffic light poles and other obstructions, the existing streetscape, as well as future placement of trees in front of adjacent properties. (See Figure 1.) *Editor's Note: Figure 1 is included at the end of this chapter.*
- B. Street trees shall be deep rooted and stress tolerant and shall be of the following species or as approved by the Shade Tree Commission:
 - (1) *Acer buergerianum* – Trident maple.
 - (2) *Acer Japonicum* – Fullmoon maple.
 - (3) *Acer palmatum* – Japanese maple.
 - (4) *Acer trifolium* – Three-flower maple.
 - (5) *Acer truncatum* – Shantung maple.
 - (6) *Carpinus betulus "fastigiata"* – American hornbeam.
 - (7) *Crataegus viridis "Winter King"* – Winter King hawthorn.
 - (8) *Maackia amurensis* – Amur Maackia.
 - (9) *Magnolia virginiana* (single stem) – Sweet Bay magnolia.
 - (10) *Malus "Donald Wyman"* – flowering crabapple selection.
 - (11) *Prunus x incam "Okame"* – Okame cherry.
 - (12) *Sorbus alnifolia* – Korean mountainash.
 - (13) *Syringa reticulata* – Japanese tree lilac.

§ 255-94. Streetlight, parking lot and exterior light standards.

- A. Streetlights shall be installed as follows:
 - (1) Fixtures shall be 12 feet high and shall meet Illuminating Engineering Society of North America (IESNA) "cutoff" or "full-cutoff" criteria.

- (2) Streetlights shall be spaced a maximum of 40 feet apart on each side of the street in an offset alternating arrangement along both sides of street.
- (3) Streetlight poles and fixtures shall be of compatible design throughout the GHZD, unifying the Route 100 station area and all GHZD Districts.

B. Parking lot lights shall be installed as follows:

- (1) Full cutoff light fixtures shall be used to direct light downwards. For the GH-N, GH-GA, GH-CR, GH-OS Districts, fixture height shall not be higher than 12 feet. Fixture height shall be limited to 20 feet in the GH-BC District.
- (2) Shields shall be used to deflect light away from adjacent properties so that no direct light from the filament, bulb or lens is visible from outside the property.

C. Exterior lights attached to buildings:

- (1) External lighting shall be restricted to that which is necessary for minimum safety and security levels. Light standards shall be low profile and shall have a sharp cut-off shield and directed downward to reduce dispersal of ambient light to the night sky. Sodium vapor lights shall not be allowed.

§ 255-95. Sidewalk design standards.

Sidewalks shall be provided as follows:

A. Sidewalks shall have a minimum width of:

- (1) Six feet on Conestoga Road.
- (2) Four feet on Garrett Avenue.

B. Whenever any perpendicular or angled parking abuts a sidewalk, wheel stops shall be installed to prevent car overhang.

C. Sidewalks shall be made of concrete or brick.

D. Concrete shall have no exposed aggregate or color additive.

E. On Conestoga Road, concrete sidewalks shall be designed to be consistent with Figure 2 *Editor's Note: Figure 2 is included at the end of this chapter.* and to match adjoining properties as follows:

- (1) Have twenty-four-inch-by-twenty-four-inch squares.
- (2) Have a twenty-four-inch brick herringbone border with a six-inch curb.

F. On Garrett Avenue, concrete sidewalks shall:

- (1) Have thirty-six-inch-by-thirty-six-inch squares.
- (2) Have a twelve-inch herringbone border with a six-inch curb (See Figure 3.) *Editor's Note: Figure 3 is included at the end of this chapter.*

§ 255-96. Curb standards.

Curbs shall be installed and maintained as follows:

- A. Curbs shall be provided along all streets and access drives.**
- B. Curbs shall be of the vertical concrete type with a six-inch reveal.**

- C. Curbs shall comply with Article VI, § 255-51 of the Township Code.
- D. Curbs shall be made to provide barrier-free access and to accommodate pedestrians with disabilities, in accordance with ADA standards.
- E. All low points along curbs shall be adequately drained to prevent flooding and ponding of water.

§ 255-97. Curb-cut design standards.

- A. New driveways shall be discouraged.
- B. Existing driveways shall be narrowed to the maximum extent possible.
- C. Two-way driveways shall not be required to meet the minimum widths standards otherwise required in this chapter. This provision shall not apply to GH-BC.
- D. Existing curb cuts that are no longer needed shall be sealed off and replaced with six-inch curbing and sidewalks.
- E. Whenever there is an existing curb cut, the sidewalk material (concrete, brick, etc.) and design shall be extended to promote pedestrian continuity along the sidewalk. A terra-cotta colored brick pattern that is stamped into newly laid concrete to match the adjoining sidewalk in color, texture and pattern is also acceptable.
- F. Shared driveways through agreements between adjoining property owners are hereby encouraged and shall be subject to Township approval.

§ 255-98. Ingress and egress.

- A. Existing curb cuts may be modified, or shared with adjacent property owners, provided there is no increase in the number of existing curb cuts.
- B. Wherever possible, ingress and egress between various properties shall be shared in an attempt to minimize curb cuts. The Township encourages adjacent landowners to enter into agreements providing access easements to accomplish this goal.

§ 255-99. Parking standards.

Parking shall be as follows:

- A. On-street parking shall be provided to the maximum extent possible and as follows:
 - (1) Curbside, parallel on-street parking spaces shall be at least eight feet in width and 22 feet in length. (See Figure 4.) *Editor's Note: Figure 4 is included at the end of this chapter.*
 - (2) Curbside perpendicular parking spaces shall be at least 9.5 feet in width and 20 feet in depth and shall have a 4.5-foot backup buffer between each row of spaces and the travel lane. (See Figure 5.) *Editor's Note: Figure 5 is included at the end of this chapter.*
- B. Off-street parking shall be located in the front, side or rear yards and shall meet the following standards:
 - (1) Front yard parking shall be limited to curbside perpendicular parking.
 - (2) Front yard perpendicular parking spaces shall meet the following standards:
 - (a) Spaces shall be at least 9.5 feet in width and 20 feet in depth.
 - (b) A 4.5-foot backup buffer shall be provided between each row of spaces and the travel lane. (See Figure 5.) *Editor's Note: Figure 5 is included at the end of this chapter.*

- (3) Side and rear yard parking spaces shall be at least nine feet in width and 18 feet in depth.
 - (4) All side and rear commercial parking areas shall be buffered from views from adjacent residential properties.
 - (5) The buffer shall be an opaque evergreen vegetated buffer at least six feet in height and three feet in depth at the time of planting and shall be maintained by the property owner.
 - (6) If fencing is incorporated in any parking lot, it shall be designed so that not more than 25% of fence permits through-views. Fencing shall be between four to six feet in height.
 - (7) Buffer screen shall not be required should existing planting, topography or man-made structures remaining on the property be deemed acceptable for screening purposes by the Township.
- C. Parking surfaces shall be installed and maintained and shall be asphalt, concrete or approved equal. Permeable pavements that meet Pennsylvania Stormwater Management Manual porous pavement specification are encouraged.

§ 255-100. Crosswalk standards.

Crosswalks at street intersections shall be consistent with the Master Plan and as follows:

- A. Crosswalks shall be provided at all street intersections.
- B. Crosswalks shall be from six to 12 feet in width.
- C. Crosswalks shall either be painted or stamped.
 - (1) At a minimum the design shall mark the crosswalks with broad painted stripes that are parallel to the cartway and not less than six feet in length, 12 inches in width and not more than 24 inches apart.
 - (2) Colored and textured pavement shall be used to enhance the aesthetics of the crosswalks at gateway locations and the Conestoga Road/Garrett Avenue intersection. A terra-cotta colored, brick pattern that is stamped into newly laid concrete with at least an eight-inch uncolored concrete border shall be encouraged.
- D. Crosswalks shall otherwise comply with § 255-39.

§ 255-101. Trash receptacle standards.

Waste and recycling receptacles shall be provided consistent with Figure 7 *Editor's Note: Figure 7 is included at the end of this chapter.* and the following:

- A. Victor Stanley, Model S-42 Ironsite, in a color to match the streetlights, or approved equal shall be installed, anchored, and serviced.
- B. Waste and recycling receptacles may be located at each corner and at the discretion of the Township at a minimum of every 200 feet of sidewalk length along Conestoga Road in the GHZD.
- C. The Township shall be responsible for emptying and maintaining these receptacles.

§ 255-102. Wayfinding standards.

- A. Wayfinding signage to aid in finding locations for parking and the Route 100 station shall be installed and maintained by the Township.
- B. Design and location of wayfinding standards shall be subject to Design Review Board approval.

§ 255-103. Site amenity standards.

The following standards shall apply to all new or redeveloped properties in the GHZD:

- A. Conestoga Road (without front yard parking).** (See Figure 8.) *Editor's Note: Figure 8 is included at the end of this chapter.*
- (1) A six-inch curb.
 - (2) A twenty-four-inch brick border at curblines.
 - (3) Minimum concrete sidewalk width of four feet.
 - (4) A 3.5-foot planted buffer.
 - (5) Lights within 24 inches of the curblines.
 - (6) Street trees centered in the twenty-four-inch brick border; trees shall be in grates manufactured by Neenah Foundry or an equal approved by the Zoning Officer.
 - (7) Bulbouts plus stamped concrete paving to match brick borders in color, texture and size for properties at corner locations.
 - (8) Planters are encouraged against the building front or along the curblines.
- B. Conestoga Road (perpendicular parking in the front yard).** (See Figure 6.) *Editor's Note: Figure 6 is included at the end of this chapter.*
- (1) Parking plus six-inch curb, twenty-four-inch brick border and four-foot concrete sidewalk.
 - (2) Concrete paving to building.
 - (3) Lights within 24 inches of the curblines.
 - (4) Street trees centered in the twenty-four-inch brick border; trees shall be in grates manufactured by Neenah Foundry or an equal approved by the Zoning Officer.
 - (5) Bulbouts plus stamped concrete paving to match brick borders in color, texture and size for properties at corner locations.
 - (6) Planters are encouraged against the building front or along the curblines.
- C. On a local or collector street in the Conestoga Road District, when perpendicular parking is constructed:**
- (1) Parking plus six-inch curb, twenty-four-inch brick border and four-foot sidewalk.
 - (2) Concrete paving to building.
 - (3) Bulbouts stamped concrete paving to match brick borders in color texture and size for properties at corner locations.
 - (4) Planters are encouraged against the building front or along the curblines.
- D. Garrett Avenue in the Garrett Avenue Mixed-Use District.** (See Figure 9.) *Editor's Note: Figure 9 is included at the end of this chapter.*
- (1) Lights in bulbouts according to the Garrett Hill Master Plan design shall be required.

- (2) The installation of light fixtures in the front yard is hereby encouraged. Fixtures shall be six feet high and meet Illuminating Engineering Society of North America "cutoff" or "full-cutoff" criteria.

E. Garrett Avenue in the Garrett Avenue Neighborhood District:

- (1) Lights in bulbouts according to the Garrett Hill Master Plan design are hereby encouraged.
- (2) The installation of light fixtures in the front yard shall be encouraged. Fixtures shall be six feet high and meet Illuminating Engineering Society of North America "cutoff" or "full-cutoff" criteria.

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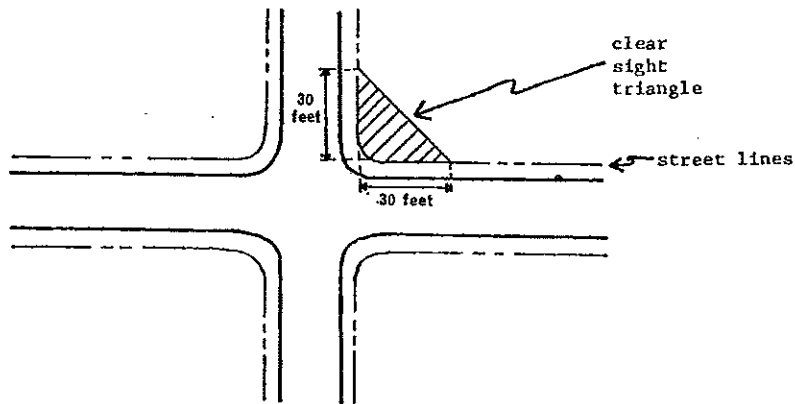
SUBDIVISION OF LAND

255 Attachment 1

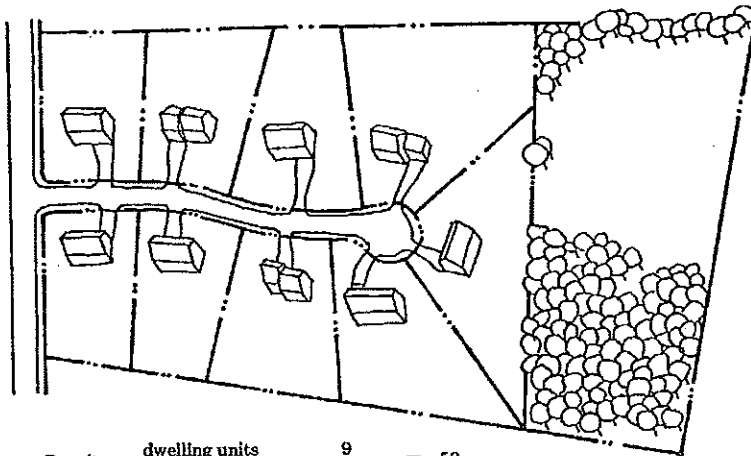
Township of Radnor

Illustrations

Clear Sight Triangle



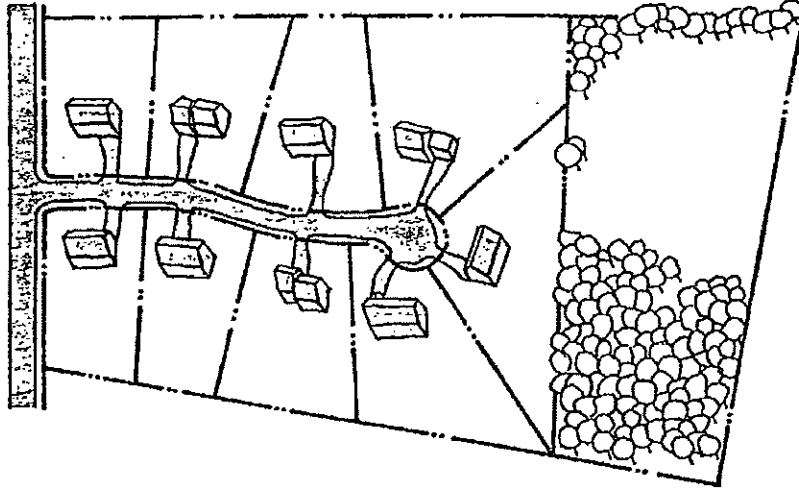
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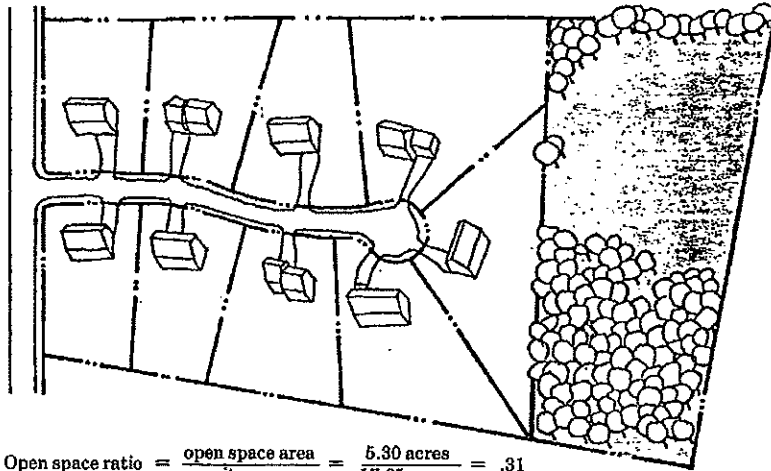
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RADNOR CODE

Impervious Surfaces



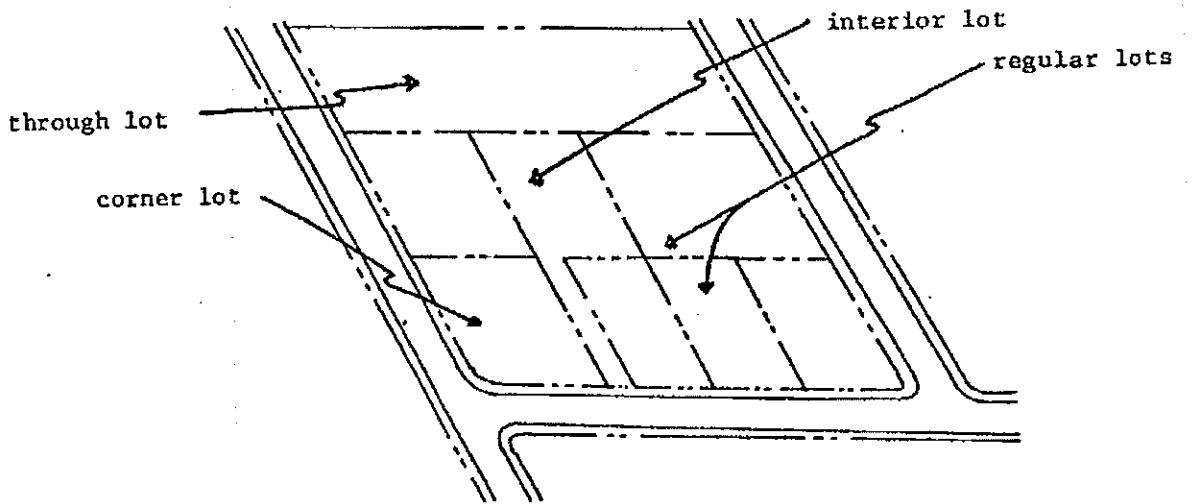
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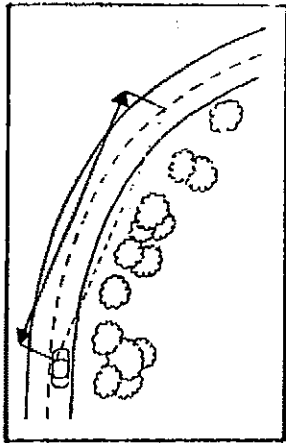
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SUBDIVISION OF LAND

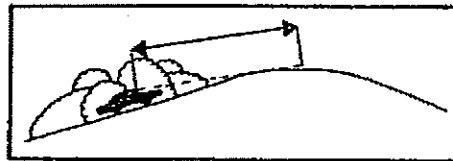
Lots



Site Distance



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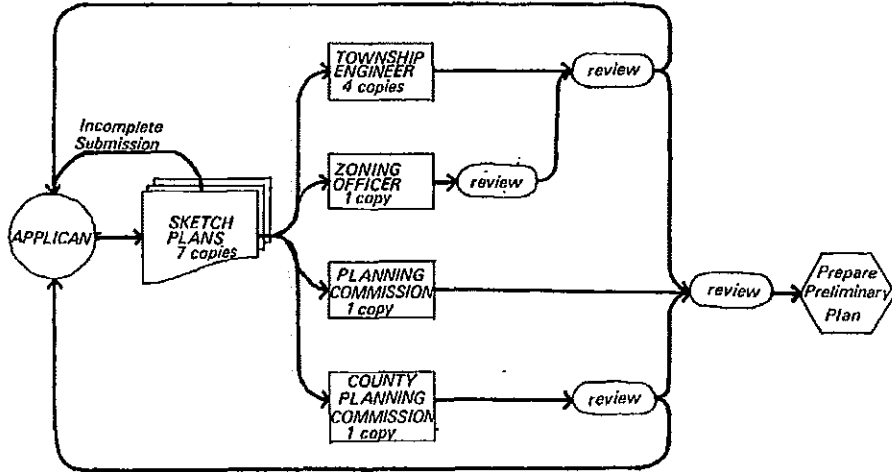


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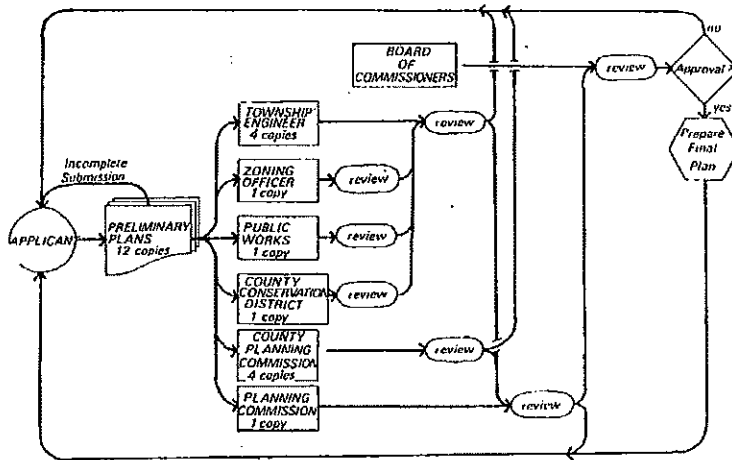
SIGHT DISTANCE

RADNOR CODE

Sketch Plan Procedure



Preliminary Plan Procedure



SUBDIVISION OF LAND

Final Plan Procedure

