

**SUBDIVISION  
AND  
LAND DEVELOPMENT ORDINANCE**

**DURHAM TOWNSHIP  
OCTOBER 13, 1982**

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## ARTICLE I                    AUTHORITY AND PURPOSE

### Section 100                Adoption

- (a) The Board of Supervisors of Durham Township, Bucks County, Commonwealth of Pennsylvania, hereby adopts, pursuant to the “Pennsylvania Municipalities Planning Code”, an ordinance governing the subdivision and development of land within Durham Township.
- (b) This ordinance shall become effective and shall remain in effect until modified, amended or rescinded by the Board of Supervisors.
- (c) All previous Durham Township Subdivision Ordinances and subsequent amendments thereto are hereby repealed.

### Section 101                Title

An ordinance establishing rules, regulations, and standards governing the subdivision of land within the Township of Durham, Bucks 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 Supervisors in applying and administering these rules, regulations, and standards and providing penalties for violation thereof.

### Section 102                Short Title

This ordinance shall be known and may be cited as “The Subdivision and Land Development Ordinance of Durham Township.”

### Section 103                Purpose

The Ordinance is adopted for the following purposes:

- (a) To assist orderly, efficient, and integrated development of land.
- (b) To provide for the coordination of existing streets and public utilities with new facilities.
- (c) To provide for efficient and orderly extension of community services on facilities at minimum cost and maximum convenience.
- (d) To ensure conformance of land utilization with the Comprehensive Plan of Durham Township.
- (e) To promote thereby the health, safety, and general welfare of the residents of the Township.
- (f) To secure equitable handling of all subdivision and land development plans by providing uniform procedures and standards for observance by subdividers and the Township.

Section 104                      Scope

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

Section 105                      Interpretation

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare.

- (a) Whenever any regulations made under authority of this Ordinance require a greater width of size of yards, courts, or other open spaces, or require a lower height of buildings or smaller number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in or under any other statute, the provisions of the regulations made under authority of this Ordinance shall govern.
- (b) Whenever the provisions of any other statute require a greater width or size of yards, courts or other open spaces, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by any regulations made under authority of this Ordinance, the provisions of such statute shall govern.
- (c) This Ordinance does not repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically or explicitly repealed by this Ordinance, or any private restrictions placed upon property by covenant, deed, or other private agreement unless repugnant hereto.
- (d) Provisions in the Durham Township Zoning Ordinance providing for varying design standards shall not be considered to be in conflict with the provisions of this Ordinance.
- (e) The illustrations in this Ordinance are not a part of the Ordinance but are included herein for purpose of explanation and clarification only.

Section 106                      Separability

It is hereby declared to be the intent of the Board of Supervisors that:

- (a) If a court of competent jurisdiction declares any provisions of this Ordinance 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 Ordinance 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 Ordinance to any 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.
- (c) This Ordinance would have been adopted had such unconstitutional, illegal, or invalid provisions not been included herein.

Section 107                      Jurisdiction

- (a) Subdivision and Land Development Control: It shall be unlawful for the owner or any other person, firm, or corporation, owning or controlling any land in the Township, to subdivide any lot, tract, or parcel of land or to layout, construct, open, or dedicate for public use or travel any street, sanitary or storm sewer drainage facility or other facility in connection therewith, for the common use of occupants of buildings located within the subdivision or land development, unless final plans of such subdivision or land development shall:
  - 1) Have been prepared and signed by and sealed by a professional land surveyor, duly and currently registered in the Commonwealth of Pennsylvania, in accordance with Act 367;
  - 2) Have been signed by the record owners of land, and said signature notarized;
  - 3) Have been submitted to and approved in writing thereon by the Board of Supervisors;
  - 4) Have been recorded in the Bucks County Recorder of Deeds Office in Doylestown, PA
- (b) Before the approval of a plan by the Township, a copy shall be transmitted to the County Planning Commission, and the Commission shall make a report thereon to such local authority. Pending the receipt and consideration of such report, the Township shall defer action thereon, but if such report is not received by the Township within forty-five (45) days from the submission of the plan to the County Planning Commission, or within such further time as may be agreed upon by the Township, the Township may proceed to final action thereon.

ARTICLE II                      FEES AND PENALTIES

Section 200                      Fees



The applicant shall reimburse the Township for all reasonable professional expenses, including but not limited to engineering, legal, consultant fees for review, modification or supplementing the feasibility studies required under Article VI, pursuant to the provisions of this Ordinance, in accordance with the uniform schedule of fees adopted by the Township Supervisors. Prior to filing a preliminary plan, the applicant shall deposit with the Township Secretary, a sum in accordance with a fee schedule adopted by the Township Supervisors, to secure payments of expenses. Thereafter, as the said funds shall be expended, the applicant shall make further deposits upon notice from the Township Secretary until approval of the final plan. Within ninety (90) days after approval of the final plan, the Township Secretary shall forwith refund to the applicant any uncommitted portion of the deposit remaining after all expenses incurred by the Township.

## Section 201                      Penalties

Any person, partnership, or corporation who or which being the owner or agent of any lot, tract, or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, or water main or other improvements for public use, travel, or other purposes, or for the common use of occupants of buildings abutting thereon, or who sells, transfers, or agrees or enters into an agreement to sell any land in subdivision or land development, whether by reference to or by other rise of a plan of such subdivision or land development, or erect any building thereon, unless and until a final plan has been prepared in full compliance with the provisions of this Ordinance and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a misdemeanor and, upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation shall pay a fine not exceeding one thousand dollars (\$1,000) per lot or parcel or per dwelling within each lot or parcel. All fines collected for such violations shall be paid over to Durham Township. The description by metes and bounds in the instrument or transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or form the remedies herein provided.

## ARTICLE III                      DEFINITIONS

### Section 300                      General

- (a) Unless a contrary intention clearly appears, the following words and phrases shall have for the purposes of this Ordinance the meanings given in the following clauses.
- (b) For the purpose of this Ordinance, 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, and association as well as the 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” always mean the Durham Township Planning Commission.
- 8) The words “Zoning Hearing Board” always mean the Durham Township Zoning Hearing Board.
- 9) The words “Governing Body” refer to the Board of Supervisors of Durham Township.
- 10) The word “Engineer” means Durham Township Engineer.
- 11) The word “Municipal” or “Municipality” means Durham Township.

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

Section 301            Agent

Any person other than the developer who, acting for the subdivider, submits the Commission subdivision or land development plans for the purpose of obtaining approval thereof.

Section 302            Applicant

A landowner or developer, as hereinafter defined, who has filed an application for development including their heirs, successors, and assigns.

Section 303            Alterations

As applied to a building or structure, a change or rearrangement in the structural parts, or an enlargement or diminution, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Section 304            Block

An area bounded by two (2) or more streets.

Section 305            Buffer

A strip of land established to protect adjacent land uses. Buffer yards are intended to visually soften the outline of buildings, to screen glare and noise, and to create a visual barrier between adjacent land uses.

Section 306            Building

- (a) A structure under roof, used for the shelter or enclosure of persons, animals, or property. The word “building” shall include any part thereof.

- (b) Building, Accessory: A subordinate building located on the same lot as a principal building and clearly incidental and subordinate to the principal to an accessory use is not an accessory building.
- (c) Building, Principal: A building in which is conducted, or is intended to be conducted, the principal use of the lot on which it is located.

Section 307                    Building Area

The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces, and steps.

Section 308                    Building Setback Line

A line establishing the minimum distance at which a structure must be removed from the street line. The building setback line shall be located parallel to the street line at a distance equal to the depth of the minimum front yard as required for each district. The line established at the distance shall be the building setback line.

Section 309                    Caliper

For measuring trees for buffering or landscaping purposes, caliper measurements shall be taken at a point on the trunk six (6) inches above natural groundline. For measuring existing trees to determine whether they are a forest resource, caliper measurements shall be taken at a point on the trunk four and one-half (4 ½) feet above the natural groundline for trees over six (6) inches in caliper.

Section 310                    Cartway or Roadway

The hard or paved surface portions of any street, or that portion of a street customarily used by vehicles in the regular course of travel over the street.

Section 311                    Center Line of Street or Road

A line midway between and parallel to the edges of the Cartway, or as otherwise defined by the Township Supervisors.

Section 312                    Clear Sight Triangle

An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street right-of-way lines.

Section 314                    Cul-de-sac

A street which intersects another street at one end and terminating at the other in a vehicular turnaround.

Section 315            Density

Density is a measure of the number of dwelling units per unit of area. It shall be expressed in dwelling units per acre.

Section 316            Design Standards

Regulations adopted pursuant to this Ordinance imposing standards in the layout by which a subdivision or land development is developed.

Section 317            Developer

Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to make a subdivision or a land development.

Section 318            Dwelling

- (a)    Dwelling:        A building containing one or more dwelling units.
- (b)    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.

Section 319            Easement

A grant of the specified use of a parcel of land to the public, a corporation, or person.

Section 321            Engineer

A professional engineer licensed by the Commonwealth of Pennsylvania.

Section 322            Engineering Considerations

All engineering responsibilities as herein defined shall be those of the engineer for the municipality, hereafter referred to as the engineer. The engineer will review the plan and any accompanying material for the proposed subdivision or land development and make his findings known in a report to Durham Township Planning Commission and the governing body. The report will be considered by the commission when reviewing the proposal.

The engineer's responsibility in the review of subdivision and land development proposals, shall include, but not be limited to the following engineering considerations.

The engineer shall make recommendations concerning approval or disapproval of the application based upon these considerations as they are reflected in the plans submitted.

- (a) Dimensions and areas of lots or parcels
- (b) Existing and proposed contours in relation to the proposed use and that of adjacent properties
- (c) Soil conditions; proposed erosion controls
- (d) Surface and sub-surface drainage conditions and proposed storm water management plan
- (e) Lighting plans
- (f) Utility plan; easement requirements
- (g) Road specifications, widths, cross-sections, alignment, profiles, and intersections
- (h) Location and design of entrance and existing accessways
- (i) Sewage disposal system
- (j) Conformance to the Durham Township Zoning Ordinance
- (k) Acceptability of materials and construction indicated in final plans and specifications
- (l) Anticipated traffic generated by the proposal
- (m) Water supply for the proposed use or uses
- (n) Fire protection

Section 323            Erosion

The process by which soil and bedrock are worn away by the action of wind, water, climate, or chemical action.

Section 323            Erosion

The process by which soil and bedrock are worn away by the action of wind, water, climate, or chemical action.

Section 324            Flood Plain

Areas adjoining any streams, ponds or lakes subject to a 100-year-reoccurrence-interval flood as delineated by the following study or a study conducted by anyone else expert and experienced in the preparation of hydrological studies and the determination of flood lines:

“Flood Plain Information, Report on Delaware River,” Coprs of Engineers, U.S. Army district, Philadelphia, July 1967. (See Section 519 of the Township Zoning Ordinance).

Section 325            Flood Plain Soils

Areas subject to periodic flooding and listed in the Soil Survey of Bucks and Philadelphia Counties, Pennsylvania. U.S. Department of Agriculture, Soil Conservation Service, July 1975, as being “on the flood plain” or subject to “flooding”.

The following soil types are flood plain soils:

Alluvial land

Hatboro silt loam

Alton gravelly loam, flooded  
Bowmansville silt loam

Marsh  
Pope loam  
Rowland silt loam

Section 326            Forest

Areas, groves, or stands of mature or largely mature trees (i.e. greater than six (6), inches in caliper), covering an area greater than one-quarter acre; or groves of mature trees (greater than twelve (12) inches caliper) consisting of more than ten (10) individual trees.

Section 327            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 permanent pool if there is any difference. Lakes are bodies of water two (2) or more acres in extent. Ponds are any water body less than (2) acres in extent.

Section 328            Lakeshore

A distance of 150 feet measured from the highwater shoreline.

Section 329            Land Development

- (a) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
  - (1) A group of two or more buildings, or
  - (2) The division or allocation of land or space 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.
- (b) A subdivision of land.

Section 330            Limestone Area

That portion of the Township running northwest from Riegelsville Borough which is described and located on the map, entitled, The Geologic Features Map – Figure III-25 in the Limestone Study – An Environmental Assessment for On-Lot Sewage System Suitability in the Carbonate Valleys of Bucks County PA, May 1978. This formation requires special considerations in design and construction of new development to limit the contamination of groundwater resources.

Section 331            Loop Street

A loop street is a street which has two points of intersection with the same road. In its simplest form, a loop street enters a tract, follow a course through it, and returns to the same road at some distance from the other intersection.

#### Section 332

##### Lot

- (a) Lot: A lot is a parcel of land, used or set aside and available for use, as the site of one or more buildings and any buildings accessory thereto or for any other purpose, in one ownership and not divided by a street, nor including any land within the right-of-way of a public or private street upon which said lot abuts, even if the ownership to such right-of-way is in the owner of the lot. A lot, for the purpose of this Ordinance, may or may not coincide with a lot of record.
- (b) Lot Area: The area contained within the property lines of the individual parcels of land shown on a subdivision plan or required by the Township Zoning Ordinance, excluding any area within an existing or designated future street right-of-way, or any area required as open space under the Zoning ordinance, or the area of any easements.
- (c) Average Lot Area per Dwelling Unit: The average lot area for all dwelling units of a single type. Individual lots may be smaller or larger than the average, provided that the average size is maintained and that all other standards of this Ordinance are met.
- (d) Corner Lot: A lot which has an interior angle of less than one hundred and thirty-five (135) degrees at the intersection of two (2) street lines. A lot abutting a curved street or streets shall be considered a corner lot if the tangent to the 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 line with the street lines intersect at an angle of less than one hundred and thirty-five (135) degrees.
- (e) Through Lot: An interior lot having frontage on two parallel or approximately parallel streets.
- (f) 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.
- (g) 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. Where side lot lines are not parallel, the distance between the side lines at the street line shall not be less than 75% of the required minimum lot width.

#### Section 333

##### Lot Lines

- (a) Lot Lines: Any boundary line of a lot.

(b) Lot line, Rear: Any lot line which is parallel to or within forty-five (45) degrees of being parallel to a street line, except for a lot line that is itself a street line, and except that in the case of a corner lot the owner shall have the option of choosing which of the two lot lines that are not street lines is to be considered a rear lot line. In case of a lot having no street frontage or a lot of an odd shape, only the one lot line furthest from any street shall be considered a rear lot line.

(c) Lot Line, Side: Any lot line which is not a street line or a rear lot line.

#### Section 334 Mobile Home

A transportable single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy exempt for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation, including any additional or accessory structures such as porches, sheds, decks, or additional rooms. As a structure, a mobile home shall be used only in conformance with Section 405 of the Zoning Ordinance.

#### Section 335 Mobile Home Lot or Site

A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single unit mobile home, which is leased by the park owner to the owner or occupants of the mobile home erected on the lot.

#### Section 336 Mobile Home Park

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

#### Section 337 Monument

A stone or concrete monument with a flat top at least 4" square, containing a copper or brass dowel scored with an "X" to mark the reference point, and at least 30" in length. It is recommended that the bottom sides be at least 2" greater than the top, to minimize movements caused by frost. Where a monument is placed in the roadway, only a copper or brass dowel is necessary.

#### Section 338 Open Space

Open space is land used for recreation, agriculture, resource protection, amenity, or buffers; is freely accessible to all residents of the development, except in the case of agricultural lands where access may be restricted; and is protected by the provisions of this Ordinance and the Zoning Ordinance to ensure that it remains in such uses. Open space does not include land occupied by non-residential buildings, roads, road rights-of-way; retention basins, community sewage facilities, or sties of community wells; nor does it include the yards or lots of single or



multi-family dwelling units or parking areas as required by the provisions of the Zoning Ordinance. Open space shall be left in a natural state except in the case of recreation uses which may contain impervious surfaces. Such impervious surfaces shall be included in the calculation of the impervious surface ratio. A percentage of open space may be required to be devoted to active recreational use in some districts.

Section 339                    Open Space Ratio

The open space ratio is a measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the base site area.

Section 340                    Parking Space

An area on a lot used for parking a vehicle(s), to which there is access from a street.

Section 341                    Parking Space Access

The drives or roadways and the maneuvering space required to service the parking space.

Section 342                    Pedestrian Walkway

A continuous way designated for pedestrians and separated from the through lanes for bicycles or motor vehicles by space or other barrier.

Section 343                    Plan, Final

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

Section 344                    Plan, Preliminary

A tentative subdivision and/or land development plan showing the pertinent existing features of a tract and its surroundings and proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

Section 345                    Plan, Record

An exact copy of the approved final plan on opaque linen of standard size, prepared for necessary signatures and recording with the Bucks County Recorder of Deeds.

Section 346                    Plan, Sketch

An informal plan, to scale, indicating salient existing features of a tract and its surrounding and the general layout of the proposed subdivision and/or land development for discussion purposes only and not to be presented for approval.

Section 347            Pondshore

A distance of 75 feet measured from the high water shoreline.

Section 348            Resubdivision

Any change of lot lines within a previously approved subdivision.

Section 349            Reverse Frontage Lot

A lot extending between and having frontage on a major street and a minor street with a vehicular access solely from the minor street.

Section 350            Review

An examination of the Sketch Plan, Preliminary Plan, and Final Plan by the Planning Commission and the Board of Supervisors.

Section 351            Right-of-Way

- (a) Right-of-way: Land set aside for use as a street, alley, or other means of travel.
- (b) Existing right-of-way: The legal right-of-way as established by the Commonwealth or other appropriate governing authority and currently in existence.
- (c) Future right-of-way: The right-of-way deemed necessary by the Durham Township Comprehensive Plan and Zoning Ordinance, as appropriate to provide adequate width for the future street improvements.

Section 352            Runoff

The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

Section 353            Sedimentation

The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as sediment.

Section 354            Sewer

- (a) Public Sewer: Any municipality or privately owned sewer system in which sewage is collected from buildings from more than one lot and/or dwelling unit and

pipd to an approved sewage disposal system. It may also be referred to as “off-lot” or “off-site” sewer. This shall include capped sewers.

- (b) Private Sewer: An “on-lot” approved disposal system generally providing for disposal of effluent for only one building or a group of buildings on a single lot.

Section 355                    Sight Distance

The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

Section 356                    Site

The site shall be defined as a parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

Section 357                    Site Area

All land area within the site as defined in the deed. Area shall be from an actual site survey rather than from a deed description.

Section 358                    Site Area, Base

The “Base Site Area” is the area of a tract of land remaining after subtracting land which is not contiguous land previously subdivided, and existing road and utility rights-of-way from the site area. See Section 646 for the specific calculations.

Section 359                    Site Area, Net Buildable

The “Net Buildable Site Area” is a calculated area upon which the density and impervious surface ratio requirements for the various districts are computed. It can be determined for a particular tract of land by completing the calculations found in Section 616.

Section 360                    Steep slopes

Areas where the average slope exceeds eight (8) percent which because of this slope, are subject to high rates of stormwater run-off and therefore erosion.

Section 361                    Street

A public or private way used or intended to be used for passage or travel by motor vehicles. If private, such way must be used or intended to be used as the principal means of access to an abutting lot or lots or to more than two (2) dwelling units on lots on which a private way is exclusively used. Streets are further classified according to the functions they perform.

Section 362                    Street Line

The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way provided that where a future right-of-way width for a road or street has been established, then that width shall determine the location of the street line.

Section 363                    Structure

A combination of materials assembled, constructed or erected at a fixed location, including a building, the use of which requires location on the ground or attachment to something on the ground.

Section 364                    Subdivision, Major and Minor

- (a) Major Subdivision:            the division or redivision of a lot, tract, or parcel of land by any means into three (3) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or residential dwellings, shall be exempted.
- (b) Minor Subdivision:            the division or redivision of a single lot, tract, or parcel of land into two (2) lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development provided the proposed lots, tracts, or parcels of land thereby created have frontage on an improved public street or streets, and provided further that there is not improvements, easement or the need therefore; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or residential dwellings, shall be exempted.

Section 365                    Supervisors

The Board of Township Supervisors of Durham Township, Bucks County, Pennsylvania.

Section 366                    Surveyor

A professional land surveyor registered by the Commonwealth of Pennsylvania.

Section 367                    Township Engineer

A professional engineer designated by the Supervisors to perform the duties of a Township Engineer.

Section 368                    Use

- (a) Use: Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.
- (b) Use, Accessory: A use located on the same lot with a principal use, and clearly incidental or subordinate to, and in connection with, the principal use.
- (c) Use, Principal: The main use on a lot.

Section 369                      Utilities

Those services customarily rendered by public utility corporations, municipalities, or municipal authorities, in the nature of electricity, gas, telephone, water, sewerage, and cable television, including the appurtenances used in connection with the supplying of such services (buildings, wires, pipes, poles, and the like).

Section 370                      Water Facility

Any water works, water supply works, water distribution system or part thereof designed, intended, or constructed to provide or distribute potable water.

- (a) On-lot Water Distribution System.

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

- (b) Public Water Supply System.

A single source of water serving more than one user unit (residence, business, church, school or combination thereof).

Section 371                      Watercourse

Any natural or artificial swale, stream or structure in which water flows continuously or intermittently.

Section 372                      Wetlands

Areas known as marshes, swamps, or wetlands, including all areas greater than one-quarter of an acre where standing water is retained for a portion of the year and unique vegetation has adapted to the area.

Section 373                      Yard

- (a) Yard: An open space unobstructed from the ground up, on the same lot with a structure, extending along a lot line or street line and inward to the structure. The size

of a required yard shall be measured as the shortest distance between the structure and a lot line or street line.

- (b) Yard, Front: A yard between a structure and a street line and extending the entire length of the street line. In the case of a corner lot, the yards extending along all streets are front yards. In the case of a lot other than a corner lot that fronts on more than one street, the yards extending along all streets are front yards.
- (c) Yard, Rear: A yard between a structure and a rear lot line and extending the entire length of the rear lot line.
- (d) Yard, Side: A yard between a structure and a side lot line, extending from the front yard to the rear yard. In the case of a lot having no street frontage or a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.

#### ARTICLE IV                      PROCEDURE FOR SUBDIVISION AND LAND DEVELOPMENT

##### Section 400                      General

- (a) In order to discharge the duties imposed by law, the Township has adopted the following procedures which shall be observed by all applicants, developers, and their agents.
- (b) The review process for the plans required by the municipality shall include no more than ninety (90) days following the date of the regular meeting of the planning commission next following the date the application is filed, provided that should said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30) day following the day the application has been filed. The applicant may agree to waive or extend the time requirement.
- (c) The presentation of a preliminary plan and final plan shall each be considered a separate submission, and the maximum review period may be required for each such plan.
- (d) The submission of revised preliminary or final plans shall constitute a new and separate submission subject to the review procedures set forth in this Ordinance.

A revised plan must be accompanied by a completed application and all required information. Additional fees to the Township are not required if the revisions are made at the Township's request. With a revised plan, the applicant must submit a written withdrawal of the previously submitted plan.

- (e) 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.

<u>Plan Approval Stage</u>		<u>Types of Submission</u>		
<u>Plan</u>	<u>See Section</u>	<u>Minor Subdivision</u>	<u>Major Subdivision</u>	<u>Land Development</u>
Sketch	401	Recommended	Recommended	Recommended
Preliminary	402	Not Required	Required	Required
Final	403	Required	Required	Required

(f) All plans and applications shall be submitted to the Township Secretary. The municipality shall have the sole responsibility to forward the plans to other reviewing agencies. Plans are not to be delivered to any reviewing agency by the owner, developer, or his agent.

(g) No plan, whether preliminary or final, shall be approved unless it conforms to and meets the objectives and requirements of this Ordinance, the Durham Township Zoning Ordinance, as well as any other legally applicable ordinance, regulation or statute.

#### Section 401                      Sketch Plan

##### (a) Purpose

The Sketch Plan is optional. It is offered to give the applicant the opportunity to consult early and informally with the Durham Township Planning Commission and the Bucks County Planning Commission before the preparation of the preliminary plan and formal application for approval.

The Sketch Plan procedure affords both planning commissions 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) Procedure

The applicant prepares sketch plan in accordance with the submission requirements and standards set forth in Section 501.

##### (c) Review

The Township Planning Commission shall initially review the sketch plan submission and advise the applicant how the proposed subdivision or land development may conform or fail to conform with the requirements of this Ordinance and other applicable ordinances. The applicant may attend a meeting of the Planning

Commission to discuss the proposal. The Planning Commission shall communicate its comments and recommendations to the applicant by mail at the address provided on the application by the applicant. Similarly, the Board of Supervisors may conduct a review and discuss the plan with the applicant if requested. The review of a sketch plan is advisory only and the opinions expressed by the members of the planning commission and/or supervisors during sketch plan review are not binding.

- (d) The sketch plan is not a requirement and, therefore, will not receive an official approval.

## Section 402                      Preliminary Plan

### (a) Purpose

The purpose of the Preliminary Plan is to enable the Township to examine subdivision and land development proposals for compliance with Zoning.

Subdivision and Land Development, and other Township ordinances prior to the submission of detailed engineering data and the improvement guarantees required at the final plan submission stage.

### (b) General

The Preliminary Plan is required for all major subdivisions and land developments. The Preliminary Plan submission shall be prepared to comply with the provisions of this Ordinance.

### (c) Procedure

- (1) The applicant prepares Preliminary Plan in accordance with the submission requirements and standards set forth in Sections 500 and 502.
- (2) Fees in the amounts specified by the Township and Bucks County Planning Commission fee schedules shall be paid by the applicant at the time of plan submission.
- (3) The applicant submits to the Township Secretary, or other person so designated by the Board of Supervisors, the following items:
  - a. Twelve (12) copies of the Preliminary Plan.
  - b. One (1) Township application form and appropriate fee.
  - c. One (1) Bucks County Planning Commission application form and appropriate fee.



- d. Four (4) copies of completed Planning Module for Land Development.
  - e. Four (4) copies of Traffic Impact Study, where applicable (see Section 614).
- (4) The Township Secretary checks the submission for completeness as required in (c) (3) above and, if it is incomplete, may notify the applicant of the deficiencies within seven (7) days. If complete, or if the applicant has not corrected the deficiencies within fourteen (14) days of the original date of submission, copies of the plan and appropriate fees shall be distributed to the following agencies:
- a. Township Planning Commission and Board of Supervisors – five (5) copies, plus (2) copies of Traffic Impact Study.
  - b. Bucks County Planning Commission – two (2) copies plus one (1) copy Traffic Impact Study.
  - c. Township Engineer – one (1) copy plus (1) copy Traffic Impact Study.
  - d. Bucks County Health Department – four (4) copies plus four (4) copies Planning Module for Land Development.

(d) Review

The Township Planning Commission shall within sixty (60) days following the starting date of the review process as set forth in Section 400(b):

- (1) Review the reports from the Bucks County Planning Commission, Township Engineer, and other applicable reviewing agencies.
- (2) Determine whether the Preliminary Plan meets the objectives and requirements of the Township Zoning Ordinance, Subdivision and Land Development Ordinance, and other ordinances.
- (3) Recommended approval or disapproval of the Preliminary Plan in a written report to the Board of Supervisors.

(e) Action

The Board of Supervisors shall:

- (1) Review the reports of the Township Planning Commission, Township Engineer, Bucks County Planning Commission, and other applicable reviewing agencies;
- (2) Determine whether the Preliminary Plan meets the objectives and requirements of Township ordinances;

(3) Approve or disapprove the Preliminary Plan.

If approved, the Board of Supervisors shall express its approval as preliminary approval, and state the conditions to be met prior to final approval, if any.

If disapproved, the Board of Supervisors shall state the reasons for this action, citing specific sections in the applicable ordinances which the plan failed to meet. The applicant may file a revised Preliminary Plan with the Township Secretary. No fee will be charged for the first revision, but all successive submissions shall pay the fee for Preliminary Plans.

The Board of Supervisors should also approve or disapprove the Planning Module for Land Development at this time.

(f) Timing

The Board of Supervisors shall render its decision within ninety (90) days of the beginning of the review period. The Township shall not act, however;

- (1) Before the earlier of 45 days following the forwarding of the complete submission to the County or the receipt of the report from the County Planning Commission by the Supervisors; or,
- (2) Before the earlier of 60 days from the date of the beginning of the review period by the Township Planning Commission or the receipt of written comments from the Township Planning Commission by the Supervisors.

The decision of the Board of Supervisors shall be in writing and shall be mailed to the applicant (or his agent) at his last known address not later than fifteen (15) days following the decision or within 90 days of the beginning of the review period, whichever is sooner.

(g) Requirements for, Effects, and Limits of Action

- (1) No plan shall be approved unless it conforms to the Township's official sewerage facilities plan and supplements and revisions thereto.
- (2) Preliminary approval shall be contingent upon the applicant's meeting the requirements for final approval specified in Section 403(g).
- (3) Approval of the Preliminary Plan shall constitute preliminary approval of the subdivision or land development, but shall not authorize the sale of lots or the construction of buildings or site development.

(a) Purpose

The purpose of the Final Plan is to enable the Township to determine whether or not all aspects of subdivision and land development proposals conform to the municipal standards, and to provide a means for the applicant to guarantee that required improvements will be made prior to official approval and recording of the plan.

(b) General

The Final Plan shall be submitted in conformance with the changes recommended during the Preliminary Plan review. The Final Plan submission shall be prepared to comply with the provisions of this Ordinance, except where specific variations may be approved by the Board of Supervisors as set forth in Article VIII.

(c) Procedure

- (1) The applicant prepares Final Plan in accordance with the submission requirements and standards set forth in Sections 500 and 503.
- (2) Fees in the amounts specified by the Township and Bucks County Planning Commission fee schedules shall be paid by the applicant at the time of plan submission, where applicable.
- (3) The applicant submits to the Township Secretary, or other person so designated by the Board of Supervisors, the following items:
  - a. Eight (8) copies of the Final Plan.
  - b. One (1) Township application form and appropriate fee.
  - c. One (1) Bucks County Planning Commission application form and appropriate fee.
  - d. Certification from the appropriate authority indicating that sewerage service and capacity is available for lots proposing to use a public sewerage system.
  - e. For plats proposing on-site sewage disposal, a title block signed by an authorized agent of the Bucks County Department of Health, indicating the suitability of all lots for on-site sewage disposal (see Section 503(b)(2)).
  - f. Certification from the appropriate authority indicating that water service and capacity is available for lots proposing to use a public water system.

(4) The Township Secretary checks the submission for completeness as required in (c) (3) above and, if it is incomplete, may notify the applicant of the deficiencies within seven (7) days. If complete, or if the applicant has not corrected the deficiencies within fourteen (14) days of the original date of submission, copies of the plan and appropriate fees shall be distributed to the following agencies:

- a. Township Planning Commission and Board of Supervisors – five (5) copies.
- b. Bucks County Planning Commission – two (2) copies.
- c. Township Engineer – one (1) copy.

(d) Review

The Township Planning Commission shall within sixty (60) days following the starting date of the review process as set forth in Section 400(b):

- (1) Review the reports from the Bucks County Planning Commission, Township Engineering, and other applicable reviewing agencies.
- (2) Determine whether the Final Plan meets the objectives and requirements of the Township Zoning Ordinance, Subdivision and Land Development Ordinance and other ordinances;
- (3) Recommend approval or disapproval of the Final Plan in a written report to the Board of Supervisors.

(e) Action

The Board of Supervisors shall:

- (1) Review the reports of the Township Planning Commission, Township Engineer, Bucks County Planning Commission, and other applicable reviewing agencies;
- (2) Determine whether the Final Plan meets the objectives and requirements of the Township Zoning Ordinance, Subdivision and Land Development Ordinance, and other ordinances; or where preceded by an approved Preliminary Plan, determine whether the Final Plan is in accordance with its terms and conditions as approved;
- (3) Approve or disapprove the Final Plan.

If the Final Plan is approved:

- a. The Board of Supervisors shall adopt a resolution to approve the Final Plan, provided that the applicant guarantees to make those improvements required by this Ordinance as set forth in Article VIII.

- b. The applicant shall submit two (2) exact copies of the approved Final Plan on linen and one (1) exact paper print copy of the Plan with the signatures of the required agents and agencies, as specified in Section 505 of this Ordinance, to the Board of Supervisors for signature.

If disapproved, the Board of Supervisors shall state the reasons for this action, citing specific sections in the applicable ordinances which the plan failed to meet; and where the Final Plan is preceded by an approved Preliminary Plan, the Board shall specify how it fails to meet the terms of preliminary approval. The applicant may file a revised Final Plan with the Township Secretary. No fee will be charged for the first revision, but all successive revisions shall require the regular application fee.

(f) Timing

The Board of Supervisors shall render its decision within ninety (90) days of the beginning of the review period. The Board shall not act, however:

- (1) Before the earlier of 45 days following the forwarding of the complete submission to the County or the receipt to the report from the County Planning Commission by the Supervisors; or,
- (2) Before the earlier of 60 days from the date of the beginning of the review period by the Township Planning Commission or the receipt of written comments from the Township Planning Commission by the Supervisors.

The decision of the Board of Supervisors shall be in writing and shall be mailed to the applicant (or his agent) at his last known address not later than fifteen (15) days following the decision or within ninety (90) days of the start of the review period, whichever is sooner.

(g) Requirements for, Effects, and Limits of Action

- (1) The Final Plan must be based on an approved Preliminary Plan. No Final Plan shall be approved that deviates substantially from an approved Preliminary Plan and conditions attached thereto, including but not limited to changes in elements of density, road alignment, layout and character of lots, open space, and housing types.
- (2) No plan shall be finally approved unless the streets shown on the plan have been improved as required by this Ordinance, and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains, and other improvements as may be required have been installed in accordance with the provisions enacted herein, except in lieu of the completion of any

improvements required as a condition of final approval, the applicant may enter into a contract with the Township to guarantee completion of such improvements as set forth in Article VIII to this Ordinance.

- (3) No plan, for which on-site sewage disposal is proposed, shall be finally approved until there appears upon it a signed statement by an authorized agent of the Bucks County Department of Health, indicating that all such lots are capable of providing on-site treatment (See Section 503(b)(2)) or exempted as rural residences.
- (4) No plan, which proposes sewage disposal by means of a public sewer, shall be approved until it has been established through written documentation that service and capacity is available in the sewerage system being considered for service.
- (5) No plan, which proposes central water service, shall be approved until it has been established through written documentation that service and capacity are available.

#### Section 404                      Minor Subdivision Final Plan

##### (a) Purpose

The purpose of this section is to provide a simplified procedure by which minor subdivisions (see Section 364) may be submitted and approved.

##### (b) General

The provisions of this Section shall not apply to any subdivision which does not meet the qualifying criteria set forth in Section 364(b).

##### (c) Procedure

- (1) The applicant prepares Minor Subdivision Plan in accordance with the submission requirements and standards set forth in Sections 500 and 504.
- (2) Fees in the amounts specified by the Township and Bucks County Planning Commission fee schedule shall be paid by the applicant at the time of submission.
- (3) The applicant submits to the Township Secretary, or other person so designated by the Board of Supervisors, twelve (12) copies of the Minor Subdivision Plan, one (1) Township application form and appropriate fee, and one (1) Bucks County Planning Commission application form and appropriate fee.
- (4) The Township Secretary checks the submission for completeness as required in (c) (3) above and, if it is incomplete, may notify the applicant of the deficiencies within seven (7) days. If complete, or if the applicant has not corrected the

deficiencies within fourteen (14) days of the original date of submission, copies of the plan and appropriate fees shall be distributed to the following agencies:

- a. Township Planning Commission and Board of Supervisors – five (5) copies.
- b. Bucks County Planning Commission – two (2) copies.
- c. Township Engineer – one (1) copy.
- d. Bucks County Health Department – four (4) copies plus four (4) copies Planning Module for Land Development.

(d) Review

The Township Planning Commission shall within sixty (60) days following the starting date of the review process as set forth in Section 400(b):

- (1) Review the reports from the Bucks County Planning Commission, the Township Engineer, and other applicable reviewing agencies.
- (2) Determine whether the Minor Subdivision Plan meets the objectives and requirements of the Township Subdivision and Land Development Ordinance and other ordinances.
- (3) Recommend approval or disapproval of the Minor Subdivision Plan in a written report to the Board of Supervisors.

(e) Action

The Board of Supervisors shall:

- (1) Review any submitted reports of the Township Planning Commission and other reviewing agencies;
- (2) Determine whether the submission meets the objectives and requirements of the Township Subdivision and Land Development Ordinance and other ordinances;
- (3) Review the recommendations of the Department of Environmental Resources, if any, and determine whether the plan is in conformance with the Township's Sewer Plan;
- (4) Approve or disapprove the Minor Subdivision Plan.

If the Minor Subdivision Plan is approved, the applicant shall submit two (2) exact copies of the approved Minor Subdivision Plan on linen and one (1) exact paper print copy of the Plan with the signatures of the required agents and agencies, as specified in Section 505 of this Ordinance, to the Board of Supervisors for signature.

If disapproved, the Board of Supervisors shall state the reasons for this action, citing specific sections in the applicable ordinances which the plan failed to meet. The applicant may file a revised Minor Subdivision Plan with the Township Secretary. No fee will be charged for the first revision, but all successive revisions shall require the regular application fee.

(f) Timing

The Board of Supervisors shall render its decision within ninety (90) days following the starting date of the review process as set forth in section 400(b). The Board shall not act, however:

- (1) Before the earlier of 45 days following the forwarding of the complete submission to the County or the receipt of the report from the County Planning Commission by the Supervisors; or,
- (2) Before the earlier of 60 days from the date of the beginning of the review period by the Township Planning Commission or the receipt of written comments from the Township Planning Commission by the Supervisors.

The decision of the Board of Supervisors shall be in writing and shall be mailed to the applicant (or his agent) at his last known address not later than fifteen (15) days following the decision or within 90 days of the start of the review period, whichever is sooner.

(g) Requirements for, Effects, and Limits of Action

- (1) No plan, for which on-site sewage disposal is proposed, shall be finally approved until there appears upon it a signed statement by an authorized of the Bucks County Department of Health, indicating that all such lots are capable of providing on-site treatment (See Section 503(b)(2)) or exempted rural residences.
- (2) No plan, which proposes sewage disposal by means of a public sewer system, shall be approved until it has been established through written documentation that service and capacity is available in the sewerage system being considered for service.

Section 405

Recording of Final Plan

- (a) The action of the Board of Supervisors or of the Court on appeal in approving any subdivision or land development plan and approved duplicate copy of such plan shall within ninety (90) days of the date of approval, be recorded by the owner in the Office of the Recorder of Deeds of Bucks County. The applicant shall notify the Board of Supervisors in writing of the date of such recording and the plan book and page wherein such subdivision or land development is recorded. If the plan is not recorded within the ninety (90) day period the approval shall lapse and become void,



unless the Board of Supervisors, upon request of the applicant, shall reinstate its approval.

(b) Effect of Recording

Every improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private improvement until such time as the same has been offered for dedication to the Township and accepted, by resolution, and recorded in the Office of the Clerk of the Court of Quarter Sessions of Bucks County, or until it has been condemned for use as a public improvement.

(c) Recorded Plan

All plans recorded shall contain the information specified in Section 505 of this Ordinance.

ARTICLE V APPLICATION AND PLAN REQUIREMENTS

Section 500 Application Requirements

For the purpose of having a Subdivision or Land Development considered and approved by the Planning Commission or Board of Supervisors, the applicant shall file with the Township Secretary the following items at the Preliminary Plan or Minor Subdivision Final Plan review stage in addition to the required number of plans:

- (a) A signed Subdivision and Land Development Application.
- (b) A list of all encumbrances appearing of record in the Office of the Recorder of Deeds or marked lis pendens in the Office of the Prothonotary.
- (c) A statement setting forth in detail the character of the improvements the applicant poses to make on the property to be developed.
- (d) A development schedule indicating the approximate date when construction can be expected to begin and be completed.
- (e) A copy of all restrictions, covenants, etc., if any, under which lots are to be sold.
- (f) Names and mailing addresses of all adjacent property owners.

Section 501 Sketch Plan

Although the amount of information submitted at this stage is the option of the applicant, well researched information can minimize expense at the final plan stage and simplify the final plan review. It is recommended that the sketch plan submission include the following date:

(a) Site Plan, showing:

- (1) Tax parcel number
- (2) Name of subdivision or land development
- (3) Name and address of the owner/applicant
- (4) Name and address of the surveyor responsible for the plan
- (5) Zoning Requirements, including:
  - a. Applicable district
  - b. Maximum density permitted and proposed density
  - c. Lot size and yard requirements
  - d. Required and proposed open space and impervious surface ratios
  - e. Any variances or special exceptions granted
- (6) Location map showing relation of site to adjoining properties and streets within one thousand (1,000) feet. Scale 1" = 800'.
- (7) North point
- (8) Written and graphic scales (including scale of location map)
- (9) Total acreage of the site
- (10) Site boundaries
- (11) Boundaries of all adjoining properties (with names of landowners in the case of unplanted land)
- (12) Streets on and adjacent to the site with future rights-of-way
- (13) Buildings (and their uses), driveways, wells, septic systems, 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 roadways)
- (14) The net buildable site area, if required for use
- (15) Proposed general street layout
- (16) Proposed general lot layout
- (17) Types of buildings proposed
- (18) Number of units proposed
- (19) Open space areas
- (20) Recreation areas
- (21) Landowner's authorization for Planning Commission representatives to enter land

(b) Natural Features Map, showing:

- (1) Contour lines measured at vertical intervals of two (2) feet. Slopes may be determined by interpretation of U.S.G.S. maps at this stage.
- (2) Flood plain areas
- (3) Flood plain soil areas
- (4) Slope areas
  - a. 8-15
  - b. 15-25%
  - c. 25% and over
- (5) Forest areas
- (6) Streams

- (7) Lakes and ponds
- (8) Wetlands

- (c) Site Capacity Calculation (see Section 616). All area measurements used for these calculations shall be indicated for each resource on the Natural Features Map, or on the Site Plan, whichever is applicable.
- (d) A written statement indicating the method of administration and maintenance of open space pursuant to Section 609.

## Section 502 Preliminary Plan

- (a) Drafting Standards:
  - (1) The plan shall be drawn at a scale of 1" = 50' or 1" = 100'.
  - (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 boundary line of a subdivision shall be shown as a solid heavy line.
  - (6) Plans shall be on sheets 18" x 24", 24" x 36", or 36" x 48", and all lettering shall be so drawn as to be legible if the plan should be reduced to half size.

The Preliminary Plan shall show or be accompanied by the following information:

- (b) Site Plan, showing:
  - (1) Tax parcel numbers
  - (2) Name of subdivision or land development
  - (3) Name and address of owner/applicant
  - (4) Name and address of the professional land surveyor responsible for the plan
  - (5) Zoning requirements, including:
    - a. applicable district
    - b. maximum density permitted
    - c. lot size and yard requirements
    - d. open space and impervious surface ratios
    - e. any variances or special exceptions granted
- (6) Performance Standards proposed:
  - a. net density
  - b. open space ratio

- c. impervious surface ratio
- d. dwelling unit mix
- e. size of units (in bedrooms)

- (7) Location map showing relation of site to adjoining properties and streets within one thousand (1,000) feet. Scale 1' = 800'
- (8) Northpoint
- (9) Written and graphic scales (including scale and location map)
- (10) Total acreage of the site
- (11) A complete outline survey of the property to be subdivided or developed, showing all courses, distances, tie-ins to all adjacent intersections and areas
- (12) Location of all existing monuments
- (13) Boundaries of all adjoining properties (with names of landowners in the case of unplotted land)
- (14) Streets on and adjacent to the site with future rights-of-way
- (15) Buildings (and their uses), driveways, 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 roadways). If significant features exist further than 500 feet, the Planning Commission may require their inclusion.
- (16) The proposed layout:
  - a. the net buildable site area
  - b. the layout of streets, including widths of cartways and rights-of-way
  - c. the layout and approximate dimensions, areas, and uses of lots, building setback lines, and rear and side yard lines
  - d. The arrangement and use of buildings and parking areas in non-residential developments and performance subdivisions with all necessary dimensions and number of parking spaces. Elevations and perspective sketches of proposed buildings are encouraged
  - e. open space areas
  - f. recreational facilities
  - g. Rights-of-way and/or easements for all drainage, utilities, or other purposes. All underground utility lines shall be shown on the plan pursuant to Act 287 of 1974. The type of line, the utility company owning the line, the size of the line, and the width of any right-of-way or easement shall be shown.
  - h. Sidewalks and pedestrian paths
  - i. Street lights
  - j. Fire hydrants
  - k. Monuments
  - l. Minimum isolation distances pursuant to Section 73, 12, Standards for Sewage Disposal Facilities, Pennsylvania Sewage Facilities Act (act of January 24, 1966), P.L. 1535, as amended.
  - m. Gross and net lot areas

- (c) Soil map, showing:

- (1) Soil types within the site, based on maps contained in the Soil Survey of Bucks and Philadelphia Counties, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service, 1975. A table shall indicate each soil's limitations for community development.
- (2) Contour lines measured at vertical intervals of two (2) feet. Such slopes shall be determined by on-site survey, not interpretation of U.S.G.S. maps.
- (3) Flood plain areas
- (4) Flood plain soil areas
- (5) Slope areas
  - a. 8-15%
  - b. 15-25%
  - c. 25% or over
- (d) Vegetation Map, showing:
  - (1) Forest areas
  - (2) Large trees over 6" caliper
  - (3) Other significant vegetation
- (e) Water Resources Map, showing:
  - (1) Streams
  - (2) Swales
  - (3) Lakes and Ponds
  - (4) Wetlands
- (f) Site Capacity Calculation. All area measurements used for these calculations shall be taken from (c), (d), and (e)(f) Site Capacity Calculation. All area measurements used for these calculations shall be taken from (c), (d), and (e) above.
- (g) Encroachment Map which illustrates (1) all natural features indicated in Section 502 (c), (d), and (e) and (2) a preliminary regrading plan which illustrates all disturbance of the identified natural feature areas. The amount of each natural feature disturbed shall be indicated and illustrated on the encroachment map.
- (h) Sedimentation and Erosion Control Plan pursuant to the Clean Streams Law, P.L. 1987 and in accordance with standards and specifications found in the "Erosion and Sediment Control Handbook" available through the Bucks County Conservation District.
- (i) Sewer Plan, showing:
  - (1) Public sanitary sewer facilities, if applicable

- (2) Public water supply facilities, if applicable
- (j) Landscaping and Grading Plan, showing:
  - (1) Existing and proposed grades for the entire site
  - (2) Existing vegetation to be removed
  - (3) Existing vegetation to be preserved
  - (4) Proposed planting schedule, indicating the locations, species, and sizes of plantings
  - (5) Location of all proposed catch basins, retention basins, and drainage inlets
- (k) Tentative typical cross-sections and center-line profiles for each proposed street shown on the Site Plan.
- (l) Management Information:

A written statement indicating the method of administration and maintenance of open space pursuant to Section 609.
- (m) Traffic Impact Study: See Section 614.
- (n) Planning Modules for Land Development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act.
- (o) Carbonate Bedrock (Limestone) Areas: For sites located in or within two hundred (200) feet of areas identified as carbonate bedrock (limestone) areas on the Geologic Features Map – Figure III-25 in the Limestone Study – An Environmental Assessment for On-Lot Sewage System Suitability in the Carbonate Valleys of Bucks County, PA., May 1978, the proposed sewage systems shall be evaluated as required by the Bucks County department of Health, Policy and Procedure of Environmental Health, Division of Environmental Sanitation, Issuance of On-Lot Sewage Permits over Limestone.
  - (1) The applicant shall submit a map indicating:
    - a. Areas of the site within the carbonate bedrock areas
    - b. Closed depressions
    - c. Open sinkholes
    - d. Seasonal high water table areas
    - e. Outcrops of bedrock
    - f. Surface drainage into the ground
    - g. “Ghost Lakes” after rainfall events (may use specifically flown area photos)
    - h. Land surface mottling (may use air photos)
  - (2) The above information shall be used to identify portions of the site that would be hazardous for structures and certain development improvements. In order to

insure safe and structurally sound development of the site, the applicant shall provide the following:

- a. Structural Weaknesses in Bedrock: Fissures, lineaments, faults, or sinkholes on the site which indicate structural weaknesses in bedrock shall be determined and mapped.
- b. Test Borings: Test borings of the site in areas where structures are proposed shall be made to determine depth to bedrock and suitability of bedrock to support structures. All bedrock and any surficial deposits shall be identified with limitations for development documented.
- c. Surface Drainage Channels: Existing surface drainage channels on the site shall be determined.

Section 503

Final Plan for Major Subdivision or Land Development

- (a) Drafting Standards: See preliminary plan requirements under Section 502 (a).

The final plan shall show or be accompanied by the following information:

- (b) Site Plan, in accordance with the requirements of Section 502 (b) and the following:
  - (1) Where the final plan covers only a part of the applicant's entire holding, a sketch plan shall be submitted of the prospective street layout for the remainder of the site.
  - (2) a. For any subdivision for which on-site sewage disposal is proposed, the final plan shall contain a title block as follows, signed by an authorized agent of the Bucks County Department of Health:

OBSERVATIONS OF DEEP TEST HOLES AND PERCOLATION TESTS ON ALL LOTS HAVE BEEN CONDUCTED BY THE BUCKS COUNTY DEPARTMENT OF HEALTH AND IT HAS BEEN DETERMINED THAT 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 of Bucks County  
Health Department Agent)

- b. For on-site systems with flows greater than 10,000 gallons per day, the system must receive approval of the Planning Modules from the Bucks County Health Department and the Pennsylvania Department of Environmental Resources. The following information shall be provided by the applicant:
- (i) type of system
  - (ii) schematic layout of system
  - (iii) location of system
  - (iv) capacity of system
  - (v) proposed maintenance of system
  - (vi) proposed ownership of system
  - (vii) buffer area to be provided around the system
  - (viii) easements relating to the system
  - (ix) the plan shall contain a title block as follows, signed by an authorized agent of the Bucks County Department of Health.

THE BUCKS COUNTY DEPARTMENT OF HEALTH HAS REVIEWED THE DESIGN OF THE PROPOSED COMMUNITY ON-SITE SUBSURFACE ABSORPTION SYSTEM ALONG WITH THE REQUIRED DEEP TEST HOLE AND PERCOLATION TESTS AND HAS OBTAINED THE DEPARTMENT OF ENVIRONMENTAL RESOURCES' REVIEW FOR SYSTEMS INVOLVING FLOWS GREATER THAN 10,000 GALLONS PER DAY. IT HAS BEEN DETERMINED THAT THE SYSTEM IS SUITABLE FOR TREATING \_\_\_\_\_ GALLONS PER DAY OR \_\_\_\_\_ DWELLING UNITS UNDER THE CURRENT RULES AND REGULATIONS. PLANNING APPROVAL FROM THE MUNICIPALITY UNDER THE REQUIREMENTS OF ACT 537 AND PERMITS FOR CONSTRUCTION MUST BE OBTAINED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF THE SYSTEM AND/OR BUILDING.

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(Signature of Bucks County  
Health Department Agent)

\_\_\_\_\_  
(Title)



c. Public collection, treatment and disposal service. The Proposed system(s) must receive approval of the Planning Modules for Land Development from the Bucks County Health Department and the Pennsylvania Department of Environmental Resources. The applicant shall provide written certification from the servicing sewer authority that capacity will be available for the proposed subdivision or land development.

- (c) Soil Map, in accordance with the requirements of Section 502 (c).
- (d) Vegetation Map, in accordance with the requirements of Section 502 (d).
- (e) Water Resources Map, in accordance with the requirements of Section 502 (e).
- (f) Site Capacity Calculation, in accordance with the requirements of Section 502 (f).
- (g) Encroachment Map, in accordance with the requirements of Section 502 (g).
- (h) Sedimentation and Erosion Control Plan, in accordance with the requirements of Section 502 (f).
- (i) Sewer Plan, in accordance with the requirements of Section 502 (i).
- (j) Landscaping and Grading Plan, in accordance with the requirements of Section 502 (j).
- (k) Improvement Construction Plan (drainage and construction):

1) The improvement construction plan shall be at any of the following scales:

<u>Horizontal</u>	<u>Vertical</u>
20'/inch	2'/inch
50'/inch	5'/inch
100'/inch	10'/inch

Horizontal Plan (streets). The Horizontal plan shall show details of the horizontal layout including:

- 2) Center line with bearings, distances, curve data and stations corresponding to the profile.
- 3) Right-of-way and curb lines with radii at intersections.
- 4) Beginning and end (physical location) of proposed construction.
- 5) Tie-ins by courses and distances to intersection of all public roads, with their names and widths.

- 6) Location of all proposed monuments with reference to them.
- 7) Property lines and ownership of abutting properties.
- 8) Location and size of all drainage structure, sidewalks, public utilities, lighting standards, and street name signs.

Horizontal Plan (storm drains and sanitary sewers):

- 9) Location and size of line with stations corresponding to the profile.
- 10) Location of manholes or inlets with grade between and elevation of flow lane and top of each manhole or inlet.
- 11) Property lines and ownership, with details of easements where required.
- 12) Beginning and end (physical location) of proposed construction.
- 13) Location of laterals.
- 14) Location of all other drainage facilities and public utilities in the vicinity of storm and/or sanitary sewer lines.
- 15) Hydraulic design data for culverts and/or bridge structures.

Profile (streets):

- 16) Profile of existing ground surface along center line of street.
- 17) Proposed center line grade with percent on tangents and elevations at fifty (50) feet intervals, grade intersection and either end of curb radii.
- 18) Vertical curve data including length, elevations and minimum sight distance as required by Article VI.

Cross-Section (streets):

- 19) Right-of-way width and location and width of paving.
- 20) Type, thickness, and crown of paving.
- 21) Type and size of curb.
- 22) Grading of sidewalk area.

- 23) Location, width, type and thickness of sidewalks.
- 24) Typical location of sewers and utilities with sizes.

Profile (storm drains and sanitary sewers):

- 25) Profile of existing ground surface with elevations at top of manholes or inlets.
  - 26) Profile of storm drain or sewer showing type and size of pipe, grade, cradle, manhole, and inlet locations, and elevations along flow line at fifty (50) foot intervals.
- (l) Management Information: A formal contract establishing the method of open space administration and maintenance, in accordance with Section 609.
  - (m) Acknowledgements
    - (1) All offers of dedication and covenants governing the reservation and maintenance of undedicated open space, bearing certificate of approval of the Township Solicitor.
    - (2) 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.
    - (3) Agreement for any street not offered for dedication.
    - (4) A written agreement, pursuant to Section 802.

Section 504                      Final Plan for Minor Subdivision

- (a) Drafting Standards:
  - (1) The plan shall be drawn at a scale of 1" = 50' or 1" = 100'.
  - (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 18" x 24", 24" x 36", or 36" x 48", and all lettering shall be so drawn as to be legible if the plans should be reduced to half size.

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

(b) Site Plan, showing:

- (1) Tax parcel number
- (2) Name of subdivision
- (3) Name and address of the owner/applicant
- (4) Name and address of the professional engineer and/or professional land surveyor responsible for the plan
- (5) Zoning requirements, include:
  - a. Applicable district
  - b. Maximum density permitted and proposed density
  - c. Lot size and yard requirements
  - d. Required and proposed open space and impervious surface ratios
  - e. Any variances or special exceptions granted
- (6) Location map showing relation of site to adjoining properties and streets within one thousand (1,000) feet. Scale 1" = 800'.
- (7) North point
- (8) Written and graphic scales (including scale of location map)
- (9) Total acreage of the site
- (10) Site boundaries
- (11) Boundaries of all adjoining properties (with names of landowners in the case of unplotted land)
- (12) Streets on and adjacent to the site with future rights-of-way
- (13) Buildings (and their uses), driveways, 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 roadways)

(c) Natural features Map. The Planning Commission may require the submission of a Natural Features Map (as per Section 501 (b)) if the information provided at the Sketch Plan stage is deemed to be insufficient or inaccurate.

(d) For any subdivision for which on-site sewage disposal is proposed, a signed title block as required in Section 503 (b)(2)a. shall be provided on the final minor subdivision plan.

(e) Planning Modules for Land Development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act.

(f) Acknowledgements

- (1) All offers of dedication and covenants governing the reservation and maintenance of undedicated open space, bearing certificate of approval of the Township Solicitor.

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

(g) Site Capacity Calculation

A Site Capacity Calculation shall be submitted with each Minor Subdivision where applicable.

Section 505                      Record Plan

The Record Plan shall be a clear and legible blue or black line print on white opaque linen and one paper print, and shall be an exact copy of the approved final plan on a sheet of the size required for final plans.

The following information shall appear on the Record Plan, in addition to the information required in Sections 503 and 504 for the final plan.

(a) Seals

- (1) The impressed seal of the licensed professional land surveyor who prepared the plan in accordance with the Commonwealth of Pennsylvania Act 367.
- (2) The impressed corporation seal, if the applicant is a corporation.
- (3) The impressed seal of a notary public or other qualified officer, acknowledging owner's statement of intent.

(b) Acknowledgements

- (1) 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.
- (2) An acknowledgement of said statement before an officer authorized to take acknowledgements.

(c) The following signatures shall be placed directly on the plan in black ink:

- (1) 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.

- (2) The signature of the notary public or other qualified officer, acknowledging the owner's statement of intent.
- (3) The signature of the licensed surveyor who prepared the plan.
- (4) The signatures of the Chairman and Secretary of the Planning Commission.
- (5) The signature of the Township Engineer.
- (6) The signatures of the Chairman and Secretary of the Board of Supervisors.

## ARTICLE VI            DESIGN STANDARDS

### Section 600            Application

- (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, morals, and general welfare.
- (c) Where literal compliance with the standards specified herein is clearly impractical, the Board of Supervisors may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of this Ordinance. Such modifications, together with the reasons therefor, shall be in writing.

### Section 601            General Standards

- (a) All portions of a tract being subdivided or developed shall be taken up in lots, streets, public lands, or other proposed uses so that remnants and landlocked areas shall not be created.
- (b) Reserve strips controlling access to lots, public rights-of-way, public lands, or adjacent private lands are not generally desired and may only be approved upon favorable recommendation by the Planning Commission.
- (c) Lot lines shall not cross Township boundary lines.
- (d) The developer shall conform to all applicable performance standards specified in the Zoning Ordinance.

- (e) Subdivisions and land developments shall be laid out so as to avoid the necessity for excessive cut or fill.
- (f) Land subject to flooding, as indicated in the Soil Survey of Bucks and Philadelphia Counties, Pennsylvania, shall be plotted for residential occupancy or other uses only in accordance with the resource protection requirements of the Durham Township Zoning Ordinance.

Section 602                      Blocks

- (a) The length, width, and shape of blocks shall be determined with due regard to the following:
  - (1) Provisions of adequate sites for the types of buildings proposed.
  - (2) Zoning requirements for lot sizes, dimensions, and minimum lot areas per dwelling unit.
  - (3) The limitations and opportunities of the topography.
  - (4) Safe and convenient vehicular and pedestrian circulation and access.
  - (5) In the design of blocks, special consideration shall be given to the requirements of satisfactory fire protection.
- (b) Blocks in subdivisions shall have a maximum length of sixteen hundred (1,600) feet, and a minimum length of five hundred (500) feet.

Section 603                      Lots

- (a) Lot dimensions and areas exclusive of easements shall not be less than specified by provisions of the Zoning Ordinance.
- (b) Corner lots and double frontage lots shall provide for equal front yard setbacks on each street.
- (c) Building setback lines shall be not less than specified by the provisions of the Zoning Ordinance.
- (d) Residential lots must front on and have wholly owned access to either an existing or proposed street.
- (e) Double-frontage lots shall be deed restricted to limit access to the lower order street.

Section 604                      Easements

- (a) Utility easements shall be provided as necessary. Joint utilization of easements by two (2) or more utilities is encouraged.
- (b) To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- (c) Easements with a minimum width of twenty (20) feet shall be provided for utilities.
- (d) Nothing shall be permitted to be placed, planted, set or put within the area of a utility easement except lawns or suitable low ground cover.
- (e) Where a subdivision or land development is traversed by a watercourse, there shall be a drainage easement or right-of-way provided to the Township conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage but not less than twenty (20) 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 deemed necessary by the Township.
- (f) No right-of-way or easement for any purpose whatsoever shall be created, recited, or described in any deed unless the same has been shown on the approved plan.

Section 605                      Erosion and Sedimentation Control; Stormwater Management

- (a) General
  - (1) No subdivision or land development plan shall be approved unless (1) there has been a plan approved by the Planning Commission that provides for minimizing erosion and sedimentation consistent with this Section and an improvement bond or other acceptable security in accordance with Section 802 is deposited with the municipality in the form of an escrow guarantee which will ensure installation and completion of the required improvements, or (2) there has been a determination by the Planning Commission that a plan for minimizing erosion and sedimentation is not necessary for approval under this Ordinance.
  - (2) The developer shall construct and/or install such drainage systems as are determined necessary by the Township Engineer to prevent erosion damage, and to satisfactorily manage surface waters.
  - (3) Measures used to control erosion, reduce sedimentation and manage stormwater shall as a minimum meet the standards and specifications of the Bucks County Conservation District and Pennsylvania Department of Environmental Resources. The Township Engineer shall ensure compliance with the appropriate specifications, copies of which are



available from the District. The Planning Commission may request a review by the Bucks County Conservation District and ask for technical assistance.

(b) The following measures are effective in minimizing erosion and sedimentation and shall be included where applicable in the control plan:

- (1) Stripping of vegetation, regrading, or other development shall be done in a way that will minimize erosion.
- (2) During and after construction, development plans shall preserve pertinent natural features, keep out-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.
- (3) All disturbed areas and stockpiles of topsoil or fill which are to be exposed for greater than thirty (30) days shall be temporarily seeded with rye seed or other suitable ground cover within seven (7) days of disturbance or stockpiling.
- (4) All disturbed areas which are steeply sloped (25% or steeper) or where there is a severe potential for erosion shall be temporarily mulched and seeded with rye seed or other suitable ground cover within seven (7) days of disturbance.
- (5) The permanent (final) vegetation and mechanical erosion control and drainage shall be installed as soon as practical in the development.
- (6) Provisions shall be made to accommodate effectively the increased runoff caused by changed soil and surface conditions during and after development. Where necessary, the rate of surface water runoff will be mechanically retarded.
- (7) Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps, or similar measures.

(c) Drainage

In order to provide more suitable sites for building and other uses, improve surface drainage, and control erosion, the following requirements shall be met:

- (1) All lots, tracts or parcels shall be graded to provide proper drainage away from buildings and dispose of it without uncontrolled ponding, and all land within a development shall be graded to drain and manage surface water without uncontrolled ponding, except as part of an onsite

stormwater management system where approved by the Planning Commission upon advice of the Township Engineer.

- (2) Where drainage swales are used to divert surface waters away from buildings, they shall be sodded, planted or otherwise suitably protected as required and shall be of such slope, shape, and size as to conform to the requirements of the Planning Commission. Concentration of surface water runoff shall be permitted only in swales, watercourses, retention or detention basins.
- (3) No excavation shall be made with a cut face steeper than 3:1 (horizontal to vertical), except under one or more of the following conditions:
  - a. The excavation is located so that a line having a slope of 3:1 and passing through any portion of the cut face will be entirely inside the property lines of the property on which the excavation was made and shall not result in property damage or be a hazard to adjoining property, streets, alleys, or buildings.
  - b. The material in which the excavation is made is sufficiently stable to sustain a slope of steeper than one horizontal to one vertical. A written statement to that effect from a civil engineer, licensed by the Commonwealth of Pennsylvania, is submitted to the Municipal Engineer and approved by him. The statement shall affirm that the site has been inspected and that the deviation from the slope will not result in injury to persons or damage to property.
  - c. A concrete or stone masonry wall in accordance with approved standards is provided to support the face of the excavation.
- (4) No fill shall be made which creates any exposed surface steeper in slope than one and one-half horizontal to one vertical, except when the plan for subdivision or land development is accompanied by a written statement prepared by a civil engineer, architect, or landscape architect licensed by the Commonwealth, 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 any property damage. The plan and statement must be submitted to and approved by the Municipal Engineer.
- (5) Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations and the sloping surfaces of fills.
- (6) Fills shall not encroach on natural watercourses or constructed channels.
- (7) Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding.

- (8) Grading shall in no case be done in such a way as to divert water onto the property of another landowner.
- (9) During grading operations, necessary measures for dust control must be exercised.
- (10) Grading equipment shall not be allowed to cross live streams. Provisions shall be made for the installation of temporary culverts or bridges.
- (11) Storm drains and appurtenances may be required to be constructed by the developer to take surface water from the bottom of vertical grades and to avoid excessive use of cross gutters at street intersections and elsewhere.
- (12) The top or bottom edge of slopes shall be a minimum of five (5) 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.
- (13) In the design of storm sewerage systems, the future use of undeveloped areas upstream within the total drainage areas shall be taken into account in calculating pipe size.
- (14) Stormwater retention and/or detention basins shall be designed to facilitate regular maintenance, mowing, and periodic desilting and reseedling. Basins shall not be located within flood plains or flood plain soils.
- (15) In residential subdivisions, residential developments, and mobile home parks, shallow broad basins are preferred to steep-sided basins. The area of basins which have more than fifty (50) percent of the perimeter of their sides in slopes of greater than five (5) percent or basins which retain stormwater for more than twenty-four (24) hours shall not be included in the open space required in the Township Zoning Ordinance.

(d) Responsibility

- (1) Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation, or other entity causing such sedimentation to remove it immediately from all adjoining surfaces, drainage systems, and water courses and to repair any damage at his expense as quickly as possible.
- (2) Maintenance of all drainage facilities and watercourses, both existing and proposed, within any proposed subdivision, land development, or mobile home park, shall be the responsibility of the developer until such time as one of the following is accomplished:

- a. An easement for these facilities is offered for dedication by the developer and is accepted by the Township; it shall then be the responsibility of the Township.
  - b. A deed restriction acceptable to the Township is established. In the case of a subdivision, the maintenance shall then be the responsibility of the individual lot owners over whose property an easement passes. For land developments, the maintenance shall then be the responsibility of the owner.
  - c. A homeowners association, approved by the Township, assumes responsibility for the maintenance of the development, including the maintenance of the watercourse and/or drainage facilities.
- (3) It is the responsibility of any person, corporation, or other entity doing any act on or across a communal stream, watercourse or swale, or upon the flood plain or right-of-way during the period of the activity, to return it to its original or equal condition after such activity is completed.
- (4) No person, corporation, or other entity shall block, impede the flow of, alter, construct any structure, or deposit any material or thing, or commit any act which will affect normal or flood flow in any communal stream or watercourse without having obtained prior approval from the municipality and/or Department of Environmental Resources, whichever is applicable.
- (5) Each person, corporation, or other entity which makes any surface changes shall be required to:
- a. Collect on-site surface runoff and control it in a manner acceptable to the Planning Commission upon advice from the Township Engineer.
  - b. Handle existing off-site runoff through his development by designing it to adequately handle 100-year, 24-hour storm runoff from a fully developed area upstream.
  - c. Pay his proportionate share of the total cost of off-site improvements to the common natural watercourse, based on a fully developed drainage area.
  - d. Provide and install at his expense, in accordance with Township requirements, all drainage and erosion control improvements (temporary and permanent) as required by the Erosion & Sediment Control Plan.
  - e. Compliance with Regulations and Procedures

1. The Planning Commission, in its consideration of all preliminary plans of subdivision or land development, shall condition its approval upon the execution of erosion and sediment control measures as contained in this Section.
2. The installation and design of the required erosion and sediment control measures, listed below, shall be in accordance with standards and specifications found in the "Erosion and Sediment Control Handbook" available through the Bucks County Conservation District.
  - a. Debris Basin
  - b. Grad stabilization structure
  - c. Grassed waterway or outlet
  - d. Mulching
  - e. Sodding
  - f. Temporary cover on critical areas
  - g. Temporary diversion (urban)
  - h. Permanent diversion (urban)
  - i. Permanent grass and legume cover on critical areas with prepared seedbed
  - j. Permanent grass and legume cover on critical areas with unprepared seedbed
  - k. Stream channel construction, bank erosion structures, bench terrace, and other temporary or permanent measures deemed appropriate by the municipality
3. Stream channel construction on watersheds with a drainage area in excess of 320 acres, or in those cases where downstream hazards exist, shall be approved by the Pennsylvania Department of Environmental Resources prior to development.
4. Final plans for minimizing erosion and sedimentation as approved will be incorporated into the agreement and bond requirements as required by the municipality.
5. The approval of plans and specifications for the control of erosion and sedimentation shall be concurrent with the approval of final plans of subdivision or land development, and become a part thereof.
6. At the time a building permit is applied for, a review shall be conducted by the Engineer to insure conformance with the plan as approved. During the construction, further

consultative technical assistance will be furnished, if necessary, by the Township Engineer and the Bucks County Conservation District. During this development phase, the Township Engineer shall inspect the development site and enforce compliance with the approved plans.

Section 606

Street Requirements

(a) General

- (1) At the time any application, petition or request is filed by any person, partnership, association, or corporation for the approval of the construction, opening, or dedicating of any proposed road or street, the Township shall be assured that said proposed street or road shall be completed and said assurance be governed by the provisions of Section 509, as amended, of the Pennsylvania Municipalities Planning Code.
- (2) Any person, partnership, association, or corporation making any application or request for the approval of the construction, the opening, or dedication of any proposed road, shall bear all costs of inspection of such roads and any drainage facilities connected therewith, all engineering costs, all costs of survey, and all other expenses and costs incidental to construction, approval, and dedication of such street or road for public use, including legal fees.
- (3) Proposed streets shall conform to such county and state street and highway plans as have been prepared, adopted, and filed as prescribed by law.
- (4) If lots resulting from the original subdivision are large enough to permit resubdivision, or if a portion of the tract is not subdivided, adequate street right-of-way, to permit further subdivision, shall be provided.
- (5) Streets that are extensions of 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 Supervisors.
- (6) Dead-end streets shall be prohibited, except as cul-de-sacs.
- (7) A private road is permitted in the Township for access to and from no more than two (2) single family residential dwellings.
- (8) New half or partial streets shall be prohibited except where essential to reasonable subdivision or land development of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining parts of the

street is secured by escrow funds or surety bonds that said construction will be completed.

- (9) Wherever a tract to be subdivided or developed borders on an existing half or partial street, the other part of the street shall be plotted within such tract.
- (10) Any applicant whose property 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.
- (11) Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage, and suitable building sites. Streets shall be so arranged to be generally parallel to rather than cross contour lines as well as to prevent the necessity for excessive cut and fill. Streets shall be laid out to avoid hazardous areas such as floodplains, steep slopes, and other hazardous natural features.

(b) Existing Streets

- (1) Classification – Existing streets are classified on the Comprehensive Plan Road Classification Map. Unclassified streets shall be classified according to their function, at the request of the applicant during plan review.
- (2) Dimensional Standards
  - a. The following chart is a guide to the dimensional standards for the various classifications of existing streets:

Basic Dimensions

	<u>R.O.W. (ft)</u>	<u>Cartway (ft)</u>	<u>Curbs</u>	<u>Sidewalks</u>
Arterial	120	*	*	*
Collector	80	*	*	*
Local				
(a) Primary	60	***	**	**
(b) Rural Roads & Secondary Streets	50	***	**	**

\* As required by the Pennsylvania Department of Transportation

\*\* As required by the Durham Township Board of Supervisors

\*\*\* As required by Section 606 (c) (5) below.

- b. The Cartway and right-of-way widths in the Article are minimum requirements. Additional widths of right-of-way and/or Cartway may be required along the frontage of the proposed development if, during the course of review, the Township determines that these increases are necessary to relieve traffic congestion and to provide safety from fire and unsafe turning movements.

(c) Residential Streets – General

(1) Purpose

The purpose of these provisions is to establish appropriate standards for the design of streets in residential subdivisions that will (1) promote the safety and convenience of vehicular traffic, (2) protect the safety of neighborhood residents, (3) minimize the long term costs for the maintenance and repair of streets, (4) minimize crime in residential areas, (5) protect the residential qualities of neighborhoods by limiting traffic volume, traffic speed, noise and fumes, (6) encourage the efficient use of land, (7) minimize the cost of street construction, and (8) minimize the construction of impervious surfaces.

(2) Street Hierarchy

The intent of this section is to create an integrated residential street system by creating varying street standards within which the designer may design a residential subdivision or land development. The street hierarchy is related to Average Daily Traffic (ADT) levels, lot frontage, and the need for on-street parking. The following hierarchy is hereby established.

Existing Streets  
Residential Collector  
Residential Subcollector  
Residential Access

(3) Classification

New residential streets will be classified according to the expected ADT level of the street (see Section 606 (c) (5)). If subdivision lots are large enough for further subdivision, the Board of Supervisors may require that the street be constructed to the standards of a higher classification, unless deed restricted against further development.

(4) Stub Streets



Stub streets will be permitted only within subsections of a phased development as a temporary condition in which the stub street is a portion of the overall street system.

(5) Design Options

- a. All new residential streets shall be designed to meet the standards in the Table of Street Design Options (p. 53) and the following sections for individual street types.
- b. No new residential street may tie into an existing residential street if the expected ADT from the new development will exceed the allowable ADT level for that street classification.

(6) Trip Generation Rates

The following chart shall be used to determine the ADT levels of proposed residential developments and streets.

<u>Housing Type</u>	<u>Average Weekday Trip Generation Rates</u>
Single Family Detached	10.0 Trips/D.U.
Duplex (twin), Multiplex Townhouse, etc.	8.1 Trips/D.U.
Apartment	5.4 Trips/D.U.
Mobile Home	5.4 Trips/D.U.
Retirement Village	3.3 Trips/D.U.

(7) Spillover Parking

- a. Spillover parking spaces are parking spaces that are needed to accommodate the vehicles of infrequent visitors such as guests or repairmen, when on-street parking is not provided for. These spaces are required in addition to the number needed to accommodate the residents. Spillover parking may be provided on the individual lots, in separate parking areas, or in the common parking areas.

TABLE OF RESIDENTIAL STREET DESIGN OPTIONS

OPTIONS (to be read across) (choose one for each street)		If the lot widths are	with spillover parking provided	with curb cuts to lots (driveways)	then the cartway width shall be	with curbs	If curbs are required for storm water management, the following cartway width shall be provided.	Required Right-of-Way Width
RESIDENTIAL ACCESS STREET -- (200 ADT or less for cul-de-sacs/400 ADT or less for loop streets)								
1	none***	off-street	prohibited	20 feet	not required	20 feet	50 feet	
2	18-40 feet	off-street	allowed	20 feet	required	50 feet	50 feet	
3	18-40 feet	on-street	prohibited	26 feet	required	50 feet	50 feet	
4	40-100 feet	on-street	allowed	26 feet	required	20 feet	50 feet	
5	100 feet	off-street	allowed	20 feet	not required			
RESIDENTIAL SUBCOLLECTOR STREET -- (500 ADT or less for one access subcollectors/1000 ADT or less for loop or through subcollectors)								
1	none***	off-street	prohibited	20 feet	not required	22 feet	50 feet	
2	18-40 feet	off-street	allowed	22 feet	required	50 feet	50 feet	
3*	18-40 feet	on-street/one side only	prohibited	28 feet	required		50 feet	
4**	18-40 feet	on-street	prohibited	36 feet	required		50 feet	
5**	40-100 feet	on-street	allowed	36 feet	required		50 feet	
6	100 feet	off-street	allowed	20 feet	not required	22 feet	50 feet	
RESIDENTIAL COLLECTOR								
ADT	2000	See Section 606(f)	off-street	allowed	20 feet	not required	22 feet, if vertical curbing is used	60 feet

\*For streets with residential development only on one side, required off-street parking must be provided off-lot in common or public group parking areas.

\*\*A 28 foot cartway may be permitted with parking allowed on one side only if acceptable to the Township.

\*\*\*Access roads with no abutting lots.

See pages 52 and 76 for Trip Generation Rates.

- b. When off-street spillover parking is required in the Table of Design Options, Section 606(c) (5), it shall be provided at the following rates in addition to the minimum off-street parking requirements of the Zoning Ordinance.

<u>Housing Type</u>	<u>Spaces per D.U.</u>
Single Family detached	1.5
Attached units	1.0
Apartments	0.5

- c. When spillover parking is provided on the individual lots, the following criteria must be met:
- (i) Each space shall be nine and one-half (9.5) feet by nineteen (19) feet;
  - (ii) The spaces may be provided in the driveway or in a turnaround; and
  - (iii) The spillover spaces shall be clearly shown and noted on the subdivision or land development plan.

(d) Residential Access Streets

- (1) Residential Access Streets: This is the lowest order street in the hierarchy. It is intended to carry the least amount of traffic at the lowest speed. It will provide the safest and most desirable environment for a residential neighborhood. Developments should be designed so that all or the maximum number possible of the homes will front on this class of street.
- (2) Service Restrictions: Each residential access street shall be designed so that no section of the street conveys a traffic volume greater than two hundred (200) ADT. Each half of a loop street may be regarded as a single local access street, and the total traffic volume conveyed on a loop street shall not exceed four hundred (400) ADT.
- (3) Street Access: A Residential Access Street may intersect or take access from any existing street type. Both ends of a loop street, however, must intersect the same collecting street and be laid out to discourage the passage of through traffic on it.
- (4) Street Width and Curbing: See Section 606 (c) (5).

- (5) Shoulders: When curbing is not required, two (2) foot wide stabilized shoulders shall be provided on both sides of the Cartway.
- (6) Length of cul-de-sac: No cul-de-sac shall exceed a length of five hundred (500) feet unless specifically authorized by the Supervisors. Cul-de-sac length shall be measured along the centerline of the intersecting through street to the center point of the turn-around.
- (7) Cul-de-Sac Turnaround: A paved area with an outside turning radius of forty (40) feet shall be provided at the terminus of every permanent cul-de-sac. Ring-shaped cul-de-sacs shall provide a continuous twenty (20) foot wide paved Cartway. Other alternative designs may be approved, provided that they meet these minimum radius and cartway width requirements. Center line grade in turn-around shall not exceed four (4) percent.
- (8) Engineering Criteria: All features of the geometric design of residential access streets that are not specified below shall be designed for a design speed of twenty-five (25) miles per hour.
  - a. Minimum grade: 1.0%
  - b. Maximum grade: 10.0%
  - c. Horizontal curvature: minimum centerline radius of 100 feet.
  - d. Minimum tangent length between reverse curves: 50 feet.
  - e. Stopping sight distances: 175 ft. minimum
  - f. Maximum grade within 50 feet of intersection: 4.0%

(e) Residential Subcollector

- (1) Residential Subcollector Street: This is the middle order street in the hierarchy. It will carry more traffic than the residential access street. It should provide an acceptable if not an optimum environment for a residential neighborhood.
- (2) Service Restrictions
  - a. No subcollector street shall be designed so that any section of it conveys a traffic volume greater than five hundred (500) ADT. (Each half of a loop subcollector street may be regarded as a single subcollector street and the total traffic volume conveyed on a loop street shall not exceed one thousand (1000) ADT.
  - b. Subcollector streets shall be designed to exclude all external through traffic which has neither origin nor destination on a subcollector or its tributary residential access streets.

- (3) Street Access: Every subcollector must be provided with no fewer than two access intersections to streets of higher classification in the streets hierarchy, namely existing or proposed collector roads or arterial highways if the total traffic volume exceeds 500 ADT on the street. For subcollector streets designed not to exceed 500 ADT, a subcollector with one access intersection to a street of higher order is allowed. In no case shall a subcollector end in a cul-de-sac.
- (4) Street Width and Curbing: Refer to Section 606(c)(5).
- (5) Shoulders: When curbing is not required, two (2) foot wide stabilized shoulders shall be provided on both sides of the cartway.
- (6) Moving Lanes: All subcollector streets shall be provided with two continuous moving lanes within which no parking is permitted.
- (7) Engineering Criteria: All features of the geometric design of subcollector streets that are not specified below shall be designed for a design speed of thirty (30) miles per hour:
  - a. Minimum grade: 1.0%
  - b. Maximum grade: 7.0%
  - c. Horizontal curvature: minimum centerline radius of 140 feet
  - d. Minimum tangent length between reverse curves: 100 feet
  - e. Stopping sight distance: 200 ft. minimum
  - f. Maximum grade within 50 feet of intersection: 4.0%

(f) Residential Collector

- (1) Residential Collector Street: This is the highest order street that could be classed as residential. It will carry the largest volume of traffic at higher speeds. In large residential developments, this class of street may be necessary to carry traffic from one neighborhood to another or from the neighborhood to streets connecting to other areas in the community. This level of street is unsuitable for providing direct access to homes and such access to homes should be avoided.
- (2) Service Restrictions
  - a. Provision of a residential collector street or road system is mandated whenever any proposed development is of sufficient magnitude to render it impossible to meet the maximum anticipated service volume (ADT) standards established for local access and subcollector streets. Generally, a non-frontage collector may be necessary whenever a development exceeds 150 dwelling

units, or when it carries external through traffic in addition to traffic generated by the development.

- b. Residential collectors shall be laid out to discourage excessive external through traffic, except where linkage between bordering roads may be determined to be desirable as indicated in the Township Comprehensive Plan, or by the Township during plan review. The Township, upon recommendation of the Township Engineer, may impose additional standards on the design of the roadway, if additional external through traffic shall so warrant.
- c. Whenever possible, residential collector streets should be designed to have no residential lots directly fronting on them. When this is not possible, the amount of residential frontage per length of collector street length shall not exceed the limits set forth in the accompanying chart. In addition, only lots having frontages of 100 feet or greater may front on collector roads, and space shall be provided on these lots for turnarounds so that vehicles will not have to back out onto collector roads.

PERCENT OF ALLOWABLE FRONTAGE TAKING ACCESS FROM COLLECTORS OVER ENTIRE LENGTH OF COLLECTOR STREET	COLLECTOR ADT LEVEL			
	1200-	1200-1600	1600-20000	2000+
	20%	10%	5%	None

- d. On-street parking shall be prohibited on residential collector streets.
- 
- (3) Street Access: Every residential collector must be provided with no fewer than two access intersections to streets of equal or higher classification in the streets hierarchy.
  - (4) Street Width and Curbing: Curbs should not be provided along residential collector roads except as they are found to be essential for storm water management. (Refer to Section 606(c)(5)).
  - (5) Shoulders: Four (4) foot wide stabilized shoulders are required along both sides of the residential collector street cartway.
  - (6) Moving Lanes: All residential collector streets shall be provided with a minimum of two (2) moving lanes.
  - (7) On-street parking shall be prohibited on residential collector streets.

- (8) Engineering Criteria: All features of the geometric design of residential collectors that are not specified below shall be designed for a design speed of forty (4) miles per hour.

- a. Minimum grade: 1.0%
- b. Maximum grade: 7.0%
- c. Horizontal curvature: minimum centerline radius of 350 feet
- d. Minimum tangent length between reverse curves: 150 feet
- e. Superelevation: 0.08 foot/foot
- f. Stopping Sight Distance: 275 feet
- g. Maximum grade within 50 feet of intersection: 3% minimum of 0% from horizontal.

(g) Alleys

- (1) Alleys are not permitted in residential developments.
- (2) Alleys shall be provided in commercial and industrial districts, except that the Planning Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.
- (3) The width of an alley shall not be less than twenty-two (22) feet.
- (4) Alley intersections and sharp changes in alignment shall be avoided but, where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.
- (5) Dead-end alleys shall be avoided where possible but, if unavoidable, shall be provided with adequate turn-around facilities at the dead-end, as determined by the Planning Commission

(h) Driveways

(1) Driveways to Single-Family Lots:

- a. Driveways shall be located no less than forty (40) feet from any street intersection. Driveways to corner lots shall gain access from the street of lower classification when a corner lot is bounded by streets of two different classifications as described herein.
- b. There shall be adequate driveway turn-around space on each lot so that no vehicle need back out onto a street in order to leave the lot or back into the lot in order to enter the lot.
- c. Driveways shall be so located, designed, and constructed as to provide a reasonable sight distance at intersections with streets on

a stopping space, not to exceed a four (4) percent grade, twenty (20) feet behind the right-of-way line.

- d. All driveways shall be at least fifteen (15) feet from any side or rear lot line.
- e. For properties abutting curbed and uncurbed streets, the following standards shall apply to the driveway apron at the street line:
  - i. Minimum curb cut or driveway width at the street line: ten (10) feet.
  - ii. Maximum curb cut or driveway width at the street line: twenty (20) feet.

(2) Access to Parking Areas:

- a. All entrance drives serving four or fewer dwelling units shall be at a minimum designed to single-family driveway standards above.
- b. All entrance drives which may be expected to convey less than two hundred (200) ADT volume and greater than 'a.' above shall be laid out to conform to the design, service, and access standards established in this Ordinance for local access streets and shall be considered a local access street for purposes of establishing the street hierarchy.
- c. All entrance drives which may be expected to convey greater than two hundred (200) ADT but less than one thousand (1000) ADT volume shall be laid out to conform to the minimum design, service, and access standards specified in this Ordinance for residential subcollector streets and shall be considered a residential subcollector street.
- d. All entrance drives which may be expected to convey greater than one thousand (1000) ADT volume shall be laid out to conform to the minimum design, service, and access standards specified in this Ordinance for residential collector roads.

(i) Special Purpose Streets – Industrial/Commercial Streets

- (1) Special Purpose Street: This is a street intended to serve commercial or industrial areas.
- (2) Street Access: Special purpose streets may only intersect existing streets.



- (3) Cartway Width, Right-of-way, and Curbing: A minimum paved cartway width of twenty-six (26) feet with curbing and a fifty (50) foot right-of-way is required if on-street parking is prohibited. A minimum paved cartway width of forty-four (44) feet with curbing and a sixty (60) foot right-of-way is required if on-street parking is allowed.
- (4) Moving Lanes: All industrial/commercial streets shall be provided with a minimum of two continuous moving lanes in which no parking is permitted.
- (5) Engineering Criteria: All features of the geometric design of an industrial/commercial street specified below shall be designed for a design speed of thirty (30) miles per hour to be able to accommodate truck traffic.
  - a. Minimum grade: 1.0%
  - b. Maximum grade: 5.0%
- (6) Dedication: The Township reserves the right to refuse dedication of a special purpose street. An appropriate legal mechanism for ownership and maintenance shall be required where the streets are not accepted for dedication.

(j) Marginal Access Streets

- (1) Classification and Design: Marginal access streets are required, unless specifically waived by the Township, as an alternative to stripping off lots along existing primary streets or proposed residential collectors exceeding 2000 ADT. Marginal access roads shall be classified and designed to conform with the design standards and service restrictions of either residential access, subcollector, or collector roads.
- (2) Intersection Spacing: The minimum distance between intersections of the marginal access street with residential collectors shall be 300 feet and with primary streets shall be 370 feet.
- (3) Distance Between Cartways: A minimum distance of thirty (30) feet shall be provided between the marginal access street cartway and the higher order street cartway. This area shall be used to provide a visual screen between the roadways by landscaping or by use of a berm.

(k) Stub Streets

- (1) Local Access, Subcollector and Special Purpose Stub Streets: May be permitted only within subdivisions of phased developments.

- a. In which the planned completion of the stub street conforms to the standards of this Ordinance, and
  - b. For which the proposed street extension in its entirety has been approved as part of an approved preliminary plan.
- (2) Collector Stub Streets: May be provided or may be required by the Township, provided that:
  - a. The future extension of the street is deemed desirable by or conforms to an official plan of the Township;
  - b. The collector as proposed satisfies the access and design standards for residential collectors set forth in this Ordinance.
- (3) Temporary Turn-arounds: All stub streets shall be provided with a turnaround paved to an outside radius of thirty-five (35) feet. No turnaround is required if the stub street provides access to four or fewer lots or housing units. In the latter case, a sign indicating a dead-end street shall be posted.
- (4) Completion of Stub Streets: The approval of stub streets shall be subject to a performance bond insuring completion within an approved time frame.

(1) Intersections

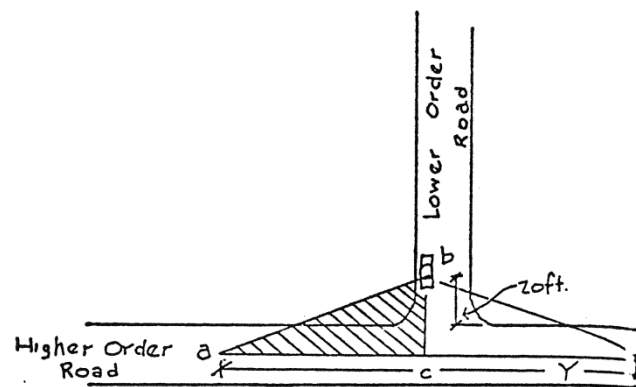
(1) Corner Sight Distance (Clear Sight Triangle)

- a. Whenever a proposed street intersects an existing or proposed street of higher order in the street hierarchy, the street of lower order shall also be designed to provide a minimum corner sight distance as specified in the accompanying chart:

Y = CORNER SIGHT DISTANCE, measured from a point a to point c and c to d.

a and d = a point four and one-half (4.5) feet above the centerline of the major roadway.

b = eye level from a car stopped at the intersection on the minor road; for this Ordinance, b is situated three and three-quarter (3.75) feet above



the roadway, twenty (20) feet from  
the edge of paving of the major road.

c = approximate center of intersection

shaded area represents  
CLEAR SIGHT TRIANGLE

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#### MINIMUM CORNER SIGHT DISTANCE Y

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MAJOR ROAD TYPE/DESIGN SPEED	Y (in feet)
Existing street/50 mph	500
Existing street/40 mph	400
Residential Collector/35 mph	350
Residential Sub-Collector/30 mph	300
Residential Access/25 mph	250

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- b. The entire area of the clear sight triangle, described by points abc above, shall be designed to provide an unobstructed view across it from point b to all points four and one-half (4.5) feet above the roadway along the center line from point a to point c and d.

- (2) Curb Radius: Minimum curb or edge of pavement radius shall be determined according to the specifications for the street of higher classification in the street system hierarchy, as specified below:

Residential Subcollector:	10 feet
Residential Collector:	15 feet
Existing Streets:	40 feet

- (3) Intersection Spacing: Proposed streets which intersect opposite sides of another street (either existing or proposed) shall be laid out to intersect either directly opposite each other, or with a minimum offset or spacing measured from centerline to centerline as specified below.

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#### MINIMUM INTERSECTION SPACING

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Major Road Type	Spacing (in feet)
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Existing Streets	1600
Residential Collector	300
Residential Sub-Collector	125
Residential Access	NA

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- (4) Intersection Angle: Intersection roads shall intersect at a ninety (90) degree angle for a minimum of fifty (50) feet from the intersection beyond the intersection of the right-of-way lines.

- (5) Turning Lanes: Deceleration or turning lanes may be required by the Township along existing and proposed collector and/or arterial roads whenever these intersect other collector or primary roads.

a. Deceleration or turning lanes may be required by the Township along existing and proposed streets as determined by a traffic impact study required by Section 614.

b. Deceleration lanes shall be designed to the following standards:

(i.) The lane width shall be the same as the required width of the roadway moving lanes.

(ii.) The lane shall provide the full required lane width for its full length. It shall not be tapered.

(iii.) The minimum lane length shall be as follows:

<u>Design Speed of Road</u>	<u>Minimum Deceleration Lane Length</u>
30 mph	165 feet
40 mph	230 feet
50 mph	310 feet

(m) Street Design

(1) Street trees

a. Street Trees shall be planted along all streets where street trees do not exist.

b. Large street trees shall be planted at intervals of not more than forty (40) feet, and small street trees at intervals of not more than

thirty (30) feet. AN equivalent number may be planted in an informal arrangement, subject to Township approval.

- c. At intersections, trees shall be located no closer than thirty (30) feet from the intersection of the street right-of-way.
- d. A mixture of at least three (3) different species of trees is required.
- e. Street trees shall be planted within the right-of-way, but not over underground utility easements, unless otherwise approved by the Supervisors.
- f. Street trees shall be of nursery stock. They shall be of symmetrical grown, free of insects, pests and disease, and suitable for street use and durable under the maintenance contemplated.
- g. The minimum trunk diameter, measured at a height of six (6) inches above the finished grade level, shall be two and one half (2 1/2) inches.
- h. In particular, approved trees include the following:

Acer plantanoides – Norway Maple  
Acer rubrum – Red Maple  
Acer saccharum – Sugar Maple  
Fraxinus Americana – White Ash  
Fraxinus Pennsylvania lanceolate – Green Ash  
Fleditsia tricanthos inermis – Thornless Honeylocust  
Liquidamber styraciflua – Sweet Gum  
Liriodendron tulipifera – Tulip Tree  
Phellondendron amurense – Amur Cork Tree  
Plantanus acerifolia – London Plane Tree  
Quercus alba – White Oak  
Quercus coccinea – Scarlet Oak  
Quercus borealis – Red Oak  
Quercus palustris – Pin Oak  
Quercus phellos – Willow Oak  
Robina pseudoacacia inermis – Thornless Black Locust  
Tilia – Linden – All species hardy to the area  
Zelkova Serrata – Japanese Zelkova  
Acer Ginnala – Amur Maple  
Cornus florida – Flowering Dogwood  
Crataegus phaenopyrm – Washington Hawthorn  
Ginko biloba – Ginko (male only)  
Prunus kwanzan – Kwanzan Cherry  
Pyrus calleryana Bradford – Callery Pear

Sophora japonica – Japanese Pagodatree

Upon approval of the Supervisors, other species may be utilized.

(2) Street Signs

- a. The developer shall erect 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 (2) such street signs, and at intersections where one (1) street ends or joins with another street, there shall be at least one (1) such street sign.
- b. Street signs are to be erected on or before occupation of the first use on the street. Temporary street signs may be erected on the approval of the Township, but shall be made permanent when the first unit is occupied on the street.
- c. The installation of all traffic control signs, equipment or devices, required within the development and along the frontage, shall be shown on the plan, approved by the Pennsylvania Department of Transportation, where required, and installed at the cost of the developer.

(n) Street Construction Specifications

- (1) General Requirements: All specifications and requirements, materials, and equipment shall conform to the requirements of the Pennsylvania Department of Transportation as outlined in their Specifications Manual, except where more stringent requirements are specified in this Article.

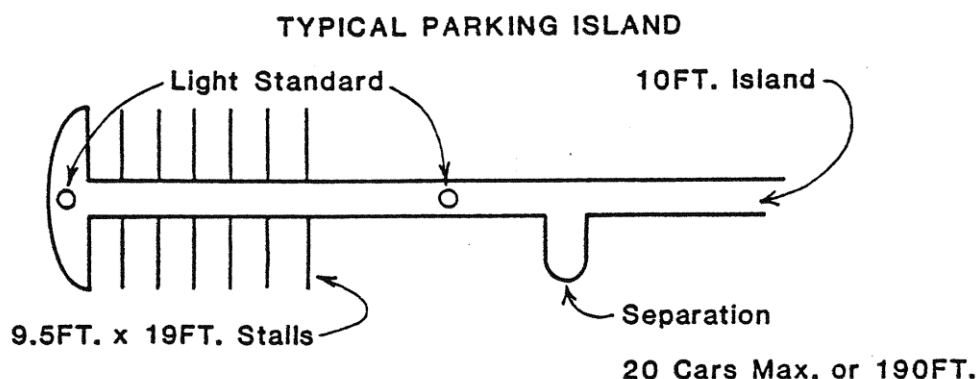
Section 607

Automobile Parking

- (a) A parking space is a paved stall or berth covered or uncovered for parking motor vehicles, excluding space(s) within a cartway. Parking facilities shall be provided off-street in accordance with the requirements of the Township Zoning Ordinance and this Ordinance. Use of any parking space for any other purpose is prohibited.
- (b) 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 vehicle(s).
- (c) At no time shall angle or perpendicular parking be provided along public or private streets. All parking lots and bays permitting parking other than parallel

shall be physically separated from the street and confined by curbing or other suitable separating device.

- (d) Parking areas shall be designed to allow for ingress and egress from a parking area without backing into a street. Access areas shall be designed so as to allow vehicles to enter a street in a forward direction.
- (e) The design standards specified below shall also be required for all off-street parking facilities within a capacity of three (3) or more vehicles.
  - (1) No one area of off-street parking of motor vehicles shall exceed twenty (20) cars in capacity. Separate areas on a parcel shall be physically separated from one another by ten (10) foot wide planting strips.
  - (2) The edge of any parking area shall not be closer than (20) feet from the outside wall of the nearest building.



- (3) Design standards for parking stalls shall not apply where the primary purpose is that of commercial vehicle storage related to sales, service or other use. Unless otherwise specified, parking stalls shall conform to the following minimum dimensional standards based upon their intended function.

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<u>Type</u>	<u>Width</u>	<u>Depth (feet)</u>
Conventional	9.5	19
Compact *	8	18
Handicapped	12.5	19
Oversized **	( as determined by Township Engineer )	

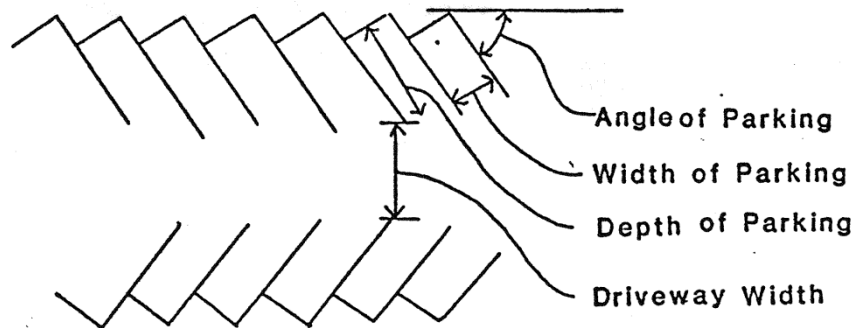
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- \* Where required parking for non-residential uses exceeds twenty (20) spaces, up to thirty (30) percent of the total parking spaces may be designed and clearly designated for compact cars.
  - \*\* Including but not limited to recreational vehicles, tandem trailers, trucks, and buses.
- (a) Parking for the handicapped or physically disabled shall be provided for as follows:

<u>Total Non-residential Parking</u>	<u>Required Handicapped Parking</u>
10-50	(1 space)
51-250	2.5%
251+	2.0%

- (b) In order to provide for flexibility in parking lot design and layout, angle parking may be appropriate in certain instances. Where angle parking is utilized, the width of stalls for various types of parking uses shall remain consistent with the minimum dimensions established for each, while the depth of stall may vary as follows:

<u>Angle of Parking (degrees)</u>	<u>Stall Depth Variation (in feet)</u>
90	0
60	+1
45	0
30	-2



- (4) All dead-end parking areas shall be designed to provide sufficient area for backing and turning movements from the end stalls of the parking area.
- (5) No less than a five (5) foot radius of curvature shall be permitted for all curblines in all parking areas.



- (6) Except at entrance and exit drives, all parking areas shall be set back from the future right-of-way line, buffer yards, and all property lines at least fifteen (15) feet or as required by the Township Zoning Ordinance (the greater provision shall prevail). The distance between this required setback and the future cartway shall be maintained as a planting strip.
- (7) All automobile parking areas shall be paved and constructed in accordance with the standards established by the Township.
- (8) The depth and width of parking areas reserved or laid out for commercial and industrial uses shall be appropriate to those uses.
- (9) The layout of every parking area shall be such as to permit safe and efficient internal circulation, in accordance with accepted traffic engineering principles and standards, including truck traffic where possible.
- (10) Entrances and exits to and from off-street parking areas shall be located so as to avoid interference with street traffic.
- (11) Every off-street parking area shall include sufficient stacking space to accommodate entering and exiting vehicles without overflowing out onto adjacent streets or service roadways.
- (12) Pedestrian crosswalks and refuge island shall be provided at intervals not exceeding two hundred (200) feet along the length of each parking area.
- (13) For the purpose of servicing any property held under single and separate ownership, entrance and exit drives crossing the street lot line shall be limited to two (2) along the frontage of any single street, and their center lines shall be spaced at least eighty (80) feet apart. On all corner properties, there shall be spaced a minimum of sixty (60) feet, measured at the curb line, between the center line of any entrance or exit drive and the street line of the street parallel to said access drive.
- (14) Access drives shall be at least twelve (12) feet from any property line except for the additional requirements in buffer yards.
- (15) When required by the Board of Supervisors, all parking areas for any purpose other than single-family residences shall be physically separated from any public street by a concrete curb and by a planting strip which shall be not less than three (3) feet in depth, followed by a four (4) foot concrete sidewalk built to Township specifications. Concrete tire bumpers shall be installed so as to prevent vehicle overhang on the sidewalk area.

This three (3) foot planting strip shall be parallel to the street line and shall be measured from the future right-of-way.

- (16) Parking and display areas along arterial and collector roads will be set back at least thirty (30) feet from the future right-of-way of said road in order to accommodate acceleration and deceleration lanes and marginal access roads.
- (f) Lighting – Parking areas for commercial, industrial, and multi-family residential developments shall be lighted. All artificial lighting used to illuminate any parking area shall be so designed that no direct rays shall fall upon any neighboring property or street. A minimum level of one (1) foot candle of light shall be maintained. Lighting standards shall not be located on the parking surface.
- (g) Parking lots with less than twenty (20) spaces shall not have a grade exceeding five (5) percent. Parking lots with twenty (20) or more spaces shall not have a grade exceeding three (3) percent. Any grade, cut, fill, or height difference exceeding four (4) feet shall be subject to approval of the Board of Supervisors.
- (h) All parking areas shall have at least one (1) tree of one and one-half (1 ½) inch caliper minimum for every five (5) parking spaces in single bays and one (1) tree of one and one-half (1 ½) inch caliper minimum for every ten (10) parking spaces in double bays. Trees shall be planted in such a manner as to afford maximum protection from the sun for parked vehicles.
- (i) All parking spaces shall be marked so that individual spaces are identifiable.
- (j) Curbs or tire stops shall be designed for the protection of planting strips and to prevent overhanging pedestrian walks. Curbs shall be designed to accommodate handicapped persons.

#### Section 608

#### Mobile Home Parks

- (a) The development plan for a mobile home park shall comply with the Township Zoning Ordinance.
- (b) Preliminary approval of the site plan must be obtained for the entire proposed development. Final approval may be obtained section by section, but such development sections shall be specified on the preliminary plan and must be numbered in the proposed order that they are to be developed.
- (c) All contracts and financial guarantees, as required by this Ordinance, shall be resolved before final approval is granted.

- (d) Park Street System – All streets within a mobile home park shall comply with all street standards and provisions of this Ordinance and any other applicable Township Ordinance.
- (e) All mobile home parks shall be furnished with exterior lighting units so spaced and equipped with luminaires placed at such mounting heights, as will provide adequate levels of illumination throughout the park streets and common ground for the safe movement of pedestrians and vehicles at night and as the public safety, welfare and protection of the mobile home park residents and visitors shall require. The light value on all streets shall be a minimum of 1/10<sup>th</sup> foot candle.
- (f) Grading and storm management – Mobile home parks shall comply with the grading, erosion and sediment control, and storm water management provisions of this Ordinance.
- (g) Paved parking areas shall be provided for units in compliance with this Ordinance and the Township Zoning Ordinance.
- (h) Pedestrian Walks
  - (1) General Requirements: All parks shall provide safe, convenient, all season pedestrian walkways of adequate width for intended use, durable and convenient to maintain, between the park streets and all community facilities provided for park residents. Sudden changes in vertical alignment of gradient shall be prohibited.
  - (2) Common Walk System: Where pedestrian traffic is concentrated, a common walk system shall be provided, such common walks shall have a minimum width of four (4) feet.
  - (3) Individual walks: All mobile home sites shall be connected to common walks, and to streets, or to driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two and a half (2 ½) feet.
- (i) Skirting and Hitching – an enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

The area between ground level and the perimeter of the mobile home shall be enclosed by means of a skirting of wood, aluminum, or other similar material. The hitch which is employed for the usual normal movement of the unit shall be removed.
- (j) 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 units to avoid being offensive, but at the same time be convenient for both collectors and residents and shall be screened and landscaped adequately.
- (k) Planting – the appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees; and additional plant material shall be added for privacy, shade, and for visual screening in accordance with Section 600(m)(1) of this Ordinance. The buffer yard requirements of the Township Zoning Ordinance shall be met.

Section 609                      Open Space in Subdivisions and Residential Development

- (a) Residential subdivisions shall meet the open space requirements of the Township Zoning Ordinance. A performance bond or other security in accordance with Section 802 of this Ordinance may be required to cover the cost of the installation of designated planting and recreating facilities.
- (b) The applicant shall provide a method of physically delineating private lots from common open space areas. Such method shall include shrubbery, trees, markers, or other method acceptable to Durham Township.

Section 610                      Recreation Areas

The Township Zoning Ordinance requires a minimum amount of open space for certain types of residential development. A portion of that open space is required to be for recreation purposes. In conjunction with good site design practices, the following criteria are to be used in evaluating the recreation area proposed on a development plan.

- (a) The recreational activities and/or facilities for which the area is intended must be specified on the development plans.
- (b) 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 fifty (50) feet for access of emergency and maintenance vehicles.
- (c) The configuration of the recreation area must be able to accommodate recreation activities proposed by the development plans. The required minimum area shall not include narrow or irregular pieces of land which are remnants from plotting and/or street and parking areas. Recreational areas shall have a minimum dimension of twenty (20) feet and a minimum area of ten thousand (10,000)

square feet. The Board of Supervisors may vary the minimum area requirement of recreation space when the recreation space, as calculated in Section 501(3) of the Zoning Ordinance, is less than the required ten thousand (10,000) square feet.

- (d) Recreation areas required by the Township Zoning Ordinance shall not include land with resource limitations as established by the Zoning Ordinance.
- (e) Recreation areas shall not be traversed by utility easements unless said utilities are placed underground and no part of them or their supportive equipment protrudes above ground level.
- (f) The following may not be located in recreation areas: sewage treatment or disposal facilities of any type, water storage tank, well pump house, and any similar use or other use which is not related to or associated with recreation.
- (g) Active recreation areas shall be located in such a location that the use of the facility will not be a nuisance to the residents of nearby dwelling units.

Section 611            Sidewalks

- (a) Sidewalks shall be provided where required by the Township.
- (b) The minimum width of all sidewalks shall be four (4) feet. There shall be a minimum of three (3) foot wide planting strip between the curb and sidewalk. This planting strip can be used for the location of the underground utilities.
- (c) The grades and paving of the sidewalks shall be continuous across driveways except in non-residential and multi-family residential developments and in certain other cases where heavy traffic volume dictates special treatment.
- (d) The thickness and type of construction of all sidewalks shall be in accordance with the Township specifications.
- (e) Sidewalks shall be laterally pitched at a slope not less than three-eighths (3/8) inch per foot to provide for adequate surface drainage.
- (f) At corners and pedestrian street-crossing points, sidewalks shall be extended to the curbline with an adequate apron area for anticipated pedestrian traffic.
- (g) Sidewalks shall not exceed a seven (7) percent grade. Steps or a combination of steps and ramps shall be utilized to maintain the maximum grades, where necessary. Where sidewalk grades exceed five (5) percent, a non-slip surface texture shall be used.
- (h) In addition to the preceding requirements, all sidewalks shall provide ramps for adequate and reasonable access for the safe and convenient movement of the

physically handicapped persons, including those in wheelchairs, across curbs at all pedestrian cross walks. These facilities shall be constructed in accordance with Chapter 8, "Pedestrian Facilities" of the PennDOT Design Manual Part 2 or any amendments thereto.

## Section 612

### Subdivisions and Multi-family Residential Developments

In addition to all other applicable provisions of this ordinance, subdivisions and multi-family residential developments are subject to the following requirements.

- (a) The development plans shall conform to the Township Zoning Ordinance.
- (b) Preliminary approval of the site plan must be obtained for the entire proposed development. Final approval may be obtained section by section, but such development 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 re-filed and reviewed and approved.
- (c) Bonding procedures, as required in Section 802, shall be resolved before final approval of the land development plan, and shall guarantee the improvements by the developer of the streets, sidewalks, curbs, streetlighting, street trees, drainage facilities, utilities, and other facilities that the governing body may deem necessary.
- (d) Arrangement of Buildings and Facilities
  - (1) All of the elements of the site plan should be organized harmoniously and efficiently in relation to topography, the size and shape of the plot, the character of the adjoining property, and the type and size of the buildings, in order to produce a useable and efficient land use pattern.
  - (2) Arrangements of buildings should be in favorable relation to the natural topography, existing desirable planting, bodies of water, views within and beyond the site, and exposure to the sun and other buildings on the site.
- (e) 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 to a street, driveway, or parking area shall usually be less than one hundred (100) feet; exception to this standard should be reasonably justified by compensating advantages, such as desirable views and site preservation through adaption to topography. In no case shall the distance exceed two hundred (200) feet.

(f) Yards

Yards shall assure adequate privacy, desirable outlook, adequate natural light and ventilation, convenient access to and around the dwellings, and other essential uses.

(g) Grading

- (1) Grading shall be designed for buildings, lawns, paved streets, and other facilities, to assure adequate surface drainage, safe and convenient access to and around the buildings, and for the screening of parking and other service areas and the conservation of desirable existing vegetation and natural ground forms.
- (2) Grading around buildings shall be designed to be in harmony with natural topography.

(h) Streets

- (1) Streets shall be provided on the site where necessary to furnish principal trafficways for convenient access to living units and other important facilities on the property.
- (2) Streets shall conform to the design requirements and specifications of this Ordinance and Township standards.

(i) Driveways

- (1) Driveways shall be provided on the site where necessary for convenient access to the living 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 and shall be at least fifteen (15) feet from any side or rear lot line.
- (2) Driveways shall be planned for convenient circulation suitable for traffic needs and safety.
- (3) All driveways shall be constructed and paved in accordance with Township specifications.

(j) Parking Areas

- (1) Paved parking areas shall be provided to meet the needs of the residents and their guests without interference with normal street traffic.
- (2) Parking areas shall conform to the standards and requirements of Section 607 and those of the Township Zoning Ordinance.

(k) Sidewalks

- (1) Street sidewalks and on-site walks shall be provided for convenience and safe access to all living units from streets, driveways, parking areas, or garages, and for convenient circulation and access to all facilities.
- (2) Width, alignment, and gradient of walks shall provide safety, convenience, and appearance for pedestrian traffic. Small jogs in the alignment shall be avoided.
- (3) 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 walk and to prevent the pocketing of surface water by walks.
- (4) Sidewalks shall be constructed in accordance with the requirements of Section 611.

(l) 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 screened and landscaped.

(m) Planting

The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material shall be added for privacy, shade, beauty of buildings and grounds, and to screen out objectionable features. The requirements of Section 606(m)(1) shall be met and the buffer yard requirements of the Township Zoning Ordinance shall also be met.



Section 613

Non-Residential Developments

- (a) Additional width of streets adjacent to areas proposed for non-residential use may be required as deemed necessary by the Board of Supervisors to assure the free flow of through-traffic of vehicles entering or leaving parking areas.
- (b) The access requirements of Section 600(i) and 606(l) of this Ordinance shall be met.
- (c) For commercial uses, the developer may be required to provide separate access for service vehicles to loading areas from the vehicular access ways and parking areas intended for patron use. This may be accomplished by using a separate access point for service vehicles to move from the road to the loading area. The applicant may also be required to screen the loading area when deemed necessary by the Township.
- (d) Dead-end streets shall be avoided; but where this proves impossible, they shall be terminated with a paved cul-de-sac turnaround consistent with this Ordinance.
- (e) Adjacent residential areas shall be protected from potential nuisance of the proposed non-residential developments. Buffer yards shall be provided as prescribed in the Township Zoning Ordinance.
- (f) Streets carrying non-residential traffic shall not be extended to the boundaries of the adjacent existing or potential residential areas, nor connect to streets intended for predominantly residential traffic.
- (g) Parking areas shall be located or designed in such a manner that they are visibly secluded from eye level in any surrounding residential area. Grading to depress the parking area, raised berms, landscaping or fencing are satisfactory methods to create such seclusion.
- (h) All area, design, and parking requirements shall conform to the Township Zoning Ordinance and this Ordinance.
- (i) Refuse Collection for Non-Residential Developments
  - (1) Outdoor collection stations shall be provided for garbage and trash removal when indoor collection is not provided.
  - (2) Collection stations shall be located to avoid being offensive and shall be screened from view and landscaped.

Section 614

Impact Studies

A transportation impact study shall be required for all major subdivisions, land developments, and mobile home parks that meet one or more of the following criteria:

Residential: 100 or more dwelling units

Commercial: A commercial building or buildings consisting of 25,000 sq. ft. or more of gross leasable floor space, and all fast food franchises.

Office: A development consisting of 25,000 sq. ft. or more of gross leasable floor space.

Industrial: A development consisting of 50,000 sq. ft. or more of gross leasable floor space.

Institutional: Medical, Public, Institutional: All developments of 25,000 sq. ft. or more of gross floor area.

These impact studies will be reviewed by the Township and must be found to be satisfactory prior to granting preliminary approval. Any improvements identified by the studies will be required improvements at the time final plan approval is granted.

(a) Traffic Impact Study – the study will enable the Township to assess the impact of a proposed development on the traffic system. Its purpose is to ensure that proposed developments do not adversely affect the traffic network and to identify any traffic problems associated with access from the site onto the existing roads. The study's purpose is also to delineate solutions to potential problems and to present improvements to be incorporated into the proposed development.

(1) Traffic impact statements shall be based on the following criteria:

- a. General Site Description – this site description shall include the size, location, proposed land uses, construction staging and completion date, or types of dwelling units. A brief description of other major existing and proposed land developments within one-half mile of the proposal.
- b. Traffic Facilities Description – the description shall contain a full documentation of the proposed internal and existing highway system. The report shall describe the external roadway system within the area. Major intersections in the area shall be identified and sketched. All future highway improvements which are part of proposed surrounding developments shall be noted and included in the calculations.
- c. Existing Traffic Conditions – Existing traffic conditions shall be measured and documented for all roadways and intersections in the

area. Existing traffic volumes for average daily traffic, peak highway hour(s) traffic, and peak development-generated hour(s) traffic shall be recorded. Manual traffic counts at 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 highway 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, as described in Report 187: Quick Response Urban Travel Estimation Techniques and Transferable Parameters Users Guide, Transportation Research Board, 1978, shall be noted as congestion locations.

- d. Traffic Impact of the Development – Estimation of vehicular trips to result from the proposal shall be completed for the average daily peak highway hour(s). Vehicular trip generation rates to be used for this calculation shall be obtained from the Trip Generation Rates (see p. 76). These development-generated traffic volumes shall be provided for the in-bound and outbound traffic movements as estimated, and the reference source(s) and methodology followed

(5) Trip Generation Rates<sup>1</sup>

TYPE OF LAND USE	TYPE OF DEVELOPMENT	AVERAGE TRIP GENERATION RATES	WEEKDAY				SATURDAY			
			PEAK HOUR RATES OF GENERATOR		PEAK HOUR OF ADJACENT STREET TRAFFIC		AVERAGE TRIP GENERATION RATES		PEAK HOUR OF GENERATOR	
			A.M.		P.M.		AM		PM	
			IN	OUT	IN	OUT	IN	OUT	IN	OUT
Residential	Single-family detached	10 trips per D.U.	0.3	0.6	0.8	0.7	0.4	1.0	0.7	0.4
	Townhouse, Multiplex, Atrium*	8.1 trips per D.U.	0.18	0.55	0.73	0.65	0.28	0.93	-	-
	Garden Apartment	5.4 trips per D.U.	0.1	0.4	0.5	0.4	0.2	0.6	-	-
	Mid & High Rise Apt.	4.3 trips per D.U.	-	-	0.3	-	-	0.3	-	-
	Mobile Home	5.38 trips per D.U.	0.12	0.35	0.44	0.37	0.22	0.59	-	-
Commercial	Retirement Community	3.3 trips per D.U.	-	-	0.4	0.37	0.22	0.59	0.28	0.24
	Shopping Center	115.8/1000 sq. ft. GFA	-	-	8.5	6.8	7.0	15.5	10.1	trips per D.U.
	50,000-99,999 gross sq. ft.	79.1/1000 sq. ft. GFA	-	-	7.7	3.3	3.4	9.1	2.6	trips per D.U.
	100,000-199,999 gross sq. ft.	60.4/1000 sq. ft. GFA	-	-	3.8	3.0	2.8	5.5	2.6	trips per D.U.
	200,000-299,999 Gr. sq. ft.	49.9/1000 sq. ft. GFA	2.6	2.5	4.1	2.7	2.5	5.2	2.1	trips per D.U.
Industrial	300,000-399,999 Gr. sq. ft.	40.4/1000 sq. ft. GFA	-	-	3.4	-	-	5.2	-	-
	400,000-499,999 Gr. sq. ft.	47.6/1000 sq. ft. GFA	-	-	3.9	-	-	5.0	-	-
	500,000-999,999 Gr. sq. ft.	34.5/1000 sq. ft. GFA	-	-	-	2.22	1.92	3.01	1.23	trips per D.U.
	1,000,000-1,249,999 Gr. sq. ft.	31.1/1000 sq. ft. GFA	-	-	-	0.68	4.22	4.90	1.37	trips per D.U.
	Over 1,250,000 Gr. sq. ft.	26.5/1000 sq. ft. GFA	-	-	-	1.40	1.66	3.06	1.10	trips per D.U.
Institutional	Discount Store	64.6/1000 sq. ft. GFA	-	-	-	2.6	2.4	6.3	1.4	trips per D.U.
	Sit down, low turnover	1.20 trips per seat	-	-	-	0.16	0.15	0.15	0.07	trips per seat
	Sit down, high turn-over	164.4/1000 sq. ft. GFA	10.1	5.5	15.7	13.0	9.2	22.2	9.9	trips per seat
	Drive-In Restaurant	553/1000 sq. ft. GFA	-	-	-	44.4	41.9	78.8	17.0	trips per seat
	Fast Food	125.5/1000 sq. ft. GFA	-	-	-	6.0	7.4	15.7	3.7	trips per seat
Industrial	Supermarket	69/1000 sq. ft. GFA	0.60	0.40	1.00	4.70	5.00	9.70	3.7	trips per seat
	Preexisting Retail Store*	11.69/1000 sq. ft. GFA	1.90	0.36	2.34	0.19	1.48	2.09	0.19	trips per seat
	Office	53/1000 sq. ft. GFA	-	-	-	2.80	2.80	5.60	-	trips per seat
	General Office Building	10.5 trips per room	-	-	0.90	-	-	0.87	0.36	trips per room
	HOTEL	9.58 trips per room	-	-	0.86	-	-	0.88	-	trips per room
Industrial	Hotel	5.43/1000 sq. ft. GFA	-	-	0.97	-	-	0.84	-	trips per room
	General Industrial	4.10/1000 sq. ft. GFA	-	-	0.79	-	-	0.76	-	trips per room
	Manufacturing	5.01/1000 sq. ft. GFA	-	-	1.61	-	-	1.63	-	trips per room
	Warehousing	0.51 trips per student	0.11	0.05	0.16	0.04	0.07	0.11	-	trips per student
	Elementary Schools	1.22 trips per student	0.19	0.07	0.26	0.07	0.13	0.23	-	trips per student
Institutional	High School	1.55 trips per student	0.16	0.03	0.18	0.05	0.11	0.16	-	trips per student
	Jr./Community College	2.5 trips per student	0.17	0.03	0.20	0.05	0.12	0.17	-	trips per student
	Colleges*	14 trips per bed	0.56	0.24	0.80	0.66	0.24	0.90	-	trips per bed
	Hospital									

Sources: Trip Generation, Institute of Transportation Engineers, 1976.  
 \*Transportation Impact Study Model Ordinance\*, Bucks County Planning Commission, 1975,  
 (as indicated by asterisk(\*)).

1. These rates shall be reviewed by the Township Planning Commission for any changes that may be appropriate. The applicant is required to use the above rates where applicable. Where the appropriate data is not available, the developer shall provide the rates and document the appropriate source. If the developer requests to use significantly different rates than those given, he shall submit the rates and the specific justification to the Township Planning Commission prior to submission of the Transportation Impact Study for their approval or denial.

D.U. - Dwelling Unit  
 GFA - Gross Floor Area  
 (-) - Data not available

- e. Analysis of Traffic Impact – The total future traffic demand shall be calculated. This demand shall consist of the combination of the existing traffic expanded to the completion year (using an annual traffic rate available from the Delaware Valley Regional Planning Commission or PennDOT), the development generated traffic, and the traffic generated by other proposed developments in the study area. A second volume/capacity analysis shall 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 during the peak highway hour(s) and peak development generated hour(s) for all roadways and major intersections in the study area. Volume/capacity calculations shall be completed for all major intersections.

All access points shall be examined as to the necessity of installing traffic signals. This evaluation shall compare the projected traffic to the warrants for traffic signal installation.

- f. Conclusions and Recommendations – Levels of service for all roadways and intersections shall be listed. All roadways 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 roadway and intersection design and improvements, traffic signal installation and operation including signal timing, and transit design improvements. All physical roadway improvements shall be shown in sketches.

## ARTICLE VII            REQUIRED IMPROVEMENTS

### Section 700            Purpose

- (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. Inspection of improvements shall be the responsibility of the Township.
- (b) All improvements shall be constructed in accordance with the specifications of the Township.

### Section 701            Application

The improvements included in this article are minimum requirements. However, the Township Board of Supervisors reserves the right in any case to increase the same if conditions so warrant.

Section 702                    Revision of Plans

When changes from the accepted drawings and specifications become necessary during construction, written acceptance by the Board of Supervisors shall be secured before the execution of such changes.

Section 703                    Maintenance

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

Section 704                    Streets

- (a) The construction of streets, roads, 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) Specifications. The minimum requirements for improvements shall be those contained in the Pennsylvania Department of Transportation's Specifications (Form 408) as last revised, or those of the Township.
- (c) All streets shall be graded as shown on the street profiles and cross-section plan submitted with the preliminary plan and approved with the final plan.
- (d) Along the existing street on which a subdivision or land development abuts, improvements shall be made to the street as required by the Board of Supervisors. The improvements to the existing street shall be determined by the width of the required cartway and built to specifications established by the Township.

At the discretion of the Board of Supervisors, an escrow account may be established to be used by the Township for the improvement of the cartway to the required standards.

Section 705                    Street Signs

- (a) The developer shall erect at every street intersection a street sign or street signs having thereon the names of intersecting streets. At intersections where streets cross, there shall be at least two (2) such street signs, and at intersections where one (1) street ends at or joins with another street, there shall be at least one (1) such street sign.

- (b) Street signs are to be erected before the first dwelling on the street is occupied. N Temporary street signs may be erected on the approval of the Board of Supervisors, but shall be made permanent before final offer for the dedication of roads is made.
- (c) Street signs shall be consistent in design and specification with those in general use by the Township.

Section 706                      Street Lights

Where appropriate, the developer shall install or cause to be installed, at the developer's expense, poles acceptable to the Township and street lights, serviced by underground conduit, in accordance with a plan to be prepared by the developer's engineer and approved by the metropolitan Edison Electric Company and by the Board of Supervisors. The requirement of metal poles may be waived in such instances as approved by the Board of Supervisors due to the existence of wooden poles already in place. Provision shall be made for energizing said lighting after fifty (50) percent or more of the dwelling units, in a given subdivision or land development or section of 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. At that time, all costs of lighting shall be borne by the property owners along the street.

Section 707                      Monuments

- (a) Monuments shall be placed at each change in direction of boundary; two (2) to be placed at each street intersection and one (1) on one side of each street at angle points and at the beginning and end of curves. Utility easements shall be monumented at their beginning and at their end, and 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. The monument shall be concrete, the size and length as may be approved by the Township Engineer.
- (c) All monuments shall be certified for accuracy by the developer's engineer, or their accuracy checked by the Township within three one-hundredths (3/100) of a foot.
- (d) Permanent reference monuments shall be of precast concrete or a durable stone at least four (4) inches square at top and six (6) inches at bottom and at least twenty-four (24) inches in depth, with surface edges beveled.

Section 708                      Sidewalks

- (a) All sidewalks shall be constructed in accordance with this Ordinance and Township specifications. These standards shall apply on all new streets and on existing streets unless, in the opinion of the Board of Supervisors, the sidewalks are unnecessary for public safety and convenience.
- (b) Within multi-family building developments, it is required to install sidewalks, on-site walks for convenience and access to all living units from streets, driveways, parking areas or garages, and for convenient circulation and access to all project facilities.
- (c) Width, alignment, and gradient of walks shall provide safety and convenience for pedestrian traffic. Small jogs in the alignment shall be avoided.
- (d) 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 walk and to prevent the pocketing of surface water by walks.

Section 709                      Curbs

- (a) Curbs shall be provided as required by this Ordinance unless in the opinion of the Board of Supervisors they are unnecessary.
- (b) All curbs shall be designed and constructed in accordance with the standards and specifications of the Township or the specifications of the Township Engineer.

Section 710                      Storm Water Management System

The developer shall construct storm water drainage facilities, including retention and detention basins, curbs, catch basins and inlets, storm sewers, culverts, road ditches, open channels, and other structures (as required by this Ordinance) in order to prevent erosion, flooding and other hazards to life and property, including off-site facilities that are necessary to meet the objectives and requirements of this Ordinance. 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 shall be constructed in accordance with plans.

Section 711                      Public Water Supply Systems and Centralized Water Supply and Distribution Systems

- (a) When a public water supply system cannot feasibly be provided as determined by the municipality, the applicant shall provide a private centralized water supply and distribution system for subdivisions and land development where the average lot size would be 30,000 square feet or less and there would be more than twelve (12) dwellings or non-residential buildings in the subdivision or land development. All public and private systems shall be designed to meet the requirements of the municipality,



and agreements suitable to the municipal solicitor shall be established for the ownership and maintenance of the system.

- (b) The developer shall construct water mains in such a manner as to make adequate water service available to each lot, building, or dwelling unit within the subdivision or land development. A minimum pressure of thirty-five (35) 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 standards of the State Department of Environmental Resources.
- (c) Where a municipal water supply system is used, the system shall also be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes. Review and approval by the Municipal Engineer shall be required in order to insure that adequate fire protection is provided.
- (d) All on-site wells shall be shown on all plans.

Section 712                    On-Lot Water Distribution System

Where no public water is accessible, water shall be furnished by the owner on an individual lot basis. If wells are installed on each lot, the well shall be of the drilled type, cased and grout-sealed into the bedrock.

Section 713                    Public Sanitary Sewers

- (a) When in conformance with the Durham Township Component of the Palisades Area Wastewater Facilities Plan, Durham Township Zoning Ordinance, and wherever practical, sanitary sewers shall be installed and connected to a public sewer system.
- (b) All public sanitary sewers shall be designed and constructed in accordance with the "Sewerage Manual" issued by the Pennsylvania Department of Environmental Resources.
- (c) No public sanitary sewer or treatment plant shall be constructed until plans and specifications have been submitted to the Department of Environmental Resources and to the Township and approved in accordance with existing laws.

Section 714                    Private Sewage Disposal Systems

- (a) If public sewer facilities are not available, the developer shall provide certification for sewage disposal on an individual lot basis according to the rules, regulations, terms, definitions, and conditions of the Individual Sewage Disposal System

application and certification procedure for Bucks County, Pennsylvania, adopted on March 24, 1971, and any amendments made thereto.

- (b) On-lot sewage disposal facilities must comply with the provisions of Chapters 71 and 73, Administration of Sewage Facilities Program, Pennsylvania Sewage Facilities Act, (Act of January 24, 1966), P.L. 1535, No. 537 as amended.
- (c) Each owner or occupant of a dwelling unit with on-lot facilities shall be provided with a plan of the system and an instruction manual for the use and proper maintenance of the system by the developer.

Section 715                    On-Lot Sewer and Water Locations

The dimensioned location of the on-lot sewage system and the well must be shown on the plan prior to the issuance of a building permit.

Section 716                    Electric, Telephone and Communication Facilities

- (a) All electric, telephone, cable television, 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.
- (b) Where practicable, all utilities shall be located within the street right-of-way but outside the cartway, 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 street tree planting.

Section 717                    Grading

Grading shall conform in all respects to the approved final plan.

Section 718                    Planting

- (a) Street trees and other required planting shall be in accordance with Section 606 (m) of this Ordinance.
- (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) Plans for proposed street planting or buffer zone plantings shall be reviewed and approved by the Board of Supervisors.

Section 719                    Special Drainage Problems – Flood Plain Area

- (a) The Board of Supervisors may, when it deems necessary for the health, comfort, safety, or welfare of the present and future population of the area, and necessary to the conservation of water, drainage and sanitary facilities, prohibit subdivision of any portion of the property which lies within the flood plain of any stream or drainage course.
- (b) The areas referred to in (a) above shall be preserved from any and all destruction or damage by clearing, grading, or dumping of earth, waste material, stumps, or other material of any kind.
- (c) When there is any proposed alteration of a stream, the applicant shall show evidence that all required approvals by State agencies have been obtained.

## ARTICLE VIII ADMINISTRATION

### Section 800 Hardship

- (a) If any mandatory provisions of these regulations are shown by the applicant, to the satisfaction of a majority of the Board of Supervisors present at a regular meeting, to be unreasonable and to come undue hardship as they apply to his proposed subdivision or land development, the Board of Supervisors may grant a variance to such applicant from such mandatory provisions, so that substantial justice may be done and the public interest secured; provided that such variance will not have the effect of nullifying the intent and purpose of these regulations.
- (b) It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, hardship complained of cannot be claimed by one who purchases with or without knowledge of restrictions; it must be from the application of this Ordinance; it must be suffered directly by the property in question; and evidence of variance granted under similar circumstances shall not be considered.

### Section 801 Fees

The applicant for a subdivision or land development approval shall at the time of making application, pay to the Township a fee in accordance with a Fee Schedule adopted by resolution of the Board of Supervisors upon the enactment of these Regulations or as such schedule may be amended by resolution of the Board of Supervisors.

### Section 802 Required Contracts

- (a) Improvements

Before approving any subdivision or land development plan for recording, the Board of Supervisors 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 Board of Supervisors be assured by means of a proper contract and completion guarantee, as set forth in Section 802(b) hereof, that the improvements will subsequently be installed by the developer. Where the subdivision or land development plan has been approved and recorded, either after the specified improvements have been completed and approved by the Township, or, if prior to completion, upon proper completion guarantee as aforesaid, purchasers and mortgages of lots in the subdivision or land development, with or without buildings thereon or on any of them, shall be relieved of any and all liability for any deficiency in lack of or failure to complete the improvements above mentioned as set forth in said plan or required as a condition precedent to the approval of the plan of subdivision or land development and any failure to complete or properly complete said improvements shall not encumber any or all of the lots in the subdivision or land development.

(b) Contracts

In all cases where the necessary grading, paving, and other improvements required herein, both on-site and off-site, shall not have been installed in strict accordance with the standards and specifications of the Township prior to approval of the final plan, the developers shall enter into a written agreement with the Township in the manner and form approved by the Township Solicitor, wherein developer shall agree, to the extent applicable:

- (1) To construct or cause to be constructed at his own expense all streets, street signs, curbs, sidewalks, street and buffer plantings, street lights, fire hydrants, water supply system, sanitary sewer system, (including capped sewers, storm sewers, drainage and erosion control improvements, and other improvements shown on said 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.
- (2) 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.
- (3) To maintain, repair and replace at his own cost the said streets, street signs, curbs, sidewalks, street and buffer plantings, street lights, fire hydrants, water supply systems, sanitary sewers (including capped sewers) storm sewers, drainage and erosion control improvements, and other improvements for the period of two (2) years after completion of all required improvements. The date of completion shall be established by certificate of the Township Engineer.

- (4) To pay all costs, charges or rates of the utility furnishing electric service for the street lighting facilities installed by the developer until such time as the streets shown on the subdivision and/or land development plan 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 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.
- (5) To post contemporaneous with the execution of such agreement financial security in an amount sufficient to cover the cost of any improvements or common amenities including but not limited to roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required as well as the improvements mentioned in (3) above.

The owner shall be permitted to submit financial security which includes Federal or Commonwealth of Pennsylvania chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions which shall be deemed acceptable financial security for the purposes of this section. Such financial security shall be posted with the bonding company or a Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided such bonding company or lending institution is authorized to conduct such business within the Commonwealth. Such bond or other security shall provide for and secure to the public the completion of any improvements which may be required within one year of the date fixed in the subdivision plan or land development plan for completion of such improvements. The amount of the financial security shall be equal to one hundred and ten percent of the cost of the required improvements for which financial security is posted.

The cost of the improvements shall be established by submission to the Township of bona fide bid or bids from the Contractor or Contractors chosen by the party posting the financial security to complete the improvements or, in the absence of such bona fide bids, the cost shall be established by estimates prepared by the Township's Engineer.

If the party posting the financial security requires more than one year from the date of posting of financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10) percent for each one year period beyond the first anniversary date from the posting of financial security or to an amount not exceeding one hundred and ten (110) percent of the cost of completing the

required improvements as re-established on or about the expiration of the preceding one year period by using the above bidding procedure.

In the case where development is projected over a period of years, the Township may authorize submission of final plans or land development plans by section or stages of development subject to such requirements or guarantees 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. As the work of installing the required improvements proceeds, the party posting the financial security may request the Township 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 Governing Body, and the Governing Body shall have forty-five (45) days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Township that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification, the Township 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, or, if the Township fails to act within said forty-five day period, the Township shall be deemed to have approved the release of funds as requested.

The Township may, prior to final release at the time of completion and certification by its Engineer, require retention of ten (10) percent of the estimated cost of the aforesaid improvements.

Where the governing body accepts dedication of all or some of the required improvements following completion, the governing body may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan for a term not to exceed eighteen months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen percent of the actual cost of installation of said improvements.

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.

If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plan as set forth in this section, the municipality shall not condition the issuance of building, grading, or other permits relating to the erection or placement of improvements, including buildings upon the lots or land as depicted upon the final plan upon actual completion of the improvements depicted upon the approved final plan. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plan, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

- (6) To obtain the easements and releases required by this Ordinance.
- (7) To reimburse the Township promptly for reasonable attorney's and engineer's inspection fees and fees for other professionals employed by the Township to review or process submission and land development plans.
- (c) The provisions of this section shall not relieve the developer from the penalties provided for in Section 515 of the Pennsylvania Municipalities Planning Code or this Ordinance.

#### Section 803                Records

- (a) The Township Board of Supervisors and Planning Commission shall keep records of their findings, decisions, and recommendations relative to all subdivision plans filed with them for review or approval.
- (b) All records shall be public records.

### ARTICLE IX                AMENDMENTS

#### Section 900                Power of Amendment

The Board of Supervisors may from time to time amend, supplement, change, modify or repeal this Ordinance. When doing so, the Board of Supervisors shall proceed in the manner prescribed in this Article.

## Section 901                      Definition

The words “amend”, “amendment”, “amendments”, or “amended” in this Ordinance shall be deemed to include any modification of the text of phraseology of any provision or amendment thereof, or any repeal or elimination of any addition to such provision or part thereof, or any addition to the Ordinance or to an amendment thereof.

## Section 902                      Initiation of Amendments

Proposals for amendment, supplement, change, modification or repeal may be initiated by the Board of Supervisors on its own motion, or by the Planning Commission.

- (a)     Proposals originated by the Board of Supervisors: The Board of Supervisors shall refer every proposed amendment, supplement, change, modification, or repeal originated by the governing body to the Township Planning Commission and Bucks County Planning Commission. Within forty-five (45) days of the submission of said proposal, the Planning Commission shall submit to the Board of Supervisors a report containing the Commission’s recommendations, including any additions or modifications to the original proposal.
- (b)     Proposals originated by the Planning Commission: The Planning Commission may at any time transmit to the Board of Supervisors any proposal for the amendment, supplement, change, modification, or repeal of this Ordinance.

## Section 903                      Hearings

Before voting on the enactment of an amendment, the Board of Supervisors shall hold a public hearing thereon. No amendment shall become effective until after such hearing at which parties in interest and citizens shall have an opportunity to be heard.

Notice shall be given once each week for two successive weeks, the first notice being not more than thirty (30) days, and not less than fourteen (14) days, in advance of such hearing and shall be published in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and shall include either the full text of the proposed amendment, or a brief summary setting forth the Principal provisions in reasonable detail, with reference to a place where copies of the proposed amendment may be examined.

No hearing shall be held before or during the forty-five (45) period in which the Planning Commission have been directed to review and report their recommendations to the Board of Supervisors.

## Section 904                      Effective Date

The effective date of this Ordinance shall be



Section 905

Enactment

ENACTED AND ORDAINED this thirteenth day of October, 1982.

DURHAM TOWNSHIP  
BOARD OF SUPERVISORS

S/Lester S. Crouse  
Lester S. Crouse

S/David M. Rau  
David M. Rau

S/Floyd E. Young  
Floyd E. Young

## **ORDINANCE NO. 1990-2**

### **AN ORDINANCE AMENDING THE DURHAM TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS TO REGULATE MOBILE HOME PARKS IN DURHAM TOWNSHIP AND TO PROVIDE STANDARDS GOVERNING MOBILE HOME PARKS; ESTABLISHING REQUIREMENTS FOR THE DESIGN, CONSTRUCTION, ALTERATION, EXTENSION AND MAINTENANCE OF MOBILE HOME PARKS AND RELATED UTILITIES AND FACILITIES; PROVIDING FOR THE ISSUANCE OF PERMITS FOR CONSTRUCTION, ALTERATION AND ADDITIONS BY PERSONS WHO OPERATE MOBILE HOME PARKS; AUTHORIZING THE INSPECTION OF MOBILE HOME PARKS TO INSURE THEIR COMPLIANCE WITH THIS ORDINANCE; ESTABLISHING STANDARDS FOR THE ERECTION OF SINGLE MOBILE HOMES AND FIXING PENALTIES FOR ORDINANCE VIOLATIONS.**

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Durham Township, Bucks County, Pennsylvania, under authority of the Pennsylvania Municipalities Planning Code, as amended.

#### **SECTION I: PURPOSE**

The purpose of this Ordinance is to regulate mobile homes and mobile home parks in Durham Township by providing therein standards governing mobile homes and mobile home parks, establishing requirements for the design, construction, alteration, expansion and maintenance of mobile home parks and related utilities and facilities, providing for the issuance of permits for construction, alteration and additions by persons who operate mobile home parks, authorizing the inspection of mobile home parks to insure their compliance with this Ordinance, establishing standards for the erection of single mobile homes, and providing penalties for violation hereof.

#### **SECTION II: DEFINITIONS**

A. Mobile Home – A manufactured home which is a transportable, single family dwelling, intended for permanent occupancy, office or place of assembly, which is contained either in one unit or in two units designed to be joined together into one integral unit, capable again of being separated for repeated towing, movement or relocation, which home arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and which is constructed so that it can be erected and used without a permanent foundation, including any additional and/or accessory structures such as porches, sheds, decks or additional rooms. A modular home in a mobile home park is a mobile home for purposes of this Ordinance.

B. Mobile Home Lot – A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

C. Mobile Home Pad – The concrete pad upon which a mobile home is erected on a mobile home lot in a mobile home park.

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

E. Modular home - A dwelling unit erected on a foundation and made from one or more sections built in a factory, the completed unit must meet building code standards and the unit, when affixed on a separate lot, on the proper foundations, is considered real property. For the purposes of this Ordinance, a modular home erected in a mobile park shall be construed as a mobile home and by subject to all regulations hereinafter provided for mobile home parks and mobile home parks containing mobile homes.

F. Person – Any individual, firm, trust, partnership, public or private association or corporation or other entity.

G. Sewer Connection – All pipes, fittings, appurtenances from the drain outlet of a mobile home to the inlet of the corresponding sewer riser pipe.

H. Sewer Riser Pipe – That portion of the sewer lateral which extends vertically from the ground elevation and terminates at each mobile home space.

I. Water Connection – All pipes, fittings and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the mobile home.

J. Water Rise Pipe – That portion of the water service pipe which extends vertically from the ground elevation and terminates at the designated point at each mobile home lot.

K. Water Service Pipe – All pipes, fittings, vales and appurtenances from the water main of the park distributing system to the water outlet of the distribution system within the mobile home.

L. Board of Supervisors – The Supervisors of Durham Township, Bucks County, Pennsylvania.

M. Applicant – Person who applies for the conditional use for the construction or operation of a mobile home park within Durham Township.

N. Zoning Officer – Zoning Officer of Durham Township, Bucks County, Pennsylvania.

O. Township Engineer – Township Engineer for Durham Township, Bucks County, Pennsylvania.

P. The word “shall” is mandatory.

Q. The singular shall be deemed to include the plural where the context thereof shall provide or permit.

### SECTION III: MOBILE HOME PARK ALLOWED BY CONDITIONAL USE.

A. A land owner or agent thereof may construct, alter, extend or operate a mobile home park within Durham Township only in the Rural Residential (RR) zoning district after having received conditional use approval by the Board of Supervisors, as more particularly set forth hereinafter. A land owner or agent thereof who proposes such use of a mobile home park shall apply in writing to the Board of Supervisors, and pay the filing fee established under the Durham Township Fee Schedule, for approval of the mobile home park as a conditional use. Said application, along with its accompanying material which are made a part thereof, shall be subject to the approval or rejection by the Board of Supervisors in accordance with the provisions of this Ordinance.

B. On the parcel of land proposed for a mobile home park no mobile home lot shall be laid out, no street within the proposed mobile home park shall be laid out, constructed or dedicated for public use or travel or for the common use of occupants of buildings or land abutting thereon, and no sanitary sewer, storm sewer, or other facility in connection therewith shall be laid out, constructed, opened or dedicated for public use, or for the common use of occupants of buildings or land abutting thereon, and no mobile home, modular home or other structure may be constructed or placed on the proposed mobile home park unless and until a conditional use and permit shall be granted of the mobile home park by the Board of Supervisors in strict accordance with the provisions of this Ordinance.

### SECTION IV: PROCEDURE

A. A mobile home park may be permitted by conditional use granted by the Board of Supervisors, only in the Rural Residential (RR) zoning district as provided in zoning map attached to the Durham Township Zoning Ordinance.

B. Three stages in the procedure for approval of a mobile home park conditional use plan are required. These stages are necessary to permit the Durham Township Planning Commission and Board of Supervisors an adequate opportunity to review the plan and to insure that their formal recommendations are reflected in the final plan. The three separate stages of approval are: sketch plan, preliminary plan and final plan. The review process required shall include up to ninety (90) days for each of the aforesaid three (3) stages, starting from the day each complete submission is properly filled with the decision of the Board of Supervisors granting approval for that particular phase. The presentation of a sketch plan, a preliminary plan and final plan shall each be considered a separate submission and the maximum ninety (90) day review period shall be required for each phase.

C. The application for a mobile home park as a conditional use shall be in writing and shall be accompanied by a filing fee in an amount determined by resolution of the Board of Supervisors.

D. As part of its approval of a preliminary or final mobile home park plan, the Board of Supervisors may attach or require reasonable conditions and safeguards, in addition to those standards expressed in this Ordinance, as the Board deems necessary to implement the purposes of this Ordinance and to promote the health, safety and general welfare of the Township.

E. In all applications for a conditional use for a mobile home park, the applicant shall have a burden of proving that his application falls within the provisions of this Ordinance and that the granting of the application will not be contrary to the public interest.

#### SECTION V: SKETCH PLAN

A. The purpose of the sketch plan is to afford the applicant the opportunity to consult early and informally with the Durham Township and Bucks County Planning Commissions prior to the submission of preliminary and formal application for approval. The sketch plan procedure affords both the Planning Commissions the opportunity to provide guidance to the applicant at a stage when points of difference may be easily resolved. It can also simplify official action and save unnecessary expense and delay.

B. The following data shall be included on the sketch plan: Tract boundaries, north point; streets on and adjacent to the tract; significant topographical and physical features; proposed general street layout; proposed general lot layout; U.S.G.S. topography; approximate acreage; proposed general arrangement of buildings and parking areas; and any other data required by the Township Subdivision and Land Development Regulations for a sketch plan.

C. The sketch plan shall be submitted in sixteen (16) copies.

D. Within ninety (90) days after the submission of the sketch plan, the Board of Supervisors shall review the plan at a public meeting and inform the applicant whether the plans and data submitted meet the objectives and requirements of this Ordinance. The decision of the Board of Supervisors shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.

#### SECTION VI: PRELIMINARY PLAN

A. The purpose of the preliminary plan is for formal conditional approval in order to minimize changes and revisions before the final plan is submitted.

B. Sixteen (16) copies of the preliminary plan and accompanying required material shall be submitted to the Secretary of the Board of Supervisors.

C. The preliminary plan shall be at a scale of fifty (50) feet to the inch, and it shall show the following information:

1. Proposed mobile home park name or identifying title and the township in which the mobile home park is located.

2. Name and address of the owner of the tract of land and his authorized agent, if any, and the name of the applicant.

3. Date, northpoint and graphic scale.

4. Total acreage of the tract of land, number of mobile home lots and the location of each mobile home lot.

5. The location map for the purpose of locating the site of the proposed mobile home park at a scale of not more than eight hundred (800) feet to the inch, showing the relation of the tract of the proposed mobile home park to adjoining property, and to all streets, roads and municipal boundaries existing within one thousand (1,000) feet of any part of the proposed mobile home park.

6. The boundaries of the proposed mobile home park showing bearings and distances.

7. Contours at vertical intervals of two (2) feet for land for the average slope of four (4%) percent or less and at vertical intervals of five (5) feet for more steeply sloping land. The data to which such contour elevations refer shall be provided.

8. The names of all owners of all immediately adjacent unplotted land; the names of all proposed or existing subdivisions immediately adjacent and the locations and dimensions of any streets or easements shown thereon; the locations and dimensions of all existing streets, roads, railroads, public sewers, aqueducts, water mains, and feeder lines, fire hydrants, gas, electric and oil transmission lines, water courses, and other significant features within the property and within one thousand (1,000) feet of any part of the property proposed for the mobile home park; and the location of all tree masses within the property proposed for the mobile home park.

9. The location and width of any streets or other public ways or places shown upon an approved township or county plan if such exist for the parcel proposed for the mobile home park.

10. The full plan of the mobile home park development, showing the location of all proposed roads, streets, alleys, utilities, parks, playgrounds and other public areas; street names; proposed mobile home set back lines for each road; proposed mobile home lot lines and approximate dimensions of each mobile home lot; mobile home lot numbers in consecutive order; all streets and other areas designated for appurtenant facilities, public use or proposed to be dedicated or reserved for future public use within the proposed mobile home park, together with the condition of such dedications or reservations; and the proposed radii of all curves measured at the center line.

11. A plan for surface water drainage of the proposed mobile park.
12. Tentative cross section and center line profiles of each proposed street shown on the preliminary plan.
13. Preliminary designs of any bridges or culverts which may be required.
14. When the preliminary plan for the mobile home park includes only a portion of the entire tract owned by the applicant, the applicant shall submit with his preliminary plan a schedule of the prospective future street system and the prospective future mobile home lot locations or other development for the entire property.
15. The type of water supply and sewage disposal facilities proposed and their location on the property.
16. Zoning requirements including applicable district, lot size and yard requirements, and proof that any variances or special exceptions which may be required have been obtained.
17. All existing water courses, tree masses and other significant natural features, such as wetlands, rock outcrops, springs and swampy areas and all flood plain areas.
18. All existing buildings, sewers, water mains, culverts, petroleum product lines, gas lines, fire hydrants and other significant man made features.
19. All existing property lines, easements and rights of way, and the purposes for which the easements or rights of way have been established.
20. Length and names of new streets proposed.

## SECTION VII: FINAL PLAN

A. The final plan shall be submitted to the Secretary of the Durham Township Board of Supervisors in sixteen (16) copies, and it shall contain the following data:

1. The proposed mobile home park name or identifying title and the name of the municipality in which it is situated.
2. The name and address of the owner and developer and the name, license number and seal of the licensed engineer or surveyor.
3. Date, north point and graphic scale.
4. Total number of acres and total number of mobile home park lots, including the location of each lot.

5. The names of adjoining subdivisions, if any, and the book and page where recorded, and the name of owners of all adjacent unplotted land.

6. A location for the purpose of location the site of site of the mobile home park at scale of not more than eight hundred (800) feet to the inch showing the relation of the property to adjoining property and all streets, roads and municipal boundaries existing within one thousand (1000) feet of any part of the property proposed to be utilized for the mobile home park.

7. The full plan of development, including tract boundaries in bearings and distances, street lines and profiles, mobile home lots lines, lot lines of lots not utilized for mobile homes, building lines and set back requirements, pedestrian ways, easements and open spaces, any limitations on easements, and all utilities locations.

8. Any existing public lands, all open spaces and if proposed to be dedicated, the purpose for which they will be dedicated, all other areas excluding mobile home lots which are included in the mobile home park.

9. Sufficient data acceptable to the Township Engineer to determine the location, bearing, length of every boundary line of the outer limits of the mobile home park, the boundary line of each mobile home lot, street lines and to reduce such lines upon the ground. All dimensions shall be shown in feet and hundredths of feet and all bearings shall be disclosed.

10. The mobile home lots shall be numbered in consecutive order and the names of all streets shall be indicated.

11. Permanent reference monuments shall be shown on the plan, and they shall be constructed in accordance with the provisions of the Durham Township Land Subdivision Regulations, before approval of the final plan and granting of the conditional use.

12. Length and names of new streets proposed.

13. Type of water supply and sewage disposal facilities proposed.

14. Zoning requirements, including applicable district, lot size, yard requirements, set back requirements and proof of any variances or special exceptions which may have been granted or required.

15. Contours and vertical intervals of two (2) feet for land for the average slope of four (4%) percent or less and vertical intervals of five (5) feet for more steeply sloping land. Data to which such contour elevations refer shall be provided.

16. Radii, internal angles, points of curvature and tangent bearings and lengths.

17. Names of streets within and adjacent to the mobile home park.



18. The point of access to driveways.

19. A statement to the effect that the applicant is the owner of the land proposed to be developed as a mobile home park and that the development shown on the final plan is made with the applicant's free consent and that the applicant desires the same to be recorded. Said statement shall be acknowledged before an officer authorized to take acknowledgements.

20. Typical cross sections and street profiles for all streets. Such profiles shall show at least the following: Existing and proposed grades along the proposed street center line; culvert locations; invert elevations and sizes.

21. Location, size and invert elevation of all sanitary sewers, storm sewers and locations of all man holes, inlets and culverts, and design calculations of the same along with the plan and profile thereof and any appurtenances.

B. Attached to the final plan shall be the following accompanying material:

1. A certificate of title showing the ownership of the land to be vested in the applicant.

2. Offers of dedication, if necessary, in a form acceptable to the Board of Supervisors.

3. A bond or other assurance in a form sufficient to the Board of Supervisors for all public improvements required for the mobile home park.

4. Certification of water and sewer facilities from the appropriate municipal authority or the Pennsylvania Department of Environmental Resources.

5. Certification from the United States Department of Agriculture, Soil Conservation Service, approving the mobile home park service water drainage plan, and where necessary, approval for development by the Pennsylvania Department of Environmental Resources.

6. A permit from the Pennsylvania Department of Transportation for any street which connects the mobile home park to a state highway.

7. A Certificate of Registration for the mobile home park from the Bucks County Department of Health.

8. Proof that the applicant has submitted a mobile home park fire protection plan to the Riegelsville and Springfield fire departments for its review, or to the Durham Township Fire Marshall, if such office exists at the time the final plan is submitted.

C. The final plan must be submitted within six (6) months of the approval by the Board of Supervisors of the preliminary plan, otherwise prior approval of the preliminary plan shall be null and void, and the applicant then shall be required to secure approval of the preliminary plan again before submitting a final plan.

## SECTION VIII:

### MOBILE HOME PARK CONSTRUCTION REQUIREMENTS AND STANDARDS

#### A. Area Requirements

1. A mobile home park shall have a gross area of at least ten (10) contiguous acres of land under single ownership of the applicant.

2. The density of the mobile home park shall not exceed three and one-half (3.5) dwelling units per acre.

3. A mobile home park shall provide an area of common open space of at least five thousand (5000) square feet or two hundred (200) square feet per mobile home lot, whichever is greater.

4. The minimum yard requirements for each mobile home lot shall be: Forty (40) feet for front and thirty (30) feet for rear yards and thirty (30) feet for each side yard. Such yards shall be measured from the perimeter of the mobile home pad.

5. Mobile home lots shall be laid out and established and maintained so as to meet the foregoing density requirements of three and one-half (3.5) dwelling units per acre, with each mobile home lot being not less than one quarter of an acre in size. No more than one mobile home shall be erected on one mobile home lot.

#### B. Site Location

The site location of all mobile home parks shall comply with the following requirements:

1. Free from adverse influence by swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects or rodents.

2. Not subject to flooding.

3. Not subject to any hazard or nuisance such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare.

#### C. Site Drainage

1. The ground surface of all parts of every mobile home park shall be graded and equipped to drain all surface water in a safe and efficient manner without risk of harmful run-off to lands adjoining or in the vicinity of the proposed mobile home park.

2. Surface water collectors and other bodies of standing water capable of breeding mosquitoes and other insects shall be eliminated or controlled in a manner approved by the Pennsylvania Department of Health and the Township Engineer.

3. Waste water from any plumbing fixture or sanitary sewer line shall not be deposited upon or under the ground surface in any mobile home park.

**D. Soil and Ground Cover Requirements**

1. Exposed ground surfaces in all parts of every park shall be paved, covered with stone, screenings or other solid material or protected with a vegetative growth that is capable of preventing soil erosion and any elimination of dust during dry weather, and the paved surfaces shall not substantially increase or concrete surface drainage run-off.

2. Park grounds shall be maintained free of vegetative growth which is poisonous or which may harbor rodents or insects or other pests harmful to man.

**E. Buffer Yards**

1. Buffer yards of at least fifty (50) feet in width shall be required along the outside boundary of the mobile home park.

2. No mobile home or appurtenant facility shall be erected in the buffer zone.

3. The buffer yard may be included in the area requirements for a mobile home lot.

4. The buffer area of fifty (50) feet in width shall be planted with grass seed, sod or ground cover and shall be maintained and kept clean of all debris, rubbish, weeds and tall grass in conformance with existing regulations.

5. All buffer areas shall include a dense screen planting of trees, shrubs, other evergreen plant materials, or both, to the full length of the lot line to serve as a barrier of visibility, airborne particles, glare, and noise. Such screen planting shall be located within the buffer area in accordance with the following requirements:

a. Plant materials used in the screen planting shall be evergreen and at least four (4) feet in height when planted and be of such species as will produce, within five (5) years, a complete visual screen of at least eight (8) feet in height.

b. The screen planting shall be maintained permanently, and plant material which does not live shall be replaced within one year.

c. The screen planting shall be so located as to maintain a clear triangle at all street intersections and at all points where private access ways intersect public streets, in accordance with Section 1108 of the Durham Township Zoning Ordinance.

F. Mobile Home Pad

1. No mobile home shall be erected in a mobile home lot except upon a mobile home pad. The mobile home pad shall have two (2) two-foot wide concrete pads, minimum six inches thick, reinforced with four No. 4 steel reinforcing bars (lap three feet at splices) which strips shall be used for parking the mobile home and providing a base for the enclosing skirt around the home. The concrete pads shall be built upon minimum eighteen inch diameter piers extending a minimum of three feet below finished grade or upon eighteen inch square piers of the same depth. Five-eighth inch diameter steel reinforcing dowels, same depth. Five-eighth inch diameter steel reinforcing dowels, four per pier, three feet long, and a six inch hook shall be placed in each pier to lock the pier and the concrete slab together.

2. Each mobile home stand shall have minimum dimensions to accommodate and correspond with the outside dimensions of the mobile proposed to be located on the pad.

3. Each mobile home pad and mobile home lot shall have access to a street in the mobile home park.

4. Mobile homes shall be securely anchored against wind forces by the use of approved eyelets embedded in the concrete strips over the piers to which a cable or chain capable of withstanding a tensile force of two thousand eight hundred (2800) pounds shall be connected. Such anchors shall be at least three in number on each side of the mobile home or greater if so determined by the Board of Supervisors, depending on the size of the mobile home to be erected on the pad. All anchor tie-downs shall be equivalent in quality to Style Crest Anchor Sure Cable Tie-Downs.

G. Off Street Parking

Two (2) off street parking spaces having minimum dimensions of ten feet by twenty feet shall be provided for each mobile home lot. The parking spaces and driveways from the street shall consist of 3A stone to a compacted thickness of six inches over a rolled, shaped and compacted sub-base. Surface shall be one-half inches of ID-2A wearing course. All materials and workmanship shall be in accordance with the Pennsylvania Department of Transportation specifications.

H. Street Construction

Streets shall be constructed in accordance with the Durham Township Subdivision Regulation for streets. Materials and workmanship shall conform to Pennsylvania Department of Transportation specifications. Streets shall consist of a six inch compacted thickness of No. 4 stone on a compacted sub-base of two inches of screens. The stone shall be secured in from the

tops and a one and one-half inch surface course of ID-2 binder and one inch wearing courses shall be placed thereon.

I. Sewage Disposal

1. Public sewage disposal facilities shall be required in all mobile home parks and shall be approved by the Pennsylvania Department of Environmental Resources and the Bucks County Department of Health.

2. Each mobile home lot shall be provided with a sewer riser pipe at least three inches in diameter. The sewer riser pipe shall be so located on each mobile home stand that the sewer connection to the mobile home drain will be in an approximate rational position.

3. The sewer connection shall have an inside diameter of not less than three inches, and the slope of any portion thereof shall be at least one-fourth inch per foot. All joints shall be sealed and water tight.

4. All materials used for sewer connections shall be semi-rigid, and corrosive resistant, non-absorbent and durable. The inner surface shall be smooth.

5. Provisions shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted from the riser. The rim of the riser pipe shall extend at least six inches above ground elevation.

6. All sewer lines shall be located in trenches at least four feet below finished grade and shall be separated from the park water supply system. All sewer lines shall be constructed of materials approved by the Pennsylvania Department of Environmental Resources, and they shall have sealed and water tight joints, except that no bituminous type sewer pipe shall be installed.

J. Electrical Distribution System

1. Every mobile home park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances with local electric power companies specifications regulating such systems.

2. Power Distribution Lines

a. Utility lines shall be installed underground.

b. All direct burial conductors or cable shall be buried at least eighteen (18) inches below the ground surface and shall be insulated and specifically designed for the purpose. Such conductors shall be located not less than six (6) feet radial distance from water, sewer, gas or communications lines.

3. Individual Electrical Connections

Each mobile home lot shall be provided with an approved disconnection device and overcurrent protective equipment. The minimum service per outlet shall be 120/140 volts AC, 100 amperes.

4. Grounding Required

All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor, run with branch circuit conductors of other approved methods of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

K. Fire Protection

1. The mobile home park area shall contain fire protection equipment of sufficient capability to protect the area in the mobile home park from the dangers of fire. A fire protection plan shall be submitted by the applicant for the review and recommendations of the Riegelsville and Springtown, Pennsylvania, Fire Departments, and certification of such submissions shall accompany the other documents required to be submitted to the Board of Supervisors along with Final Plan.

2. The fire extinguishers and fire protection equipment shall be of a type approved by the National Board of Fire Underwriters.

3. The mobile home park rules and regulations shall require each mobile home to maintain a fully operational fire extinguisher.

L. Fuel Supply and Storage

1. Natural Gas System

a. Natural gas piping systems when installed in a mobile home park shall be maintained in conformity with accepted engineering practices and the installation of such systems shall be certified by the Township Engineer before the system shall be utilized.

b. Each mobile home lot provided with piped gas shall have an approved shut off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use. Certification of such shut off valve and cap shall be secured from the Township Engineer before the system is utilized.

2. Liquefied Petroleum Gas Systems

a. Liquefied petroleum gas systems provided for mobile homes, service buildings or other structures when installed shall be maintained in conformity with the "Standards for the Storage and Handling of Liquefied Petroleum Gases" (National Fire

Protection Association, ANSI, No. 2106.01) and to NFPA No. 501 A, "Standard for Mobile Home Parks."

(1) The systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates in a safe direction.

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

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

(4) Vessels of more than twelve U.S. gallons gross capacity must be secured but not permanently fastened to prevent accidental overturning.

(5) No liquefied petroleum gas vessel shall be stored or located inside or beneath any mobile home or other structure.

### 3. Fuel Oil Supply Systems

a. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained with good practice and shall be approved by the Township Engineer.

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

c. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shut off valves located within five (5) inches of storage tanks.

d. All fuel storage tanks or cylinders shall be securely placed and shall be not less than five (5) feet from any mobile home exit.

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

### M. Street Construction

The street construction of all street in a mobile home park shall comply with the Township Street Construction Specifications and the requirements for the construction of secondary streets as set forth in the Durham Township Land Subdivision Rules and Regulations

and to the specifications of the Pennsylvania Department of Transportation. All plans for street construction within a mobile home park shall be approved by the Township Engineer as to compliance with the applicable Township regulations prior to the submission of the final plans for approval by the Board of Supervisors.

N. Refuse Handling

The storage, collection and disposal of refuse in a mobile home park shall be conducted as to create no health hazards, insect breeding areas, accident or fire hazards or air pollution and shall comply with the Pennsylvania Department of health regulations governing mobile home park.

O. Insect and Rodent Control

Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall be submitted on the final plan and shall conform to the requirements of the Pennsylvania Department of Health regulations governing mobile home parks.

P. Any mobile home which is located in a mobile home park shall meet the specifications for manufacturers of mobile homes as set forth in ANSI No. A119.1 and NFPA 501 B, current editions.

Q. Exterior Lighting of Streets and Grounds

Adequate provisions shall be made in all mobile home parks for exterior lighting of streets and common ground as the public safety, welfare and protection of the mobile home park residents and visitors shall require, and the same shall be approved by the Township Engineer.

R. Mobile Home Park Rules and Regulations

1. All operators of mobile home parks in Durham Township shall prepare and maintain at all times rules and regulations governing the mobile home park which shall be in writing and in compliance with the Pennsylvania Mobile Home Park Rights Act (Act of November 24, 1975, P.L. 1176, 68 P.S. 398.1 et seq.)

2. Prior to and as a condition of approval for a mobile home park use in the Township, the mobile home park operator shall submit its proposed rules and regulations for approval by the Board of Supervisors. The rules and regulations shall be ineffective unless approved by the Board of Supervisors.

3. Any changes made to the rules and regulations during the operation of the mobile home park shall be ineffective unless the same are approved in writing by the Board of Supervisors.



S.     Leases

Mobile home park operators shall provide all residents of the mobile home park with a written lease. Prior to approval of a mobile home park, a copy of the proposed lease shall be submitted for review and comment by the Board of Supervisors. No mobile home park lease or amendment thereto shall be effective unless approved in writing by the Board of Supervisors.

T.     Skirting

Skirting shall be provided around the base of all mobile homes in a mobile home park, and the skirting shall meet the standards of Everlock T-Lock or equal.

SECTION IX:           ERECTION OF SINGLE MOBILE HOMES

A.     If a mobile home is erected and maintained as a single family dwelling house outside of a mobile home park, the following requirements shall be met:

1.     The tract upon which the mobile home is installed shall conform with the minimum lot size requirements of the zoning district in which a mobile home is located.

2.     The mobile home shall be installed so as to conform with all front yard, side yard and rear yard setback lines applicable to immobile or conventional housing or building in the zoning district in which the mobile home is located.

3.     A mobile home shall be installed and securely fastened to a frost free foundation or footer, and in no event shall it be erected on jacks, loose blocks or other temporary materials.

4.     An enclosure of compatible design and material shall be erected around the entire base of the mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

5.     The mobile home shall be connected to public water and sewer systems, if available. If not, the owner shall provide an on-site potable water supply and shall provide a septic system that shall meet the standards of the Bucks County Department of Health and the Pennsylvania Department of Environmental Resources and comply with the applicable laws and regulations in all other respects.

6.     The tract shall be attractively seeded, landscaped and shrubbed.

7.     Any garage, utility, or other out-building constructed on the tract shall conform with the standards applicable to such structures as contained in the Durham Township Zoning Ordinance.

8. Any mobile home erected outside a mobile home park shall meet the specifications for manufacture of mobile homes as set forth in United States Standards Institute Standards for Mobile Homes, USA Standard A 110.1, NFPA current editions.

9. No mobile home shall be erected on a single lot outside a mobile home park unless a building permit is first obtained in accordance with the appropriate Durham Township ordinance, and no mobile home shall be occupied without the occupant first having an occupancy permit.

10. Skirting shall be provided around the base of all mobile homes in a mobile home park, and the skirting shall meet the standards of Everlock T-Lock or equal.

11. All mobile homes erected outside a mobile home park shall be securely anchored against wind forces by the use of approved eyelets embedded in the concrete strips over the piers to which a cable or chain capable of withstanding a tensile force of two thousand eight hundred (2800) pounds shall be connected. Such anchors shall be at least three in number on each side of the mobile home or greater if so determined by the Board of Supervisors, depending on the size of the mobile home to be erected on the pad. All anchor tie-downs shall be equivalent in quality to Style Crest Anchor Sure Cable Tie-Downs.

12. All mobile homes erected outside of a mobile home park shall be placed on a permanent foundation constructed in accordance with the applicable building codes adopted by the Township.

#### SECTION X: MOBILE HOME PARK PERMIT REQUIRED

A. If the Board of Supervisors grants the conditional use approval for the operation of a mobile home park pursuant to this Ordinance, the Board of Supervisors shall issue a permit for the operation of the mobile home park and the same shall be delivered to the applicant within fifteen (15) days from the granting of the conditional use. The mobile home park operator shall submit the written request for renewal of his mobile home park permit, on an annual basis, beginning one (1) year from the date the initial permit is issued upon the granting of the conditional use. After the issuance of the initial permit, each subsequent annual mobile home park permit may be granted only when the mobile home park complies with the provisions of this Ordinance and the application for renewal of the permit is accompanied by an application fee in an amount set forth by resolution by the Durham Township Board of Supervisors. Forms for renewal of a mobile home park permit shall be made available by the township secretary upon request. Initial and renewal fees for a mobile home park shall be paid, at the time of application, in accordance with the Durham Township Fee Schedule.

B. No additions or alterations to a mobile home park shall be constructed until a renewal permit first has been issued by the Durham Township Zoning Officer, and such a permit shall be issued if the proposed additions or alterations comply with the provisions of this Ordinance.

#### SECTION XI: ENFORCEMENT

A. The Zoning Officer of Durham Township is hereby authorized and directed to enforce the provisions of this Ordinance, to grant or reject applications for renewal of mobile home park permits and to issue cease and desist orders for violation of this Ordinance.

B. Enforcement proceedings shall be governed by the applicable provisions of the Pennsylvania Municipalities Planning Code.

## SECTION XII: PENALTIES

Violation of any provision of this Ordinance shall be governed by the applicable provisions of the Pennsylvania Municipalities Planning Code regarding enforcement proceedings and penalties.

## SECTION XIII: REVOCATION OR SUSPENSION OF PERMIT

Upon repeated violations of the same mobile home park operator, his right to the issuance of a permit or to the continued operation under a permit may be suspended for a fixed term or permanently revoked.

## SECTION XIV: SEVERABILITY

If any portion of this Ordinance should be declared illegal, unenforceable or unconstitutional, for any reason whatsoever, by the decision of any Court, such decision shall not effect the remaining portions of this Ordinance which shall remain in full force and effect, and for this purpose, the provisions of this Ordinance are hereby declared to be severable.

## SECTION XV: EFFECTIVE DATE

This Ordinance shall be effective five (5) days after enactment.

ORDAINED AND ENACTED this 11<sup>th</sup> day of April, 1990.

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Manfred Marschewski, Chairman

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Floyd E. Young, Vice-Chairman

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Erin Gerenser

Attest:

\_\_\_\_\_  
Secretary

## **ORDINANCE NO. 1986-1**

### **AN ORDINANCE AMENDING THE DURHAM TOWNSHIP LAND SUBDIVISION ORDINANCE TO PROVIDE ADDITIONAL REQUIREMENTS REGARDING THE INSTALLATION OF MONUMENTS FOR ALL SUBDIVISIONS AND LAND DEVELOPMENTS, AND TO PROVIDE FOR LIMITATIONS ON FURTHER DIVISION OF SUBDIVIDED PARCELS OF LAND IN DURHAM TOWNSHIP.**

Under authority of the Pennsylvania Municipalities Planning Code, the Board of Supervisors of Durham Township does hereby Enact and Ordain this amendment to the Durham Township Land Development and Subdivision Ordinance, as follows:

1. The installation of monuments, as provided in section 707 of the Durham Township Land Development and Subdivision Ordinance is hereby confirmed, and the installation of such monuments on such subdivided or developed property is hereby made a condition for final land development or subdivision approval by the Board of Supervisors. Except as provided in paragraph 2 hereof, the Board of Supervisors shall not grant final approval of any Land Development or Subdivision Plan until monuments are properly placed as required by the Land Development and Subdivision Ordinance.

2. If an applicant for Final Land Development or Subdivision demonstrates of the Board of Supervisors good cause why the installation of said concrete monuments cannot be installed as a condition for Final Land Development or Subdivision approval, the Board of Supervisors may, in its discretion, postpone this requirement to a future date certain, by written agreement with the land developer, which written agreement shall provide, as a specific condition for the postponing of this requirement, that the land developer deposit with the Board of Supervisors a cash bond in the amount of \$75.00 per monument required by the Final Subdivision or Land Development Plan and in accordance with the township Land Development and Subdivision Ordinance, which cash bond shall be forfeited to the Township in the event that the land developer fails to install all the required within the time set forth in the foresaid written agreement and to the Township's satisfaction and approval. In the event of the developer's failure to comply with such written agreement, the Township may cause such monuments to be installed, in which case, the Township may cause such monuments to be installed, in which case, the aforesaid cash bond shall be forfeited by the developer to the Township, and if this cost to the Township exceeds the aforesaid bond, the land developer shall be liable to the Township for such excessive costs. Until such excessive costs are paid to the Township, no building permit shall be issued for any lot on the subject property. If the developer installs all the required monuments in accordance with the written agreement aforesaid, and to the Township's satisfaction, the aforesaid cash bond shall be refunded to the land developer. Any interest or other income produced by the funds attributable to the cash bond deposited as aforesaid shall belong to the Township.

3. No building permit shall be issued for any parcel of land subject to an approved land development or subdivision unless and until the concrete monuments required by the

Durham Township land subdivision rules and regulations are properly installed on the subdivided property to the satisfaction of the Board of supervisors.

4. It shall be unlawful for any person to advertise for sale or lease any land in Durham Township upon which land development or subdivision approval by the Board of Supervisors is required unless and until Final Land Development and/or Subdivision approval is granted by the Board of Supervisors, and such conduct is hereby declared to be unlawful and a violation of the Durham Township Land Development and Subdivision Ordinance.

5. No parcel of land in Durham Township which is subject to a subdivision or land development approved by the Board of Supervisors, which includes subdivided lots in excess of the minimum lot area requirements, may be resubdivided within ten years after the date of the land development or subdivision approval by which such lot or lots were created. All subdivisions and land developments approved by the Board of Supervisors, to which the foregoing shall be applicable, shall contain a written agreement with the developer making this restriction a condition of subdivision or land development approval. The absence of such written agreement shall not make this provision any less binding.

6. PENALTIES:

A. Penalties for violation of the Durham Township Land Development and Subdivision Ordinance are hereby amended and modified as follows.

B. Any person, partnership or corporation who or which, being owner or agent of the owner of any lot, tract or parcel of land, shall violate the provisions of the Durham Township Land Subdivision Ordinance, as amended, or who shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plan of such subdivision or land development or erect any building thereon, unless and until a final plan has been prepared in full compliance with the provisions of the Durham Township Land Development and Subdivision Ordinance and has been recorded, as provided therein, shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation shall pay a fine not exceeding one thousand dollars (\$1,000.00) per lot or parcel or per dwelling within each lot or parcel. All fines collected for such violations shall be paid over to Durham Township.

7. All other provisions of the Durham Township Land Development and Subdivision Ordinance, as amended, where not inconsistent herewith, are ratified and confirmed.

ORDAINED AND ENACTED this 9<sup>th</sup> day of April, 1986.

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Floyd E. Young, Chairman

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Manfred Marschewski,  
Vice-Chairman

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David M. Rau, Secretary

Attest:

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David M. Rau, Secretary

## **ORDINANCE NO. 1987-2**

### **AN ORDINANCE OF DURHAM TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE DURHAM TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS TO REQUIRE APPLICANTS FOR SUBDIVISIONS AND LAND DEVELOPMENTS TO NOTIFY ADJACENT PROPERTY OWNERS OF PENDENCY OF SUCH PLANS.**

BE IT ORDAINED, by the Board of Supervisors of Durham Township, Bucks County, Pennsylvania, as follows:

1. The Durham Township Subdivision and Land Development Regulations, adopted October 13, 1982, as amended, are hereby further amended to require notification, by all subdivision and land development applicants, to adjacent property owners of the pendency of subdivision and land development plans and any subsequent requests for modifications thereof. Accordingly, the Durham Township Subdivision and Land Development Regulations, as amended, are further amended, as follows:

#### **Section 406 – Required Notice To Adjacent Property Owners**

a. At each of the Plan Approval Stages set forth in section 400 of Article IV of the Subdivision and Land Development Regulations, if the particular sketch, preliminary or final plan is either recommended or required, any individual or entity submitting an application or plan for subdivision or land development, or a plan or application for modification thereof, shall notify, on forms approved by the Township, all individuals or entities who own real estate within one thousand feet (1,000') of the location of the proposed subdivision or land development of the pendency of such subdivision or land development proposal or application or plan or application for modification thereof.

b. Such notice shall be made by certified mail, return receipt requested, postage prepaid, to each such owner of record.

c. Such notice shall be postmarked within five (5) days after submission of the first required plan, and proof of delivery to the aforesaid owners of record must be made to the satisfaction of the Township within fifteen (15) days after such submission, or prior to the township meeting at which the said plan or modification is to be considered, whichever first occurs.

d. In the event that the applicant proposing subdivision or land development does not furnish such satisfying proof of notification to adjacent property owners in accordance with the requirements of this Ordinance, or adequately explain to the Township the reason why such notice was not so delivered, the Township shall notify any property owners not so notified by the applicant, and the Township shall charge all costs thereof to the applicant, who must pay the same before the Township shall be obliged to consider the subdivision or land development application. If the Township is required to provide notice to adjoining property owners on

account of the failure of the applicant to do so, the costs thereof shall be ten dollars (\$10.00) per property owner required to be so notified by the Township.

e. The Durham Township Subdivision and Land Development Regulations, as amended, where not inconsistent herewith, are hereby ratified and confirmed.

f. This Ordinance shall be effective five (5) days after its legal enactment.

ORDAINED and ENACTED, this 9<sup>th</sup> day of December, 1987.

BOARD OF SUPERVISORS  
DURHAM TOWNSHIP

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Floyd E. Young, Chairman

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Manfred Marschewski

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David M. Rau

Attest:

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David M. Rau, Secretary



**ORDINANCE NO. 1990-05**

**AN ORDINANCE AMENDMENT THE DURHAM TOWNSHIP SUBDIVISION  
AND LAND DEVELOPMENT REGULATIONS TO PROVIDE RESTRICTIONS  
ON FURTHER SUBDIVISION OF A LOT**

**BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Durham Township, Bucks County, Pennsylvania, under authority of the Pennsylvania Municipalities Planning Code, as follows.

1. Article VI DESIGN STANDARDS, 601, General Standards, of the Durham Township Subdivision and Land Development Regulations are hereby amended to provide a new subsection (g), as follows:

2. Subsection (g) of the Durham Township Subdivision and Land Development Regulations shall provide the following:

“(g) If a Plan for subdivision or land development approval granted by the Township contains a restriction prohibiting further subdivision or development of the lot or lots subject of said Plan, or if the previous or existing lot owner for subdivision or land development executed and recorded in the Office of the Bucks County Recorder of Deeds any instrument pursuant to the subdivision or land development approval by the Township which prohibited further subdivision of any lot or lots, no further subdivision or land development shall be permitted for said lot or lots referred to in said plan or recorded instrument.”

3. All Durham Township ordinances, where not inconsistent herewith, hereby ratified and confirmed.

4. This ordinance shall become effective five (5) days after adoption.

ORDAINED AND ENACTED this 9<sup>th</sup> day of May, 1990.

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Manfred Marschewski, Chairman

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Floyd E. Young, Vice-Chairman

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Ervin Gerenser

Attest:

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Secretary



## **ORDINANCE NO. 1993-1**

### **AN ORDINANCE AMENDING THE DURHAM TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS**

The Board of Supervisors of Durham Township hereby adopts this amendment to the Durham Township Subdivision and Land Development Regulations under authority of the Pennsylvania Municipalities Planning Code.

1. Section 402(e) “Action” is hereby amended to provide the following provisions at the end of and within subsection (e):

If the Board of Supervisors approves a preliminary plan subject to conditions which are recited in the written decision mailed to the applicant no later than fifteen (15) days following the public meeting when the decision is made or within (90) days of the beginning of the review period, whichever is sooner, and if the applicant fails to approve and accept those conditions in writing within thirty (30) days after the written decision including such conditions is mailed to the applicant, the preliminary plan shall be considered disapproved and denied.

2. Section 403(e) “Action” is hereby amended to provide the following provisions at the end of and within subsection (e):

If the Board of Supervisors approves a final plan subject to conditions which are recited in the written decision mailed to the applicant no later than fifteen (15) days following the public meeting when the decision is made or within ninety (90) days of the beginning of the review period, whichever is sooner, and if the applicant fails to approve and accept those conditions in writing within thirty (30) days after the written decision including such conditions is mailed to the applicant, the final plan shall be considered disapproved and denied.

3. Section 404(e) “Action” is hereby amended to provide the following provisions at the end of and within subsection (e):

If the Board of Supervisors approves a minor subdivision final plan subject to conditions which are recited in the written decision mailed to the applicant no later than fifteen (15) days following the public meeting when the decision is made or within ninety (90) days of the beginning of the review period, whichever is sooner, and if the applicant fails to approve and accept those conditions in writing within thirty (30) days after the written decision including such conditions is mailed to the applicant, the final plan shall be considered disapproved and denied.

4. ARTICLE IV, PROCEDURE FOR SUBDIVISION AND LAND DEVELOPMENT, is hereby amended to provide a new Section 406, as follows:

Section 406    Execution of Agreement

(a) Not later than one hundred eighty (180) days after the Board of Supervisors has resolved to grant final approval to an application for subdivision or land development, the applicant, as a condition for final approval of a subdivision or land development requiring on-site or off-site public improvements, shall execute a development agreement and financial security agreement, in a form satisfactory to the Township and prepared by the Township Engineer.

(b) All professional fees and expenses incurred by the Township incidental to the review and approval of a subdivision or land development plan and the preparation of the development agreement and financial security agreement shall be paid by the applicant as a condition of and prior to granting final approval, the signing of the final plan by the Board of Supervisors and the recording thereof, and the same shall be paid by the applicant no later than thirty (30) days after an invoice therefor is sent to the applicant by the Township.

(c) Final subdivision or land development shall be considered disapproved and denied if an applicant receiving final approval for subdivision or land development requiring on-site or off-site public improvements fails to sign and deliver to the Township the development agreement and financial security agreement as provided in subparagraph (a) hereof.

(d) Final subdivision or land development shall be considered disapproved and denied if an applicant receiving final approval for subdivision or land development fails to pay the professional fees and expenses incurred by the Township incidental to the review and approval of a subdivision or land development plan or the preparation of the development agreement and financial security agreement within thirty (30) days after having been sent an invoice by the Township for the same, subject however to the right of the applicant to utilize the procedure set forth in Section 503(1) of the Pennsylvania Municipalities Planning Code (MPC) regarding disputed review fees, in which case, the amount of review fees which the applicant shall be required to pay to the Township shall be governed by the procedure set forth in Section 510 (g) of the MPC, in which case the final subdivision or land development shall be considered disapproved and denied if the applicant fails to pay to the Township the amount of review fees so determined under the MPC within thirty (30) days after such determination is made and communicated to the applicant.

5. An extension of the time within which the Board of Supervisors may review a subdivision or land development plan, as authorized by Section 508 (3) of the Municipalities Planning Code, may be offered to an applicant by the Board of Supervisors, and if the applicant shall agree in writing, the extension shall be for no less a period of time than one hundred (100) days. Unless the Board of Supervisors considers it to be to the benefit of the Township, no more than one (1) extension for each phase of review (i.e. preliminary or final) shall be offered to an applicant.

6. This ordinance shall become effective five (5) days after adoption.

**ORDAINED AND ENACTED** this 9<sup>th</sup> day of March, 1993.

DURHAM TOWNSHIP BOARD OF SUPERVISORS

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Manfred Marschewski,  
Chairman

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Bartley E. Millett,  
Vice-Chairman

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Richard M. Johnson,  
Member

Attest:           (Township Seal)

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Janet M. Davis,  
Township Secretary

## **ORDINANCE NO. 1993-2**

### **AN ORDINANCE AMENDING ORDINANCE NO. 1986-1 WHICH AMENDED THE DURHAM TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS REGARDING THE INSTALLATION OF CONCRETE MONUMENTS FOR ALL SUBDIVISIONS AND LAND DEVELOPMENTS**

**BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Durham Township, Bucks County, Pennsylvania, under authority of the Pennsylvania Municipalities Planning Code, as follows.

1. Ordinance No. 1986-1 is hereby amended to delete and remove the existing paragraph 2 thereof and to provide the following paragraphs 2 A., 2B. and 2C., as follows:

“2 A. The Board of Supervisors may, as a condition for granting final subdivision or land development approval, waive the installation, prior to approval, of the concrete monuments required by Section 707 of the Land Development and Subdivision Regulations if the applicant demonstrates, by clear and convincing evidence, good cause for not installing the concrete monuments at the time final approval is to be granted, and the applicant enters into a written agreement, satisfactory to the Board of Supervisors, which provides that the applicant shall install the concrete monuments specified on the approved final plan in a good and workmanlike manner and in accordance with the standards of the Subdivision and Land Development Regulations and to the satisfaction of the Township on or before a date certain provided by the Township in written agreement, conditioned upon the deposit by the applicant with the Township of a sum of money, specified in the current fee schedule resolution adopted by the Township, as security for the applicant’s proper and timely installation of the monuments required by the approved final plan, and the applicant identifies on the land of the proposed subdivision or land development, in a permanent fashion and in a manner satisfactory to the Township, the exact location where the monuments are to be installed in accordance with the approved final plan, so that if the Township is required to install the monuments on account of the applicant’s failure to do so under the written agreement, the Township may undertake that installation without any additional engineering expense or labor other than that required for monument installation. In the event the applicant fails to install all of the concrete monuments required by the approved final plan to the satisfaction of the Township in accordance with the written agreement aforesaid, the Township may undertake the installation of the concrete monuments and may retain so much of the applicant’s deposit as is necessary to pay the reasonable expenses incurred by the Township for the proper installation of the concrete monuments, including all the necessary legal and engineering fees. If the deposit made by the applicant pursuant to the aforesaid written agreement is not sufficient to pay all of the foregoing expenses incurred by the Township for installation of the monuments, the applicant shall be responsible to reimburse the Township for difference between the actual expenses incurred and the deposit within thirty (30) days after written notice from the Township. Failure of the applicant to make such reimbursement in full in a timely fashion shall authorize the Township to revoke all permits issued on behalf of the subdivision or land development and to refuse to issue any new permits until the payment required herein is made in full to the Township. If the applicant installs the concrete monuments

in a proper and timely manner and in accordance with the written agreement, all funds deposited by the applicant pursuant hereto shall be returned to the applicant. No interest shall be paid to the applicant on any of the funds deposited as security for the installation of concrete monuments provided herein. The approved final subdivision or land development plan shall contain a notation thereon referencing that the approval is conditioned on future installation of concrete monuments under a written agreement with the Township and under authority of this ordinance.

2 B. The applicant for final subdivision or land development approval shall guarantee and insure that the concrete monuments are installed in accordance with the approved final plan, and if the installation of concrete monuments is delayed after final subdivision or land development approval on the basis of this ordinance, the applicant shall be responsible for insuring that the identification on the site where the monuments are to be installed is preserved so as to insure that the proper location for the installation of the monuments can be ascertained by the Township when the monuments are actually installed in the future.

2 C. The applicant for final subdivision or land development approval shall indemnify, defend and save the Township harmless on account of any error in the identification for the location of the concrete monuments and with regard to any claims, demands or suits of every nature, including the Township's reasonable professional fees in the event the Township is required to employ the services of an attorney or an engineer or other professional consultant on account of an applicant's failure to comply with this ordinance, the written agreement executed pursuant hereto or because the applicant improperly installed or failed to install the concrete monuments or failed to preserve the identification of the location of the concrete monuments to be installed under the approved final subdivision or land development plan."

2. All other provisions of Ordinance No. 1986-1, to the extent that the same are not inconsistent herewith, are hereby ratified and confirmed, except that it is hereby acknowledged that Ordinance No. 1990-5 effectively amends and supersedes paragraph 5 of Ordinance 1986-1.

**ORDAINED AND ENACTED** this 11<sup>th</sup> day of May, 1993.

**DURHAM TOWNSHIP BOARD OF SUPERVISORS**

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Manfred Marschewski,  
Chairman

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Bartley E. Millett,  
Vice-Chairman

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Richard M. Johnson,  
Member

Attest: (Township Seal)

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Janet M. Davis,  
Township Secretary

## **ORDINANCE NO. 1994-1**

### **AN ORDINANCE AMENDING THE DURHAM TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS REGARDING THE DIMENSIONS FOR EXISTING STREET RIGHTS OF WAY AND THE SPECIFICATIONS FOR SIDEWALK AND CURB CONSTRUCTION**

**WHEREAS**, the Durham Township Comprehensive Plan classifies the roads in Durham Township under three (3) categories, namely: (1) “Arterials”; (2) “Collectors” (with subcategories thereunder for “Major Collectors” and “Minor Collectors”); and (3) “Local Streets”; and,

**WHEREAS**, Section 606(b)(2) of the Durham Township Subdivision and Land Development Regulations classifies existing roads in Durham Township under various categories, namely: “Arterial”; “Collector”; and “Local” (with subcategories thereunder for “Primary” and “Rural Roads and Secondary Streets”; and,

**WHEREAS**, Section 606(c) provides a “Table of Residential Street Design Options” which classifies new residential road categories as follows: “Residential Access Street”; “Residential Subcollector Street”; and “Residential Collector”; and

**WHEREAS**, the Board of Supervisors of Durham Township desires to clarify the classification definitions and dimensional standards for existing roads in Durham Township.

BE IT ORDAINED and ENACTED by the Board of Supervisors of Durham Township, Bucks County, Pennsylvania, under authority of the Pennsylvania Municipalities Planning Code, as follows.

1. Section 606(b) Existing Streets, of the Durham Township Subdivision Regulations is hereby deleted as it now exists, and the following amendment thereto hereby is made the corresponding Section 606(b), Existing Streets, of the Durham Township Subdivision and Land Development Regulations.

2. “Section 606(b) Existing Streets.

(1) Classification: Existing streets are classified on the Road Classification Map which is hereby made a part of and shall be attached to the Durham Township Subdivision Regulations. Unclassified streets not yet dedicated shall be classified by ordinance adopted by the Board of Supervisors of Durham Township, according to their function at the time of subdivision or land development approval and prior to dedication of any street to Durham Township.

(2) Definitions:



(a) Arterials: Major highways with limited-access points that carry regional or inter-municipal traffic. Arterial highways currently serving Durham Township and U.S. Route 611 and Pa. Route 212.

(b) Collectors: Roads used to carry traffic to arterial highways, or to move people between neighborhoods and to local shopping areas. At present, the major collectors are Durham Road, Lehnenburg Road, Spring Hill Road, Stouts Valley Road, Delaware Road and Gallows Hill Road. All other collectors are minor collectors.

(c) Local Streets: Roads to provide direct frontage for developed lots and access to collector roads.

(3) Dimensional Standards:

- a. The following chart provides the dimensional standards for the various classifications of existing streets:

	<u>Basic Dimensions</u>			
	<u>R.O.W. (ft.)</u>	<u>Cartway (ft.)</u>	<u>Curbs</u>	<u>Sidewalks</u>
Arterial:	120	*	*	*
Major Collector:	80	*	*	*
(State Road)				
Major Collector:	60	40	**	**
(Township Road)				
Minor Collector:	60	33	**	**
Local:	50	24	**	**

\* As required by the Pennsylvania Department of Transportation and its applicable regulations.

\*\* As required by the Durham Township Subdivision and Land Development Regulations.

- b. The cartway and right-of-way widths in this Article are minimum requirements. Additional widths of right-of-way and/or cartway may be required by the Pennsylvania Department of Transportation or by the Township along the frontage of the proposed development if, during the course of review, the Durham Township Board of Supervisors determines that these increases are necessary to relieve traffic congestion and to provide safety from fire and unsafe turning movements.”

3. Design and construction of all streets, curbs and sidewalks shall be governed by the current specifications, Publication No. 408 (Roadway Specifications) and Publication No. 72 (Roadway Construction Standards), Commonwealth of Pennsylvania, Department of

Transportation by the Commonwealth of Pennsylvania, Department of Transportation which supersede the foregoing, and the provisions thereof are hereby made the specifications of Durham Township.

4. All ordinances and provisions of ordinances not inconsistent herewith are hereby ratified and confirmed.

ORDAINED and ADOPTED this 10<sup>th</sup> day of February, 1994.

**DURHAM TOWNSHIP BOARD OF SUPERVISORS**

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Manfred Marschewski,  
Chairman

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Bartley E. Millett,  
Vice-Chairman

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Richard M. Johnson,  
Member

Attest: (Township Seal)

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Janet M. Davis,  
Township Secretary

**ORDINANCE NO. 2007-2**

**AN ORDINANCE AMENDING THE DURHAM  
TOWNSHIP SUBDIVISION AND LAND  
DEVELOPMENT REGULATIONS**

**BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Durham Township, Bucks County, Pennsylvania, under authority of the Pennsylvania Municipalities Planning Code, as follows.

1. Article VI, DESIGN STANDARDS, Section 601, General Standards, of the Durham Township Subdivision and Land Development Regulations are hereby amended to provide a new subsection (g), as follows:

**(g) Restrictions Against Further Subdivision and/or Land Development**

- (1) Any real property within Durham Township which is the subject of a restriction against further subdivision and/or development, whether by notation or inclusion on the subdivision or land development plan and/or by a deed restriction, covenant running with the land or other similar instrument or restriction, shall not be further subdivided and/or developed regardless of any intervening zoning change affecting that property.
- (2) Open space and/or recreation area within Durham Township that is designated on a subdivision or land development plan as restricted from further subdivision and/or development either by a note on the said plan, by deed restriction, by covenant running with the land or other similar instrument or restriction, shall not be further subdivided and/or developed regardless of any intervening zoning change affecting that property.

2. Ordinance No. 1990-5 is repealed, and all ordinances not inconsistent herewith are hereby ratified and confirmed.

3. This Ordinance shall become effective (5) days after adoption.

**ORDAINED** and **ENACTED** this 12<sup>th</sup> day of June 2007.

**DURHAM TOWNSHIP BOARD OF SUPERVISORS**

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Bartley E. Millett,  
Chairman

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Richard M. Johnson,  
Vice-Chairman

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Manfred Marschewski,  
Member

Attest: (Township Seal)

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Joseph M. Kulick  
Township Secretary

**ORDINANCE NO. 2009-1**  
**(revised 02-10-09)**

**AN ORDINANCE AMENDING THE  
SUBDIVISION AND LAND DEVELOPMENT  
REGULATIONS TO MODIFY THE  
CARTWAY DIMENSIONAL STANDARDS  
AND WIDTHS IN RESIDENTIAL  
SUBDIVISIONS**

**WHEREAS**, the Board of Supervisors of Durham Township adopts and approves the public policy of promoting and protecting the health, safety and welfare of the students who travel on school buses to, from and in Durham Township; and,

**WHEREAS**, school buses pick up and discharge students on the streets in Durham Township; and,

**WHEREAS**, providing a safer location for students waiting for school buses and where school buses discharge students would promote the public health, safety and welfare of Durham Township; and,

**WHEREAS**, an amendment to the Durham Township Subdivision and Land Development Regulations to require a safer location for students waiting for school buses and where school buses discharge students will promote the foregoing objectives.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF DURHAM TOWNSHIP**, Bucks County, Pennsylvania, under authority of the Pennsylvania Municipalities Planning Code, hereby amends the Durham Township Land Development and Subdivision Regulations by enacting the following ordinance.

1. The Durham Township, Land Development Rules and Regulations, as amended by Ordinance No. 1994-1, are hereby further amended by this Ordinance.
2. Section 606(b) Existing Streets, (3) Dimensional Standards, b. is deleted, modified and amended with the following:

“The cartway and right-of-way widths in this Article are minimum requirements. Additional widths of right-of-way and/or cartway may be required along the frontage of the proposed development if, during the course of review, the Township determines that these increases are necessary to relieve traffic congestion, promote public safety and convenience, provide for safe turning movements and improved sight lines, provide parking space in the areas of intensive use, and to provide for safe school bus stops for pick up and delivery of school students.”

3. A new subparagraph (6) for Section 606(1), Intersections, is hereby provided as follows:

“(6) Cartway Width: Where a proposed subdivision abuts, contains or proposes a street intersection that includes a residential street and no curbing exists or is proposed, then a paved shoulder shall be provided along each side of the residential street. The minimum width of the paved shoulder shall be (4) feet. The paved shoulder shall be constructed to at least the minimum standards required for new street construction. The length of the paved shoulder shall be determined by multiplying the number of lots in the subdivision by a distance of fifteen (15) feet and measured from the point of intersection of the future right-of-way lines of the intersection streets.

4. All other provisions of Section 606 that are not changed by this amending ordinance are ratified and confirmed.
5. This Ordinance shall become effective five (5) days after adoption.

**ORDAINED and ENACTED** by the Board of Supervisors of Durham Township on the 12<sup>th</sup> day of May, 2009

**DURHAM TOWNSHIP BOARD OF SUPERVISORS**

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Bartley E. Millett,  
Chairman

\_\_\_\_\_  
Richard M. Johnson,  
Vice-Chairman

\_\_\_\_\_  
Manfred Marschewski,  
Member

Attest: (Township Seal)

\_\_\_\_\_  
Joseph M. Kulick  
Township Secretary