

**Township of Warminster  
Bucks County, Pennsylvania**

**Chapter 22  
Subdivision and Land Development  
September 2009**

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## **Part 1**

### **Title, Purpose, Jurisdiction and Penalties**

#### **§101. Title**

An Ordinance establishing rules, regulations, and standards governing the subdivision of land within the Township of Warminster, Bucks County, Pennsylvania, setting forth the procedures to be followed by the Township Planning Commission and Board of Supervisors in administering these rules, regulations, and standards, and setting forth the penalties for the violation thereof pursuant to the authority set forth in the Pennsylvania Municipalities Planning Code.

#### **§102. Short Title**

This Chapter may be cited as the "Warminster Township Subdivision Regulations."

#### **§103. Purpose**

The purpose of this Chapter is to regulate and control the division and development of land within Warminster Township, in order to promote the public health, safety, morals, and general welfare of the community.

#### **§104. Intent**

It is the general intent of this Chapter to regulate the division and development of land as to:

- A. Regulate the flow of traffic in the streets and highways.
- B. Further the orderly and appropriate use of land.
- C. Secure safety from fire, panic, and other dangers.
- D. Facilitate adequate provision for transportation, water, environmental protection, sewerage, schools, parks, playgrounds, and other public facilities.
- E. Assure sites suitable for building purposes and human habitation, and to provide for the harmonious development of Warminster Township.
- F. Coordinate existing streets with proposed streets, parks, or other features of the Township.
- G. Insure adequate open space for traffic, recreation, light, and air.
- H. Provide proper distribution of population.
- I. To effectively implement the policies and proposals of the Comprehensive Plan for Warminster Township.

#### **§105. Interpretation**

1. The provisions of this Chapter shall be held to be minimum requirements to meet the above stated purposes. When the provisions of this Chapter impose greater restrictions than those of any state statute, other ordinance, or regulations, the provisions of this chapter shall be controlling unless specified to the contrary.

2. Whenever the provisions of any other statute, or ordinance or regulation impose greater restrictions than those this Chapter, the provisions of such other statute, ordinance, or regulation shall prevail.
3. This Chapter does not repeal, abrogate, annul or any way impair or interfere with existing provisions or other laws or ordinances except those specifically or explicitly repealed by this Chapter, or any restrictions placed upon property by covenant, deed or other agreement unless repugnant hereto.
4. From and after the effective date of this Chapter, any subdivision or land development for which application is made shall be in conformity with this Chapter and all standards and specifications adopted as part of this Chapter.

#### **§106. Jurisdiction**

1. Subdivision and Land Development Control. It shall be unlawful for the owner of any land in the Township, or any other person, firm, or corporation, to subdivide any lot, tract or parcel of land, or to layout, construct, open or dedicate for public use or travel, any street, sanitary sewer, storm sewer, drainage facilities or other facilities in connection therewith, or for the common use of occupants of buildings within the subdivision or land development, unless :
  - A. Final plans of such subdivision or land development shall have been prepared in accordance with all licensing laws of the Commonwealth of Pennsylvania.
  - B. Final plans of such subdivision or land development have been submitted to and approved in writing thereon by the Board of Supervisors.
  - C. Final plans of such subdivision or land development have been reviewed and signed by the Bucks County Planning Commission.
  - D. Final plans of such subdivision or land development have been recorded in the Bucks County Recorder of Deeds Office in Doylestown, Pennsylvania.
  - E. The improvements required by the Township in connection therewith have either been constructed or the Township has been assured of proper completion by the deposit of funds or securities in escrow, sufficient to cover the cost of the required improvements, as determined by the methods set forth herein.
2. Sale of Lots. Issuance of Building Permits: Erection of Buildings.
  - A. No lot in a subdivision may be sold, and no permit to erect, alter, or repair any building upon land in a subdivision or land development may be issued unless and until the municipal improvements required by the Board of Supervisors in connection therewith have either been constructed or guaranteed as hereinafter provided.
  - B. No building in a subdivision or land development depending on ingress and egress upon the improvement of any street or streets, herein provided for, shall be permitted to be occupied before improvements are fully completed from a now existing paved street to and across the front of the lot on which the building is located, and/or to sufficient depth along the side of the lot to service any driveway, driveways, or parking spaces.
  - C. No building depending upon public water and sewer facilities shall be permitted to be occupied before such facilities are fully provided and operational.

**§107. Preventive Remedies**

1. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
2. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. This authority to deny such a permit or approval shall apply to any of the following applicants:
  - A. The owner of record at the time of such violation.
  - B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
  - C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
  - D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
3. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

**§108. Enforcement Remedies**

1. Any person, partnership or corporation who or which has violated the provisions of this Chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred (\$500.00) dollars plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth (5th) day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.
4. District justices shall have initial jurisdiction in proceedings brought under this Section.

## Part 2

### Definitions

#### §201. General

1. Unless a contrary intention clearly appears, the following words and phrases shall have for the purpose of this Chapter the meanings in the following clauses.
2. For the purpose of this Chapter words and terms used herein shall be interpreted as follows:
  - A. Words used in the present tense include the future.
  - B. The singular includes the plural.
  - C. The word "person" includes a corporation, partnership, and association as well as the individual.
  - D. The words "lot," "plot" and "parcel" are synonymous.
  - E. The word "Commission" and the words "Planning Commission" always mean the Warminster Township Planning Commission.
  - F. The word "Supervisor" and the words "Board of Supervisors" always mean the Warminster Township Board of Supervisors.
  - G. The word "shall" always signifies "is compelled to," or "it is mandatory to."
3. Any word or term not defined herein shall be used with a meaning of standard usage.

#### §202. Specific Definitions

ACCESSWAY – either a street or driveway providing access to a lot.

AGENT – any person other than the developer who, acting for the subdivider, submits to the Township subdivision or land development plans for the purpose of obtaining approval.

ALLEY – a right-of-way or secondary service access to the side or rear of abutting properties.

APPLICANT -- any person who submits to the Board of Supervisors subdivision or land development plans for the purposes of obtaining approval thereof.

APPLICATION FOR DEVELOPMENT -- every application, whether sketch, preliminary, or final required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

ARCHITECT – a professional architect registered by the Commonwealth of Pennsylvania.

BERM – an earth mound with a maximum slope of 3:1 covered with grass, shrubbery or ground cover and which is intended to block views or create landscape interest.

BICYCLE PATH – off-street bikeways laid out on private property, public right-of-way, or open space and recreational areas.

**BICYCLE LANES** – lanes located on the paved surface of a roadway, street or highway or on the shoulder of a roadway, street or highway.

**BIKEWAY** - general term used to designate all facilities that explicitly provide for bike travel.

**BLOCK** – an area bounded by streets or by a combination of streets, parks, open spaces or municipal boundary line.

**BUILDING** –

- A. Any structure having a roof, supported by columns, piers, or walls, including tents, lunch wagons, trailers, dining cars, camp cars, mobile homes or other structure on wheels, or having other supports; and any unroofed platform, terrace, or porch having a vertical face higher than three (3) feet above the level of the ground from which the building is measured. A building may include more than one (1) dwelling unit. This definition shall not include motor vehicles.
- B. Building, Accessory – a subordinate building located on the same lot as a principal building and clearly incidental and subordinate to the principal building. Any portion of a principal building devoted or intended to be devoted 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.

**BUILDING AREA** – the aggregate of the maximum horizontal cross-section area, excluding cornices, unroofed porches, paved terraces, steps, and gutters of all buildings on a lot.

**BUILDING SETBACK LINE** -

- A. Front Building Setback Line – the rear line of the minimum front yards, as designated for each use and district, measured from the future right-of-way, at a distance equal to an no greater than the minimum front yard.
- B. Side Building Setback Line – the line establishing the minimum side yards, as designated for each use and district, measured from the side lot line, at a distance equal to the minimum side yard.
- C. Rear Building Setback Line – the line establishing the minimum rear yards, as designated for each use and district, measured from the rear lot line, at a distance equal to the minimum rear yard.

**CALIPER** – the diameter of the trunk of a tree, measured at a point on the trunk 6 inches above natural ground line for trees of up to 4 inches in caliper and at a point 12 inches above the ground for trees over 4 inches in caliper. For measuring existing trees to determine whether they are a forest resource, caliper measurements shall be taken at a point on the trunk 4½ feet above the natural ground line for trees over 6 inches in caliper.

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

**CENTERLINE OF STREET or ROAD** – a line midway between and parallel to two street lines.

**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.

**COMMON OPEN SPACE** -- a parcel or parcels of land or an area of water, or a combination of land and water within a development site, designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

**CROSSWALK** – a publicly or privately owned pedestrian right-of-way which crosses a cartway.

**CUL-DE-SAC** -- any street that has only one (1) end open for vehicular and pedestrian ingress and egress. The other end of such street shall be terminated in a vehicular turnaround.

**DENSITY** – the number of dwelling units per unit of area, expressed in dwelling units per acre.

**DRAINAGE FACILITY** -- any ditch, pipe, culvert, storm sewer, or structure designed, intended, or constructed for the purpose of diverting surface water from, or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any subdivision or land development.

**DEVELOPER** -- any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

**DEVELOPMENT PLAN** -- the provisions for development including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of development plan" when used in this Chapter shall mean the written and graphic materials referred to in this definition.

**DWELLING** – a residential building containing one or more dwelling units.

**DWELLING UNIT** -- any room or group of rooms located within a building and a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating by one (1) family.

**EASEMENT** -- granted right of use by one (1) landowner over the land or lands of another without ownership of the soil.

**ENGINEER** – a licensed professional civil engineer registered by the Commonwealth of Pennsylvania.

**ENGINEERING CONSIDERATIONS** -- for the purpose of clearly identifying the extent of the Township Engineer's responsibility in the review of subdivisions and land developments, the following engineering considerations are defined. The engineer shall make recommendations indicating approval or disapproval of the proposed subdivision or land development based upon the various engineering considerations identified below as they are reflected in the submitted plans:

- A. Dimensions of lots or parcels.
- B. Contours, soil conditions.
- C. Surface-subsurface drainage conditions and plans.

- D. Lighting plans.
- E. Utility plans.
- F. Location and design of entrance and exit accessways.
- G. Road specifications.
- H. Profiles.
- I. Sewage disposal.
- J. Garbage disposal.
- K. Conformance of the plans in all respects with the performance standards in the Warminster Township Zoning Ordinance [Chapter 27].
- L. Improvements, materials, construction methods, workmanship.
- M. Landscape and buffer plans.
- N. Traffic impact study.
- O. Water service.
- P. Conformance of the plans in all respects with the performance standards in this Ordinance.
- Q. Conformance of the plans in all respects with the performance standards in the Warminster Township Water and Stormwater Management Ordinance [Chapter 26].

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

FEEDER ROOTS -- the smallest roots of a tree, which are responsible for most of the absorption of nutrients into the tree; most are located within the top twelve (12) inches of the soil.

FLOODPLAIN -- the area along a natural water course which is periodically overflowed by water therefrom and which has been designated by ordinance of Warminster Township pursuant to the Warminster Township Floodplain Ordinance and Map.

FLOODPLAIN (100 year) – areas adjoining any streams, ponds or lakes subject to a 100 year-recurrence interval flood as delineated by the following studies or a study conducted by a professional experienced in the preparation of hydrological studies and the delineation of flood lines and approved by the Township:

Flood Insurance Study – Township of Warminster PA, Bucks County, US Dept of Housing and Urban Development, Federal Insurance Administration.

FLOODPLAIN SOILS or SOILS ON FLOODPLAINS – areas subject to periodic flooding or listed in the Official Soil Survey provided by the U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/>), as soils having a flood frequency other than none. Such soils include, but are not necessarily limited to:

- A. Alluvial land (Ae)
- B. Alton gravelly loam, flooded (AIA)
- C. Bowmansville silt loam (Bo)

- D. Hatboro silt loam (Ha)
- E. Marsh (Mh)
- F. Pope loam (PoA)
- G. Rowland silt loam (Ro)

**FOREST** – the area comprising one-quarter (1/4) acre or more of wooded land where the largest trees measure at least six (6) inches diameter at breast height (dbh) , four and one-half (4 ½) feet from the ground, or a grove of trees forming one (1) canopy where ten (10) or more trees measure at least twelve (12) inches dbh.

**IMPERVIOUS SURFACES** – Impervious surfaces are those surfaces which do not absorb water. Any area which has been or is proposed to be modified from grass, dirt, vegetation, wooded, or groundcover, including but not limited to the area of all buildings, parking areas, driveways, roads, sidewalks, and any areas in concrete, asphalt, porous pavers, and packed stone shall be considered impervious surfaces. Swimming pools shall not be considered to be impervious surfaces.

**IMPROVED PUBLIC STREET** -- any street for which the Township, County or Commonwealth has maintenance responsibility and which has an approved surface.

**IMPROVEMENTS** -- those physical additions, installations, and changes - such as approved streets, curbs, sidewalks, water mains, sewers, drainage facilities, public utilities, and other appropriate items - required to render land suitable for the use proposed.

**LAKES and PONDS** – natural or artificial bodies of water which retain water year round.

**LAND DEVELOPMENT** -- any of the following activities:

- A. The improvements of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
  - 1. A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,
  - 2. The division of allocation of land or space, whether initially or cumulatively, between or among two (2) 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.

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

**LANDSCAPE ARCHITECT** – a professional landscape architect registered by the Commonwealth of Pennsylvania.

**LOOP STREET** – a street which has one point of intersection with the same road. In its simplest form a loop street enters a tract, follows a course through it and returns to the same road at some distance from the other intersection.

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

- A. CORNER LOT -- a lot which has an interior angle of less than one hundred thirty-five (135) degrees at the intersection of two (2) street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at the points beginning with the lot, or at the points of intersection of the side lot lines with the street right-of-way lines, intersect at an interior angle of less than one hundred thirty-five (135) degrees.
- B. 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.
- C. THROUGH LOT -- an interior lot with frontage on two parallel streets.

LOT AREA -- the area contained within the property lines of the individual parcels of land as shown on a subdivision. The lot area shall be measured to the street line and shall include the area of any easement for subsurface facilities, but excluding any area required as open space and any other areas as may be specifically excluded by the terms of the Zoning Ordinance.

LOT DEPTH -- the mean distance from the future right-of-way of the lot to its opposite rear line, measured in the general direction of the side lines of the lot.

LOT LINE -- the lines bounding a lot

- A. Lot line, Front - a line abutting the street at the future right-of-way line.
- B. Lot Line, Rear - any lot line parallel to or within 45 degrees of being parallel to a future right-of-way, and except that in the case of a corner lot, the owner shall have the option of choosing which of the two lots lines that are not street lines is to be considered a rear lot line. In the case of a lot having no street frontage or a lot of an odd shape, only the one lot line farthest from any street shall be considered a rear lot line.
- C. Lot Line, Side - any lot boundary line which is not a street line or a rear lot line.

LOT WIDTH -- the distance 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 or future right-of-way.

MANAGER -- the Township Manager appointed as such by the Township Board of Supervisors.

MARKER -- a metal pipe of at least 3/4 inch diameter and at least 30 inches in length.

MOBILE HOME -- a transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

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.

**MOBILE HOME PAD** - a concrete pad at least six (6) inches in thickness of four thousand (4,000) psi concrete with six (6) inches stone base on compacted subbase with at least six (6) tie-down rings to which the mobile home shall be secured, and at least equal in length and width to the dimension of the mobile home to be placed thereon. The space between the base of the mobile home and top of the concrete pad shall be completely enclosed except for approved vents, by means of skirting of compatible material and design around the outside perimeter, or by means of a cinder or concrete block skirt.

**MOBILE HOME PARK** -- a parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

**MONUMENT** -- a stone or concrete monument with a flat top at least 4 inches square, containing a reference point, and at least 30 inches in length. It is recommended that the bottom sides be at least 2 inches greater than the top, to minimize movements caused by frost.

**MULTIPLE FAMILY DWELLING** -- a building providing separate living quarters for two (2) or more families.

**MUNICIPAL AUTHORITY** -- a body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945."

**NONCONFORMING LOT** -- a lot the area or dimension of which was lawful prior to the adoption or amendment of Chapter 27 "Zoning Ordinance," but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment.

**NONCONFORMING STRUCTURE** -- a structure or part of a structure manifestly not designed to comply with the use or extent of use provisions of Chapter 27 "Zoning Ordinance" or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of Chapter 27 or amendment or prior to the application of Chapter 27 or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

**NONCONFORMING USE** - a use, whether of land or of structure, which does not comply with the applicable use provisions in Chapter 27 "Zoning Ordinance" or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of Chapter 27 or amendment, or prior to the application of Chapter 27 or amendment to its location by reason of annexation.

**PARKING SPACE** -- an area on a lot used for parking a vehicle(s), to which there is access from a street.

**PARKING SPACE ACCESS** -- the drives or roadways and the maneuvering space required to service the parking space.

**PEDESTRIAN WALKWAY** -- a continuous way designated for pedestrians and separated from the lanes used by motor vehicles.

**PLAN, FINAL** -- a complete and exact subdivision and/or land development plan, including all required supplemental data, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

PLAN, PRELIMINARY – a subdivision and/or land development plan (including all data required to be submitted) 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.

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

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.

PLANNING COMMISSION – the Planning Commission of Warminster Township, Bucks County, Pennsylvania.

PLAT – the map or plan of a subdivision or land development, whether preliminary or final

PRUNING -- removal of branches from a tree using proper tools and approved cutting techniques.

PUBLIC GROUNDS -- includes:

- A. Parks, playgrounds, trails, paths and other recreational areas, and other public areas;
- B. Sites for schools, sewage treatment, refuse disposal, and other publicly owned or operated facilities; and
- C. Publicly owned or operated scenic and historic sites

PUBLIC HEARING -- a formal meeting held pursuant to public notice by the Board of Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Chapter.

PUBLIC MEETING -- a forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act," 53 P.S. §§271 et seq.

PUBLIC NOTICE -- notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

RIGHT-OF-WAY -- a strip of land occupied or intended to be occupied by a street, alley, crosswalk, sanitary or storm sewer, stream, drainage ditch, or for another special use. The usage of the term "right-of-way" for land plotting purposes in the Township shall mean that every right-of-way hereafter established and shown on a final Record Plan is to be separate and distinct from lots or parcels adjoining such right-of-way, and not included with the dimensions of areas of such lots or parcels.

- A. EXISTING RIGHT-OF-WAY -- the present legal right-of-way as established by the Commonwealth of Pennsylvania or other appropriate governing body and currently in existence.

- B. FUTURE RIGHT-OF-WAY - the right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads; a right-of-way established to provide future access to or through undeveloped land.
- C. ULTIMATE RIGHT-OF-WAY - the legal street; the area or public way owned or acquired by the Township or the Commonwealth of Pennsylvania at the time of subdivision by dedication; that line from which all future property setbacks are measured; the street line.

RIPARIAN BUFFER or CORRIDOR - An area of trees and other vegetation located in areas adjoining and upgradient from surface water bodies and designed to intercept surface runoff, wastewater, subsurface flow, and deeper groundwater flows from upland sources for the purpose of removing or buffering the effects of associated nutrients, sediment, organic matter, pesticides, or other pollutants prior to entry into surface waters and groundwater recharge areas.

ROADWAY – (see Cartway)

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.

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 referred to as sediment.

SETBACK – (see “building setback line”)

#### SEWER

- A. Public Sewer – a public sewer is a sewer system owned and/or operated by the Township or by the Warminster Township Municipal Authority in which sewage is collected from buildings from more than one lot and/or dwelling unit and piped to an approved sewage disposal system. It may also be referred to as “off-lot” or “off-site” sewer.
- B. Private Sewer – an on lot sewage disposal system providing for disposal of effluent from only one building or a group of buildings on a single lot.
- C. Community Land Application System – treated effluent from two or more homes that is applied to the land.

SIGHT DISTANCE – the required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway, when the view is unobstructed by traffic. Sight distance measurement shall be made from a point 3.5 feet above the centerline of the road surface to a point 3.5 feet above the centerline of road surface.

SITE – the site shall be defined as the total land area to be proposed for subdivision or land development.

SITE AREA – all land area within the site as designed in the deed and as measured by an actual site survey.

SOIL PERCOLATION TEST -- a field test conducted by a person qualified according to the rules and regulations of the Bucks County Department of Health to determine the suitability of the soil for onsite sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at any given location and depth.

**STREET --**

- A. Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.
- B. Streets are further defined and classified as follows:
  - 1. Thoroughfares.
    - a. Expressways - designed for large volumes and high-speed traffic with access limited to grade separated intersections.
    - b. Regional Arterial Street - designed for large volumes and high-speed traffic. Traffic mixture is predominately serving regional or throughput traffic needs with access to abutting properties controlled.
    - c. Community Arterial Street - designed to carry a moderate volume of high-speed traffic from collector streets or serving as a connection between other arterial streets with access to abutting properties controlled. Traffic mixture is predominately from local community with some regional traffic.
    - d. Community Collector Street – designed to carry a moderate volume of medium-speed traffic from collector and local streets with predominantly local community traffic.
  - 2. Local Streets.
    - a. Neighborhood Collector/Primary Residential Street - designed to carry a moderate volume of local traffic, to intercept local /secondary residential streets, to provide routes to collector streets and facilities, and to provide access to abutting properties.
    - b. Local Streets/Secondary Residential Street - designed to provide local access to the abutting properties and a route to neighborhood collectors/primary residential streets.
    - c. Marginal Access Street - a secondary street which is parallel to and adjacent to an expressway, arterial or collector street; and which provides access to abutting properties and protection from through traffic.
    - d. Driveway - generally a private street for the use of vehicles and pedestrians providing access between a public street and a parking area within a lot or property.
    - e. Alley - a minor access way used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

**STREET LINE --** the dividing line between lot and the ultimate right-of-way. The street line shall be the same as the legal right-of-way line provided that:

- A. The street right-of-way shall not be less than twenty-five (25) feet from the centerline of any road or street except Marginal Access Streets which shall not be less than twenty (20) feet.

- B. Where a future right-of-way width for a street has been officially established, the street right-of-way line shall be the side line of the future right-of-way so established.

STRUCTURE -- any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISION --

- A. The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.
- B. MAJOR SUBDIVISION - the change in existing lot lines of the division of a single lot, tract or parcel of land or parcel thereof into three (3) or more lots, tracts or parcels of land for the purpose, whether immediate or future, of lease, transfer of ownership or of building development.
- C. MINOR SUBDIVISION - the division of a single lot, tract, or parcel of land into two (2) lots, tracts or parcels of land; for the purpose, whether immediate or future, of transfer of ownership or of building development, providing lots, tracts, or parcels of land thereby created having frontage on an improved public street or streets.
- D. The term "subdivision" includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

SUPERVISORS – The Board of Supervisors of Warminster Township, Bucks County, Pennsylvania.

SURVEYOR – a professional land surveyor registered by the Commonwealth of Pennsylvania.

TOWNSHIP ENGINEER – a professional engineer registered by the Commonwealth of Pennsylvania designated by the Supervisors to perform the duties of a Township Engineer.

TRAFFIC CALMING – the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for nonmotorized street uses.

TREE DRIPLINE -- the line marking the outer edges of the branches of the tree.

TREE PROTECTION ZONE (TPZ) -- an area that is radial to the trunk of a tree in which no construction activity shall occur. The TPZ shall be fifteen (15) feet from the trunk of the tree to be retained, or the distance from the trunk to the dripline, whichever is greater. Where there is a group of trees or woodlands, the TPZ shall be the aggregate of the protection zones for the individual trees.

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.

UTILITIES – those services rendered by public utility corporations, municipalities or municipal authorities, including but not limited to electricity, gas, telephone, television, water and

sewerage, including the appurtenances used in connection with the supplying of such services (buildings, wires, pipes, poles and the like).

WAIVER – a modification allowed to a specific requirement of this ordinance, granted only in accordance with the provisions of the Pennsylvania Municipalities Planning Code and §408 of this Chapter. Requests for waivers shall be submitted with plans.

WATER COURSE – any natural or artificial swale, stream or structure in which water flows continuously or intermittently.

WATER DISTRIBUTION SYSTEM, ONSITE – a system for supplying and distributing water to a single dwelling or other single building from a source located on the same lot.

WATER DISTRIBUTION SYSTEM, COMMUNITY -- a system for supplying and distributing water from a common source to two or more dwellings and/or other buildings within a single neighborhood.

WATER SUPPLY, PUBLIC – a public water system is any municipal water supply system, or any private system dedicated or intended to be dedicated to the Township and which serves more than one lot or dwelling.

WATER SURVEY -- an inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Township.

WATERS OF THE COMMONWEALTH – areas of wetlands, streams, watercourses or waterway corridors designated as Waters of the Commonwealth by the Department of Environmental Protection.

WETLANDS – these areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

WOODLANDS -- the area comprising one-quarter (1/4) acre or more of wooded land where the largest trees measure at least six (6) inches diameter at breast height (dbh) , four and one-half (4 ½) feet from the ground, or a grove of trees forming one (1) canopy where ten (10) or more trees measure at least twelve (12) inches dbh.

YARD --

- A. 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. The following types of yards are hereby established:
  1. Front Yard. The required space across the full width of the lot, extending from the street line to the nearest structure on the lot, exclusive of steps, overhanging eaves, gutter, or cornices.
  2. Side Yard. The required space extending from the required front yard to the required rear yard, except as provided for accessory buildings, extending from the side line of the lot to the nearest structure on the lot. The width of the side yard shall be measured at right angles to the side line of the lot.

3. Rear Yard. The required space extending the full width of the lot except as provided for accessory buildings. The rear yard shall extend from the rear lot line to the nearest structure on the lot. The depth of the rear yard shall be measured at right angles to the rear line of the lot. If the lot is not rectangular then it should be measured in the general direction of the side yard line.

**Part 3**

**Submission Procedure**

**§301. General**

1. There are three (3) stages in the procedure for approval of subdivision and land development plans. These stages are required to enable the Warminster Township Planning Commission and the Board of Supervisors to have an adequate opportunity to review the submission, and to insure that their formal recommendations are reflected in the Final Plan.
2. The separate stages of approval require the submission of Sketch, Preliminary, and Final plans. These plans differ in their purpose and required level of detail. The table below indicates the required plans for the different types of submissions:

Plan Approval Stage	Type of Subdivision			
	Lot Line Change	Minor Subdivision	Major Subdivision	Land Development
Sketch	Suggested	Suggested	Suggested	Suggested
Preliminary	Not required	Not required	Required	Required
Final	Required	Required	Required	required

3. The review process for all applications required by the Township Planning Commission and the Board of Supervisors shall be for no more than ninety (90) days following the date of submission. The date of submission is the date of the regular meeting of the Township Planning Commission next following the date the submission is filed, provided that, should the said next regular meeting occur more than thirty (30) days following the filing of the submission, the ninety (90) day period shall be measured from the thirtieth (30) day following the day the submission is filed. The said ninety (90) day period may be extended upon the applicant's agreement to waive the ninety (90) day requirement. The presentation of a revised Sketch, revised Preliminary or revised Final Plan shall also be considered a separate submission.
4. The presentation of a Preliminary Plan and Final Plan shall each be considered a separate submission and the maximum ninety (90) day review period may be required for each such plan.
5. Fees and Escrow.
  - A. The submission of any subdivision and land development plans are subject to the Warminster Township fee schedule as modified from time to time by resolution of the Board of Supervisors of Warminster Township to be used for Township costs of review, legal costs, and engineering costs related to the plans submitted. The amount of the refundable escrow fee shall be paid at the time of submission of any plans and may be used for the purposes defined in such resolution and the fee schedule. The applicant is required to maintain the original escrow deposit in

the amount as indicated in the fee schedule. The Township shall require the applicant to post additional escrow in the event payments from such escrow reduce the amount below twenty (20) percent of the original escrow deposit. The additional escrow amount shall be paid within ten (10) days of the request by the Township. The applicant shall agree at the time of the submission of the plans to the terms of this provision including the understanding that the further review and approval of plans may be withheld pending the reimbursement of such escrow deposit to the Township. The applicant shall further agree that any such delays shall constitute an extension of time for the rendering of a decision by the Board of Supervisors.

- B. The fee schedule adopted by resolution of the Board of Supervisors shall apply to the processing of Lot Line Change plans, Minor Subdivision plans, Major Subdivision plans, Land Development plans, and all other plans processed by the Township as indicated in the Fee Schedule.
  - C. When a set of plans is presented to the Licenses and Inspections Department pursuant to the procedures set forth within the Warminster Township Subdivision Regulations, the applicant shall deposit with the Licenses and Inspections Director a sum to cover the cost of processing the plan according to a schedule as from time to time approved by resolution of the Board of Supervisors.
  - D. If the escrow deposit is expended, the applicant shall make further deposits upon notice from the Licenses and Inspections Department in such a manner that the total deposit with the Township shall at all times equal the initial amount as determined by the Licenses and Inspections Department until approval of the plans and final acceptance of construction by Warminster Township.
  - E. Occupancy permits shall be withheld until all fees and costs have been paid to the Township in connection with the processing of any plans.
6. The following shall not require land development approval, provided that all the conditions for the uses or activities proposed have been met as demonstrated by a written report submitted to the Township Engineer and Township Zoning Officer complete with all relevant information:
- A. The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium.
  - B. The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building; or,
  - C. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park if the applicants can show that sufficient parking is provided and if the Board of Supervisors grants a waiver from the requirement of a land development plan submission. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.
    - 1. Submission of the Application and Checklist for Waiver of Land Development [Appendices A and E] shall be required, along with a letter requesting waiver of land development.

2. Procedures for Preliminary Plan shall be followed (§307) and plans shall be prepared in accordance with Preliminary Plan requirements (§404).
- D. The addition of a nonresidential accessory building of 300 square feet or less in gross floor area to be used for storage or other purposes incidental and subordinate to the principal use and which does not increase the impervious surface on the lot may be approved without land development plans if the applicants can show that sufficient parking is provided and if the Board of Supervisors grants a waiver from the requirement of a land development plan submission.
1. Submission of the Application and Checklist for Waiver of Land Development [Appendices A and E] shall be required, along with a letter requesting waiver of land development.
  2. Procedures for Preliminary Plan shall be followed (§307) and plans shall be prepared in accordance with Preliminary Plan requirements (§404).
- E. An addition to an existing nonresidential building which addition is 500 square feet or less in gross floor area to be used for storage or other purposes incidental and subordinate to the principal use and which does not increase the impervious surface on the lot may be approved without land development plans if the applicants can show that sufficient parking is provided and if the Board of Supervisors grants a waiver from the requirement of a land development plan submission.
1. Submission of the Application and Checklist for Waiver of Land Development [Appendices A and E] shall be required, along with a letter requesting waiver of land development.
  2. Procedures for Preliminary Plan shall be followed (§307) and plans shall be prepared in accordance with Preliminary Plan requirements (§404).
- F. Addition of other improvements or structures to an existing nonresidential property, as deemed appropriate by the Township Engineer and the Township Zoning Officer, for purposes incidental and subordinate to the principal use and which does not increase the impervious surface on the lot may be approved without land development plans if the applicants can show that sufficient parking is provided and if the Board of Supervisors grants a waiver from the requirement of a land development plan submission.
1. Submission of the Application and Checklist for Waiver of Land Development [Appendices A and E] shall be required, along with a letter requesting waiver of land development.
  2. Procedures for Preliminary Plan shall be followed (§307) and plans shall be prepared in accordance with Preliminary Plan requirements (§404).

**§302. Purpose - Sketch Plan**

1. The purpose of the Sketch Plan is to afford the applicant the opportunity to consult early and informally with both the Warminster Township and the Bucks County Planning Commissions before preparation of the Preliminary or Final Plan and formal application for approval.
2. During the Sketch Plan procedure, the applicant can advantageously make use of the services of both of the Planning Commissions to help him analyze the problems of the

development and plan more adequately for its sound coordination with the community. The Sketch Plan procedure also affords the 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 actions and save unnecessary expense and delay.

3. Sketch Plans are suggested for all land developments, and all other subdivision plans.

**§303. Procedure – Sketch Plan**

1. Applicant prepares Sketch Plan including all requirements in §403, and applications in Appendices A and B.
2. Applicant submits twelve (12) copies of the Sketch plan and applications per Appendices A and B to the Zoning Officer.
3. Zoning Officer checks submission against check list for completeness; and,
  - A. If submission is incomplete, immediately returns submission to applicant and indicates the deficiencies; or,
  - B. If submission is complete, accepts Sketch Plan and applications.
4. Zoning Officer shall immediately distribute copies of the Sketch Plan and applications to:
  - A. Township Manager: One (1) copy.
  - B. Township Engineer: Two (2) copies.
  - C. Township Planning Commission: Six (6) copies.
  - D. Township Zoning Officer: One (1) copy.
  - E. Township Fire Marshal: One (1) copy.
  - F. Township Licenses and Inspections Files: One (1) copy.
  - G. Applicant shall be responsible to submit the Sketch Plan and application to the Bucks County Planning Commission at the same time the Sketch Plan is submitted to Warminster Township. (Applicant should contact the Bucks County Planning Commission for their application and submission requirements.)
5. Bucks County Planning Commission reviews Sketch Plan and prepares analysis for review by Warminster Township Planning Commission.
6. Procedure at Meetings.
  - A. At first regular meeting held, following receipt of the complete submission to the Zoning Officer, the Warminster Township Planning Commission:
    1. Receives and reviews the applicant's submission.
    2. Receives and reviews report by the Bucks County Planning Commission.
    3. Listens to applicant's presentation.
    4. Discusses submission with the applicant.

- B. The Warminster Township Planning Commission, the same evening, shall:
  - 1. Evaluate applicant's submission, presentation, discussion with applicant, and the County Planning Commission's report.
  - 2. Determine whether the Sketch Plan meets the objectives and requirements of this Chapter and other ordinances.
  - 3. Prepares a report on the project for transmittal to the applicant.

**§304. Purpose - Preliminary Plan**

The purpose of the Preliminary Plan is to require formal conditional approval of plans in order to minimize changes and revisions before Final Plans are submitted.

**§305. General – Preliminary Plan**

- 1. Preliminary Plan shall be submitted conforming to the changes recommended during the Sketch Plan procedure. The Preliminary Plan and all information and procedures relating thereto shall, in all respects, be in compliance with the provisions of these regulations.
- 2. No Preliminary Plan shall be required in the case of a Minor Subdivision or Lot Line Change. Preliminary plans for Major Subdivisions and Land Developments are required.

**§306. Deposit and Fees**

Deposit and fees shall be in accordance with §301.5.

**§307. Procedure – Preliminary Plan**

- 1. Applicant prepares Preliminary Plan including requirements in §404 and applications per Appendices A and C.
- 2. Applicant submits nineteen (19) copies of the Preliminary Plan and applications to the Zoning Officer.
  - A. If recreational areas are involved in the plan, one additional copy shall be submitted for distribution to the Township Park and Recreation Board.
- 3. Zoning Officer checks submission against check list for completeness; and,
  - A. If submission is incomplete, immediately returns submission to applicant and indicates the deficiencies; or,
  - B. If submission is complete, accepts Preliminary Plan, application, deposit, and fees.
- 4. Zoning Officer shall immediately distribute copies of the Preliminary Plan and application to:
  - A. Township Manager: One (1) copy.
  - B. Township Engineer: Two (2) copies.
  - C. Township Planning Commission: Six (6) copies.

- D. Township Board of Supervisors: Five (5) copies.
  - E. Township Zoning Officer: One (1) copy.
  - F. Township Fire Marshal: One (1) copy.
  - G. Warminster Township Municipal Authority: Two (2) copies.
  - H. Township Licenses and Inspections Files: One (1) copy.
  - I. At the same time that the Preliminary Plan submission is made to Warminster Township, the applicant shall also make submission to the Bucks County Planning Commission. Applicant is advised to contact the agency for their individual requirements with regard to plans, application, fees, etc. Warminster Township shall be copied on all correspondence to outside review agencies.
  - J. At the same time that the Preliminary Plan submission is made to Warminster Township, the applicant shall also make submission to the Bucks County Conservation District. Applicant is advised to contact the agency for their individual requirements with regard to plans, applications, fees, etc. Warminster Township shall be copied on all correspondence to outside review agencies.
  - K. All subdivisions (both Minor and Major) and Land Developments shall be required to submit the appropriate Planning Module for Land Development to the Township at Preliminary Plan submission (Final for Minor Subdivisions) for review. The module will then be reviewed by all agencies with jurisdiction, including but not limited to PADEP or the Bucks County Department of Health, to verify the approvability of each lot for permitting by the appropriate agency (PADEP or Bucks County Department of Health). Review of the applicant's Planning Module for Land Development must be received by the Township prior to plan approval.
5. Bucks County Planning Commission reviews Preliminary Plan and prepares analysis for review by Warminster Township Planning Commission.
6. At a public meeting within ninety (90) days following submission of the completed Preliminary Plans, the Warminster Township Planning Commission shall:
- A. Listens to applicant's presentation.
  - B. Discusses submission with the applicant.
  - C. Evaluate applicant's submission, presentation, discussion with applicant, the County Planning Commission's report, and the Township Engineer's report.
  - D. Determine whether the Preliminary Plan meets the objectives and requirements of this Chapter and other ordinances.
  - E. Make recommendations and submit the recommendations to the Board of Supervisors.
7. The Board of Supervisors shall:
- A. Either approve, conditionally approve, or reject the submitted plans.
  - B. Inform the applicant in writing either personally or by mail at his last known address no later than fifteen (15) days following the decision. When the application is rejected, the decision shall specify the defect found on the

application, describe the requirements that have not been met, and in each case cite the specific provisions of the applicable ordinance or statute which have not been satisfied.

8. If the plans are approved or conditionally approved by the Board of Supervisors, §308 - 311 shall be the next governing procedure.

### **§308. Purpose – Final Plan**

The purpose of the Final Plan is to require formal approval by the Board of Supervisors before plans for all subdivisions and land developments are recorded as required by §106 of this Chapter.

### **§309. General – Final Plan**

Final Plan shall be submitted conforming to the changes recommended during the Preliminary Plan procedure. The Final Plan and all information and procedures relating thereto shall in all respects be in compliance with the provision of these regulations, except where variation therefrom may be specifically approved in writing by the Board of Supervisors.

### **§310. Deposit and Fees**

If the Final Plan is submitted more than one (1) year after receiving approval, conditional approval or disapproval of the Preliminary Plan, an additional review fee shall be paid in accordance with the fee schedule adopted by the Board of Supervisors as provided in §301.5. of this Chapter. An escrow deposit may also be required if the total deposit with the Township is less than that required in accordance with the Fee Schedule adopted by the Board of Supervisors.

### **§311. Procedure – Final Plan**

1. Applicant prepares Final Plan showing requirements of §406 (or §405 in the case of Final Plans for Minor Subdivision or Lot Line Change), and applications per Appendices A and D.
2. Applicant submits nineteen (19) copies of the Final Plan and application within one (1) year from the date of receiving conditional approval of the Preliminary Plan to the Zoning Officer.
  - A. If recreational areas are involved in the plan, one additional copy shall be submitted for distribution to the Township Park and Recreation Board.
3. Zoning Officer checks submission against check list for completeness; and,
  - A. If submission is incomplete, immediately returns submission to applicant and indicates the deficiencies; or,
  - B. If submission is complete, accepts Final Plan and applications and also deposit and fee if no Preliminary Plan was filed.
4. Zoning Officer shall immediately distribute copies of the Final Plan and application to:
  - A. Township Manager: One (1) copy.
  - B. Township Engineer: Two (2) copies.

- C. Township Planning Commission: Six (6) copies.
  - D. Township Board of Supervisors: Five (5) copies.
  - E. Township Zoning Officer: One (1) copy.
  - F. Township Fire Marshal: One (1) copy.
  - G. Warminster Township Municipal Authority: Two (2) copies.
  - H. Township Licenses and Inspections Files: One (1) copy.
  - I. At the same time that the Final Plan submission is made to Warminster Township, the applicant shall make a final submission to the Bucks County Planning Commission. Applicant should contact this agency directly to verify their requirements for Final Plan submission regarding plans, applications, fees, etc. Warminster Township shall be copied on all correspondence to outside review agencies.
  - J. Final submission to the Bucks County Conservation District is the responsibility of the applicant. The applicant is advised to contact this agency directly to verify their requirements for Final Plan submission. Warminster Township shall be copied on all correspondence to outside review agencies.
5. Bucks County Planning Commission reviews Final Plan and prepares analysis for review by the Warminster Township Planning Commission.
6. At a public meeting within ninety (90) days following submission of the completed Preliminary Plans, the Warminster Township Planning Commission shall:
- A. Listens to applicant's presentation.
  - B. Discusses submission with the applicant.
  - C. Evaluate applicant's submission, presentation, discussion with applicant, the County Planning Commission's report, and the Township Engineer's report.
  - D. Determine whether the Preliminary Plan meets the objectives and requirements of this Chapter and other ordinances.
  - E. Make recommendations and submit the recommendations to the Board of Supervisors.
7. Following receipt of the recommendations of the Township Planning Commission, the Board of Supervisors shall:
- A. Receive and review the applicant's submission.
  - B. Receive and review the reports of the Township Planning Commission and the Township Engineer.
  - C. Listens to applicant's presentation.
  - D. Discuss project with applicant.
8. The Board of Supervisors shall:
- A. Evaluate applicant's submission and presentation and discuss with the applicant all recommendations and reports.

- B. Determine if the Final Plan meets the objectives and requirements of this Chapter, other ordinances, and the conditions attached to the Preliminary Plan approval.
  - C. Either approve, conditionally approve, or reject the submitted plans.
  - D. Inform the applicant in writing of the decision, including required changes and the reasons for the decision. The applicant shall be informed of the decision at the time it is made, or within fifteen (15) days following the decision. If the application is rejected, the decision shall specify the defects found on the application, describe the requirements that have not been met, and in each case cite the specific provisions of the applicable statutes or ordinances which have not been satisfied.
9. If approved:
- A. The Board of Supervisors shall adopt a resolution approving the Final Plan.
  - B. Approval shall not be final until entry into contract and production of completion guarantee as set forth in Part 10, §1001 and §1002.
  - C. Four (4) exact copies of the approved Final Plan on mylar and three (3) exact copies of the approved Final Plan on paper shall be submitted to the Board of Supervisors. Along with the hard copies, one (1) electronic copy of all plans, in DWG vector format, shall be submitted to the Board of Supervisors on CD ROM or other acceptable electronic media.
  - D. The applicant shall agree that the approval shall not be final and that building permits shall not be approved pending completion of the guarantees and contract documents as further required in this Chapter.

### **§312. Appeal**

In any case where the Warminster Township Planning Commission disapproves a Preliminary Plan or the Board of Supervisors disapproves a Final Plan, an applicant or any person aggrieved thereby, may within ninety (90) days:

- A. Appeal to the Zoning Hearing Board in cases where such Board has jurisdiction over a zoning matter involving the same development. In any such case, the Zoning Hearing Board shall have no power to pass upon non-zoning issues, but shall take evidence and make a record thereon relative to such non-zoning issues. Such evidence shall be kept part of the record if there is an appeal to the Court of Common Pleas of Bucks County.
- B. Appeal to the Court of Common Pleas of Bucks County, which court shall hear the matter, and enter a decree either affirming, reversing, or modifying the action of the Board of Supervisors, as may appear just under the circumstances. The Court shall designate the manner in which notices of the hearing of any such appeal shall be given to all interested parties.

### **§313. Purpose – Lot Line Change**

The purpose of a Lot Line Change is to provide an expeditious means of subdivision approval for the adjustment or relocation of existing boundary lines between lots or the shifting of

boundary lines to increase the area of an existing lot; provided, however, that the Lot Line Change results in the same number or fewer lots as existed prior to the Lot Line Change.

**§314. Procedure – Lot Line Change**

1. Applicant prepares Lot Line Change Plan and applications per Appendices A & D.
2. Applicant submits seventeen (17) copies of the Lot Line Change Plan and application to the Zoning Officer.
3. Copies of the Lot Line Change plan and all required supplemental data initially shall be submitted to the Zoning Officer together with the required fees and escrow deposit established in accordance with the current Fee Schedule adopted by the Board of Supervisors. The Zoning Officer shall note the date of the receipt of the application, fees and escrow deposit. The application shall not be deemed to be submitted until a complete application and required fees have been submitted.
  - A. If submission is incomplete, immediately returns submission to applicant and indicates the deficiencies; or,
  - B. If submission is complete, accepts Lot Line Change/Final Plan, application, deposit, and fees.
4. Upon submission of a complete application together with all required fees and escrow deposits, Zoning Officer shall accept the application, plans and other required materials as filed and shall immediately distribute copies of the Lot Line Change/Final Plan and application to:
  - A. Township Manager: one (1) copy.
  - B. Township Engineer: two (2) copies.
  - C. Township Planning Commission: six (6) copies.
  - D. Township Board of Supervisors: five (5) copies.
  - E. Zoning Officer: one (1) copy
  - F. Township Fire Marshal: one (1) copy
  - G. Township Licenses and Inspections Files: One (1) copy
  - H. At the same time that the Lot Line Change/Final Plan submission is made to Warminster Township, the applicant shall make the required submission to the Bucks County Planning Commission. Applicant should contact this agency directly to verify their requirements for submission. Warminster Township shall be copied on all correspondence to outside review agencies.
  - I. If the Lot Line Change/Final Plan includes grading or other earth disturbances, the applicant shall, at the same time the submission is made to Warminster Township, make submission to the Bucks County Conservation District. Applicant is advised to contact the agency for their individual requirements with regard to plans, applications, fees, etc. Warminster Township shall be copied on all correspondence to outside review agencies.

5. Following receipt of the complete submission, the Warminster Township Planning Commission shall review and forward its recommendation on the proposed Lot Line Change to the Board of Supervisors.

### **§315. Lot Line Change Plan Requirements**

The Lot Line Change plan shall show or be accompanied by the following information:

1. Drafting Standards.
  - A. The plan shall be drawn using a standard engineering scale, at a scale of one (1) inch equals twenty (20) feet, one (1) inch equals thirty (30) feet, one (1) inch equals forty (40) feet, one (1) inch equals fifty (50) feet or one (1) inch equals one hundred (100) feet.
  - B. Dimensions shall be in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
  - C. The plan shall be on sheets not larger than the standard twenty-four (24) inches by thirty-six (36) inches and all lettering shall be so drawn as to be legible if the plan should be reduced to one-half (1/2) size.
2. Information to be Shown: General
  - A. Name of subdivision.
  - B. Name, address and telephone number of the owner of record and applicant.
  - C. Name, address, seal and signature of the engineer or surveyor responsible for the plan.
  - D. Zoning classification and requirements.
  - E. Date, north point, and scale shown graphically as well as in written form.
  - F. A location map for the purpose of locating the site at a scale of not less than eight hundred (800) feet to the inch.
3. Existing Features.
  - A. Complete outline survey of the property to be subdivided, showing all courses, distances and area, tie-ins to all adjacent street intersections, and all existing property boundary monumentation.
  - B. The location, names and widths of streets, the location of property lines and names of owners, the location of water courses, sanitary sewers, storm drains and similar features.
  - C. The location and character of existing buildings, driveways, walks, wooded areas and other significant features.
  - D. Any floodplain restriction areas that occur on the tract, lot or parcel shall be shown on the plan.
4. Proposed Layout.
  - A. Proposed layout of lots.
  - B. Lots numbered.

- C. Building setback lines.
- D. Total area and minimum lot size.
- E. Proposed property boundary monumentation.

**§316. Record Plan Requirements**

1. The Record Plan shall be clear and legible black line print on mylar and shall be an exact copy of the approval Final Plan on a sheet of the size required for Final Plans. Plans sheets for recording purposes shall be twenty-four (24) inches by thirty-six (36) inches. Four (4) and two (2) mylar plans are required and one (1) electronic copy of all plans, DWG vector format, on CD ROM or other acceptable electronic media.
2. The following information shall appear on the Record Plan, in addition to the information mentioned above:
  - A. The impressed seal of the licensed engineer, surveyor, and/or landscape architect responsible for the plan.
  - B. The impressed corporation seal, if the applicant is a corporation.
  - C. The impressed seal of a notary public or other qualified officer acknowledging owner's statement of intent.
  - D. A statement to the effect that the applicant is the owner of the land proposed to be developed and that the subdivision or land development shown on the Final Plan is made with his, her or their consent and that it is desired to be recorded as same.
  - E. Acknowledgment of said statement before an officer authorized to take acknowledgments.
  - F. The following signatures shall be placed directly on the plan in black ink;
    1. The signature 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 engineer, surveyor, and/or landscape architect responsible for the preparation of the plan.
    4. The signature of the Chairman and Secretary of the Township Planning Commission.
    5. The signature of the Township Engineer.
    6. The signatures of the Township Board of Supervisors.
    7. The signature of the Bucks County Planning Commission.

**§317. Recording**

The action of the Board of Supervisors or of the Court on appeal in approving any subdivision or land development plan approved duplicate copy of such plan shall, within ninety (90) days of the

date of approval, be recorded by the owner or the Board of Supervisors 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 plan is recorded. If the plan is not recorded within the ninety (90) day period, the approval shall lapse and become void. The Board of Supervisors may extend the ninety (90) day period upon written request by the applicant. The applicant shall return to the Township one (1) paper, one (1) mylar copy, and one (1) electronic copy of all plans on CD ROM media in PC language, DWG vector format of the recorded plan, along with the receipt/certification that recording is complete.

**§318. Effect of Recording**

1. After a subdivision or land development plan has been duly recorded, the streets, parks, and other public improvements shown thereon shall be considered to be part of the official map of the Township.
2. Streets, parks, and other public improvements shown on a subdivision or land development plan to be recorded may be offered for dedication to the Township by formal notation thereof on the plan, or the owner may note on the plan that such improvements have not been offered for dedication to the Township.
3. Every street, park, or other improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private street, park, or 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 street, park, or other improvement.

**§319. Preliminary Inspection**

1. The applicant shall notify the Township in writing when all required improvements, desired to be accepted by the Township, have been constructed and installed in accordance with the Township specifications.
2. The Township shall, within ten (10) days after receipt of such notice, notify the Township Engineer of the completion of the required improvements.
3. The Township Engineer shall, within thirty (30) days after receipt of such notice from the Township:
  - A. Inspect the completed required improvements.
  - B. Submit in writing a report to the Board of Supervisors and the applicant specifying those items of construction, material, and workmanship which do not comply with the Township specifications or the approved Final Plans.
4. The applicant upon notification from the Township Engineer shall:
  - A. Proceed, at his/her own cost, to make such corrections as shall be required to comply with the Township specifications and approved Final Plans.
  - B. Notify the Township Engineer and Board of Supervisors upon completion, requesting final inspection.
  - C. In the event that any improvements which may be required have not been installed as provided in this Chapter or in accord with the approved Final Plan,

the Board of Supervisors of the Township is hereby granted the power to enforce any corporate bond or other security by appropriate legal and equitable remedies. If the proceeds of such bond or other security are insufficient to pay the costs of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors of the Township may at its option install part of such improvements in all or in part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All the proceeds whether resulting from security or from any legal or equitable action brought against the developer, or both, shall be solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

### **§320. Final Inspection**

1. The Township Engineer shall make a final inspection with the applicant of all required improvements.
2. The Applicant shall submit As-built (As-constructed) Plans to Warminster Township and the Township Engineer for review. As-built Plans include, but are not limited to:
  - A. Street Right-of-Way and Utility As-built Plan Requirements
    1. Provide one (1) copy to Warminster Township, two (2) copies to the Township Engineer in hard copy form, and one (1) electronic copy of all plans on CD ROM media in PC language DWG format to the Township Engineer
  - B. Lighting As-Built Plan Requirements
    1. Provide one (1) copy to Warminster Township, two (2) copies to the Township Engineer in hard copy form, and one (1) electronic copy of all plans on CD ROM media in PC language DWG format to the Township Engineer
  - C. Monumentation Certification Requirements
    1. Provide one (1) copy to Warminster Township, two (2) copies to the Township Engineer in hard copy form.
3. All as-built plans shall be prepared, signed, and sealed by a professional surveyor registered in the Commonwealth of Pennsylvania.
4. The required concrete monuments and pins for the rights-of-way, easements, open space areas, and individual lots shall be installed after all site construction and lot improvements are completed. Once installed, a separate as-built plan shall be submitted documenting all monumentation for the project.
5. The Applicant shall submit three (3) copies of an as-built lighting plan to verify existing light intensities and uniformity are in accordance with the approved final plans.

### **§321. Acceptance**

1. The Board of Supervisors shall notify the applicant of acceptance of the required improvements if satisfied that the applicant has complied with all specifications and ordinances of the Township.

2. The applicant shall:
  - A. Furnish the Township with four (4) paper prints and one (1) electronic copy of all plans, in DWG vector format, on CD ROM or other acceptable electronic media of the completed required improvements including drainage, profiles, and utilities.
  - B. Pay all costs for the preparation and recording of the petition and resolution of the Board of Supervisors and the deed of dedication of such improvements for the Clerk of the Court of Common Pleas of Bucks County and the Office of the Recorder Deeds of Bucks County for its approval of the acceptance of the required improvements.

## **Part 4**

### **Plan Requirements**

#### **§401. General**

Plans are required for all subdivision or land developments in accordance with the procedures, plan requirements, and design standards set forth in these regulations.

#### **§402. Application Requirements**

For the purpose of having a subdivision or land development reviewed and approved by the Board of Supervisors, the applicant shall file with the Zoning Officer the respective plans and applications (see Appendices), required in Part 3.

#### **§403. Sketch Plan Requirements**

1. Sketch Plan may be submitted by the applicant as a basis for informal discussion with the Planning Commission. Sketch Plans are suggested to be submitted for all subdivision and land development plans.
2. Data furnished in the Sketch Plan shall include the following information:
  - A. Name of the subdivision or land development.
  - B. Name, address, and telephone number of the owner.
  - C. Name and address of the engineer, surveyor and/or landscape architect.
  - D. Tract boundaries.
  - E. North point and date.
  - F. Location map.
  - G. Streets on and adjacent to the tract.
  - H. Significant topographical and physical features.
  - I. Proposed general street layout.
  - J. Proposed general lot layout or building layout.
  - K. Contours based on U.S.G.S. topography.
3. Highway Occupancy Permit.
  - A. If the proposed land development requires a Pennsylvania Department of Transportation (PennDOT) Highway Occupancy Permit (HOP), the applicant shall initiate the HOP process simultaneously to the preliminary plan submission in accordance with latest PennDOT procedures. The developer shall include the Township Engineer in any and all meetings, including the Scoping Meeting and/or or correspondence or discussions regarding the permitting process. In addition, any documentation submitted as part of the HOP process shall be simultaneously submitted to the Township for review purposes.

1. TIS / HOP Scoping Meeting shall be scheduled to coincide with Sketch Plan, if this submission is made. This meeting will provide discussion of the project and potential problems and set the parameters of the TIS for PennDOT review.
2. TIS shall be submitted to PennDOT for review and approval simultaneously with the preliminary plan submission.
3. Construction Plans for HOP shall be submitted to PennDOT for review and approval simultaneously with the final plan submission.

#### **§404. Preliminary Plan Requirements**

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

1. Drafting Standards.
  - A. The plan shall be drawn at a scale of one (1) inch equals one hundred (100) feet or one (1) inch equals fifty (50) feet or greater.
  - B. Dimensions shall be in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
  - C. Each sheet shall be numbered and shall show its relationship to the total number of sheets.
  - D. Where any modification is made to an improved site, 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.
  - E. Where any revision is made to a plan under review, notations of revisions shall be numbered and dated.
  - F. The plan shall be so prepared and bear an adequate legend to indicate clearly which features are existing and which are proposed.
  - G. The boundary line of the subdivision or land development shall be shown as a solid heavy line.
  - H. The plans shall be on sheets either eighteen (18) inches by twenty-four (24) inches or twenty-four (24) inches by thirty-six (36) inches or thirty (30) inches by forty-two (42) inches and all lettering shall be so drawn as to be legible if the plan should be reduced to eleven (11) inches by seventeen (17) inches.
2. Information to be Shown; General.
  - A. Name of the subdivision or land development.
  - B. Name, address, and telephone number of the owner and applicant.
  - C. Name and address of the engineer, surveyor, and/or landscape architect responsible for the plan. Plans shall bear the seal of the responsible party for the plan.
  - D. Present zoning classification.
  - E. Date, north point, and scale, graphically as well as in written form.

- F. A location map for the purpose of locating the site to be subdivided or developed at a scale of not less than eight hundred (800) feet to the inch, showing the relation of the tract to adjoining property and to all streets, roads, and municipal boundaries existing within one thousand (1,000) feet of any part of the property proposed to be subdivided or developed.

3. Existing Features.

- A. Complete outline survey of the property to be subdivided or developed, showing all courses, distances, and areas, and tie-ins to all adjacent street intersections.
- B. The location, names, and widths of streets, the location and name of railroads, the location of property lines and names of owners, the location of water courses, sanitary sewers, storm drains, and similar features within four hundred (400) feet of any part of the land to be subdivided or developed.
- C. Location of all existing monuments with references to them.
- D. Location, size, and ownership of all underground utilities, and any rights-of-way within the property.
- E. Topography within and adjacent to the property shall be shown with contour lines at vertical intervals of 2 feet and shall be determined by on-site survey based on U.S.G.S. benchmarks. The plans shall indicate the benchmark elevation and location(s) to which the elevations refer.
- F. Location and character of existing of buildings, location of quarries, marshy areas, areas subject to inundation, and other data which may serve to affect the street or building layout.
- G. Location, species and size of stand-alone trees three (3) inches in caliper or greater and the outline of all wooded areas. The drip-line of stand alone trees and wooded areas shall be indicated.
- H. Any floodway restriction areas that occur on the tract, lot or parcel must be shown on the plan. Location of any wetlands.
- I. The following information regarding woodlands:
  - 1. The location of existing woodlands.
  - 2. The location of all trees to be saved, including their trunk and dripline locations. Driplines should be plotted accurately to scale. When groups of trees are to be saved, only the trunk locations of the trees on the perimeter must be shown.
  - 3. The tree protection zone (TPZ) shall be included on the plan.
  - 4. The location of proposed retaining walls to protect trees shall be shown on plans.
  - 5. Construction details of all retaining walls shall be provided, including special soil and fill mediums where applicable. Any grade changes which would alter surface and/or subsurface water movement either to or from the TPZ must also be indicated.

- J. Soil map showing soil types within the site, based on the Official Soil Survey provided by the U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/>). The soil map shall be accompanied by a tabulation of each soil type indicating the following information: symbol, name, slope, hydrologic soil group, and all limitations for site development specific to the type of development proposed including, but not limited to, depth to water table, depth to bedrock, and construction limitations. Table shall also include actions or precautions to be taken to resolve the specific limitations.
4. Proposed Layout.
- A. The layout of streets, including name and width of streets, and crosswalks.
  - B. The layout and dimensions of lots.
  - C. The arrangement of buildings and parking areas in commercial and multi-family developments with all necessary dimensions noted on the plan.
  - D. Applicable zoning requirements and the location of zoning district boundary lines affecting the subdivision. Any variances or special exceptions granted.
  - E. A reference to any land dedicated for public use, or offered for dedication for parks, recreation area, schools, widening of streets or other public uses.
  - F. For multi-family developments, the total area, total dwelling units, number of buildings, proposed density, total parking spaces, building coverage, and the bedroom ratio shall be on the plan.
  - G. For subdivisions, the total area, number of lots, average and minimum lot size, and proposed length of new streets shall be noted on the plan.
  - H. Location and size of storm drains, sanitary sewers, culverts, water courses, and all appurtenances thereof, onsite sewage disposal facilities, gas mains, water mains, fire hydrants, street lights, planting, special structures, and other underground conduits or structures. All pipe sizing must be supported by submitting proper hydraulic calculations per §521.
  - I. Building setback lines established by zoning or other ordinances, or deed restrictions with distances from the right-of-way line.
  - J. An indication of any lots in which other than a residential use is intended.
  - L. Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, or other pertinent reasons.
  - M. Typical cross-section including type of construction of existing and proposed streets, and centerline profiles for each proposed and existing street shown on the Preliminary Plan. These plans may be submitted as separate sheets.
  - N. A plan showing proposed landscaping improvements, including but not limited to street tree locations, buffer strips, and refuse collection screening. The landscape plan shall list all species proposed, planted sizes, root condition. The plan should also indicate the location of proposed lights for coordination purposes. The site lighting plan should not be combined with the landscape plan unless approved by the Township Engineer

- O. A plan for Post-Construction Stormwater Management and a separate plan for Erosion and Sediment Control shall be prepared.
  - P. The developer must obtain a highway occupancy permit for all right-of-way encroachments from state and/or local authorities as applicable.
  - Q. A plan showing location of all proposed street lights, parking area lights, and other exterior lights proposed. The Lighting Plan shall include detailed information on the light fixtures, mounting, poles and foundation, iso-footcandle contours for proposed lights, point by point footcandle levels for the entire site and surroundings, and light fixture photometrics.
  - R. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicant shall present evidence to the Board of Supervisors that the subdivision is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal Corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable.
5. Highway Occupancy Permit.
- A. If the proposed land development requires a Pennsylvania Department of Transportation (PennDOT) Highway Occupancy Permit (HOP), the applicant shall initiate the HOP process simultaneously to the preliminary plan submission in accordance with latest PennDOT procedures. The developer shall include the Township Engineer in any and all meetings, including the Scoping Meeting and/or or correspondence or discussions regarding the permitting process. In addition, any documentation submitted as part of the HOP process shall be simultaneously submitted to the Township for review purposes.
    - 1. TIS / HOP Scoping Meeting shall be scheduled to coincide with Sketch Plan, if this submission is made. This meeting will provide discussion of the project and potential problems and set the parameters of the TIS for PennDOT review.
    - 2. TIS shall be submitted to PennDOT for review and approval simultaneously with the preliminary plan submission.
    - 3. Construction Plans for HOP shall be submitted to PennDOT for review and approval simultaneously with the final plan submission.
6. Architecture.
- A. Preliminary architectural sketches or architectural renderings of the exterior of the proposed land development or structures within a subdivision shall be submitted, accompanied by information detailing the proposed exterior design, arrangement, texture, color, and construction materials to be utilized in the buildings or structures.
  - B. The Warminster Township Planning Commission, at the time of review of the Preliminary Plans, shall review such plans, elevations, planting plans and other design standards to insure that the applicant has provided a plan and design that is harmonious and in accordance with acceptable design practices of the site and

layout to minimize the impact on the environment and to be adaptable to the character of architecture within Warminster Township and Bucks County.

7. Transportation Impact Study (TIS). For any proposed subdivision, land development or revision of existing land use anticipated to generate one hundred or more trips per day, a Transportation Impact Study, prepare in accordance with §526, shall be required to be submitted to Warminster Township.
  - A. This requirement may be waived by the Township Board of Supervisors upon recommendation of the Township Engineer if:
    1. The proposed subdivision or land development in the opinion of the Township Engineer has no impact, or a negligible impact, on the type and amount of highway or pedestrian traffic.
    2. A recent prior transportation impact study which includes the area of the proposed subdivision or land development has previously been performed, has been submitted to the Township, and in the opinion of the Township Engineer remains current, and indicates that improvements are not necessary or required.
  - B. Time of Submission: The Transportation Impact Study shall be submitted to Warminster Township Planning Commission and the Bucks County Planning Commission with the Preliminary Plan application. It is strongly recommended to submit the Transportation Impact Study at the Sketch Plan stage for large scale Land Development and Subdivision Applications.
  - C. Highway/Traffic Capital Improvement Fund is hereby established. If the transportation impact study is waived by the Board of Supervisors, the applicant for a subdivision or land development approval shall pay to the Township a fee in lieu of traffic study.
    1. The fee in lieu of traffic study shall be the lesser of:
      - a. The reasonable cost as estimated by the Township Engineer that the applicant would otherwise have incurred to prepare and submit to the Township a traffic impact study if a waiver had not been granted; or,
      - b. The sum of two thousand five hundred (\$2,500.00) dollars.
    2. All funds received by the Township as a fee in lieu of traffic study shall become part of the Highway/Traffic Capital Improvement Fund. All monies constituting the Highway/Traffic Capital Improvement Fund shall be used by the Board of Supervisors at such times and in such places throughout the Township for improvement of highway and traffic facilities. Included within permitted uses shall be the construction, reconstruction; improvements of highways, streets, sidewalks, curbs, traffic control facilities and devices, and to fund another or a comprehensive highway traffic study.
    3. All funds required to be paid to the Township pursuant to this subsection shall be paid prior to the issuance of a building permit.

8. Non-waiver. Nothing set forth in §404.7 shall be construed to waive any requirement of the Township for the funding of highway traffic improvements, or to waive any other provision of any other Township ordinance or regulation.

#### **§405. Minor Subdivision Plan Requirements**

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

1. Drafting Standards.
  - A. The plan shall be drawn at a scale of one (1) inch equals one hundred (100) feet or one (1) inch equals fifty (50) feet or greater.
  - B. Dimensions shall be in feet and decimal parts thereof, and bearings in degrees, minutes, and seconds.
  - C. The plan shall be a clear, legible white paper print.
  - D. The plans shall be on sheets either eighteen (18) inches by twenty-four (24) inches or twenty-four (24) inches by thirty-six (36) inches or thirty (30) inches by forty-two (42) inches and all lettering shall be so drawn as to be legible if the plan should be reduced to eleven (11) inches by seventeen (17) inches.
2. Information to be Shown: General.
  - A. Name of the subdivision.
  - B. Name, address, and telephone number of the owner and applicant.
  - C. Name and address of the engineer, surveyor, and/or landscape architect responsible for the plan. Plans shall bear the seal of the responsible party for the plan.
  - D. Zoning classification and requirements.
  - E. Date, north point, and scale shown graphically as well as in written form.
  - F. A location map for the purpose of locating the site at a scale of not less than eight hundred (800) feet to the inch.
3. Existing Features.
  - A. Complete outline survey of the property to be subdivided, showing all courses, distances, area, and tie-ins to all adjacent street intersections.
  - B. The location, names and widths of streets, the location of property lines and names of owners, the location of water courses, sanitary sewers, storm drains, and similar features within two hundred (200) feet of the property.
  - C. Location and character of existing of buildings, location of quarries, marshy areas, areas subject to inundation, and other data which may serve to affect the street or building layout.
  - D. Location, species and size of stand-alone trees three (3) inches in caliper or greater and the outline of all wooded areas. The drip-line of stand alone trees and wooded areas shall be indicated.

- E. Any floodplain restriction areas that occur on the tract, lot, or parcel must be shown on the plan. Any wetland areas shall be shown on the plan.
- 4. Proposed Layout.
  - A. Proposed layout of lots and boundary monumentation.
  - B. Lots numbered.
  - C. Building setback lines.
  - D. Total area and minimum lot size.
- 5. Highway Occupancy Permit. If the proposed land development requires a Pennsylvania Department of Transportation (PennDOT) Highway Occupancy Permit (HOP), the applicant shall initiate the HOP process simultaneously to the plan submission in accordance with latest PennDOT procedures. The developer shall include the Township Engineer in any and all meetings, including the Scoping Meeting and/or or correspondence or discussions regarding the permitting process. In addition, any documentation submitted as part of the HOP process shall be simultaneously submitted to the Township for review purposes.

#### **§406. Final Plan Requirements**

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

- 1. Drafting Standards.
  - A. The plan shall be drawn at a scale of one (1) inch equals one hundred (100) feet or one (1) inch equals fifty (50) feet or greater.
  - B. Dimensions shall be in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
  - C. Each sheet shall be numbered and shall show its relationship to the total number of sheets.
  - D. Where any modification is made to an improved site, 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.
  - E. Where any revision is made to a plan under review, notations of revisions shall be numbered and dated.
  - F. The plan shall be so prepared and bear an adequate legend to indicate clearly which features are existing and which are proposed.
  - G. The boundary line of the subdivision or land development shall be shown as a solid heavy line.
  - H. The plans shall be clear and legible white paper print.
  - I. The plans shall be on sheets either eighteen (18) inches by twenty-four (24) inches or twenty-four (24) inches by thirty-six (36) inches or thirty (30) inches by forty-two (42) inches and all lettering shall be so drawn as to be legible if the plan should be reduced to eleven (11) inches by seventeen (17) inches.

2. Information to be Shown; General.
  - A. Name of the subdivision or land development.
  - B. Name, address, and telephone number of the owner and applicant.
  - C. Name and address of the engineer, surveyor, and/or landscape architect responsible for the plan. Plans shall bear the seal of the responsible party for the plan.
  - D. Present zoning classification on the subject tract and adjacent properties, and the requirements of the subject tract.
  - E. Date, north point, and scale, graphically as well as in written form.
  - F. A location map for the purpose of locating the site to be subdivided or developed at a scale of not less than eight hundred (800) feet to the inch, showing the relation of the tract to adjoining property and to all streets, roads, and municipal boundaries existing within one thousand (1,000) feet of any part of the property proposed to be subdivided or developed.
3. Existing Features.
  - A. Complete outline survey of the property to be subdivided or developed, showing all courses, distances, and areas, and tie-ins to all adjacent street intersections.
  - B. The location, names, and widths of streets, the location and name of railroads, the location of property lines and names of owners, the location of water courses, sanitary sewers, storm drains, and similar features within four hundred (400) feet of any part of the land to be subdivided or developed.
  - C. Location of all existing monuments with references to them.
  - D. Location, size, and ownership of all underground utilities, and any rights-of-way within the property.
  - E. Topography within and adjacent to the property shall be shown with contour lines at vertical intervals of 2 feet and shall be determined by on-site survey based on U.S.G.S. benchmarks. The plans shall indicate the benchmark elevation and location(s) to which the elevations refer.
  - F. Location and character of existing of buildings, location of quarries, marshy areas, areas subject to inundation, and other data which may serve to affect the street or building layout.
  - G. Location, species and size of stand-alone trees three (3) inches in caliper or greater and the outline of all wooded areas. The drip-line of stand alone trees and wooded areas shall be indicated.
  - H. Any floodway restriction areas that occur on the tract, lot or parcel must be shown on the plan. Location of any wetlands.
  - I. Name of owners and tax map parcel numbers of adjacent properties, including those across roadways.
  - J. Soil map showing soil types within the site, based on the Official Soil Survey provided by the U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/>). The soil map

shall be accompanied by a tabulation of each soil type indicating the following information: symbol, name, slope, hydrologic soil group, and all limitations for site development specific to the type of development proposed including, but not limited to, depth to water table, depth to bedrock, and construction limitations. Table shall also include actions or precautions to be taken to resolve the specific limitations.

4. Proposed Layout.
  - A. The proposed names, cartway width, and right-of-way width of all proposed streets.
  - B. Lot layout, including dimensions and bearings and consecutive numbering of lots.
  - C. The arrangement of buildings and parking areas in commercial and multi-family developments with all necessary dimensions noted on the plan. Ground floor elevation of all proposed buildings shall be noted on the plan.
  - D. Sufficient data to determine readily the location, bearing and length of every street, lot, and boundary line.
  - E. The proposed building setback lines for each lot and/or the proposed location of each building.
  - F. Accurate locations of all monuments, one (1) to be placed at each change in direction of boundary, three (3) 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. Lot boundary lines shall be provided with a concrete monument at their intersection with the street line and/or ultimate right-of-way line. All other lot boundary corners shall be provided with iron pipes or iron pins or railroad spikes.
  - G. The location, width, and purpose of all easements or rights-of-way and boundaries by bearings and dimensions.
  - H. For multifamily developments, the total area, total dwelling units, number of buildings, proposed density, total parking spaces, building coverage, and the bedroom ratio shall be noted on the plan.
  - I. For subdivisions, the total area, number of lots, average and minimum lot size, and proposed length of new streets shall be noted on the plan.
  - J. The location of all existing and proposed fire hydrants.
  - K. Certification of service for water and sewer facilities from the Municipal Authority.
  - L. Water Supply. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicant shall present evidence to the Board of Supervisors that the subdivision is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative

agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable.

5. Highway Occupancy Permit.

A. If the proposed land development requires a Pennsylvania Department of Transportation (PennDOT) Highway Occupancy Permit (HOP), the applicant shall initiate the HOP process simultaneously to the preliminary plan submission in accordance with latest PennDOT procedures. The developer shall include the Township Engineer in any and all meetings, including the Scoping Meeting and/or or correspondence or discussions regarding the permitting process. In addition, any documentation submitted as part of the HOP process shall be simultaneously submitted to the Township for review purposes.

1. TIS / HOP Scoping Meeting shall be scheduled to coincide with Sketch Plan, if this submission is made. This meeting will provide discussion of the project and potential problems and set the parameters of the TIS for PennDOT review.
2. TIS shall be submitted to PennDOT for review and approval simultaneously with the preliminary plan submission.
3. Construction Plans for HOP shall be submitted to PennDOT for review and approval simultaneously with the final plan submission.

6. Improvement Construction Plans.

A. The improvement construction plan shall be at a scale of one (1) inch equals fifty (50) feet horizontally and one (1) inch equals five (5) feet vertically, or greater.

B. All horizontal drainage and utility construction plans shall be accompanied by a grading plan. Contours shall be shown at a maximum interval of two (2) feet with spot elevations at sufficient locations to review the proposed improvements.

C. The following shall be shown on the horizontal layout for streets:

1. Centerline with bearings, distances, curve data, and stations corresponding to the profile.
2. Right-of-way and curb lines with radii at intersections.
3. Tie-ins by courses and distances to intersections of all public roads, with their names and widths.
4. Location of concrete monuments.
5. Property line and ownership of abutting properties.
6. Location and size of all public utilities, drainage structures, and street name signs.
7. Location of sidewalks.

D. The following shall be shown on the Profile Plan for streets:

1. Profile of existing ground surface along centerline of street.
2. Proposed centerline grade noting percent on tangents, elevations at fifty (50) foot station intervals, and street centerline intersections.

3. Vertical curve data including length, elevation of twenty-five (25) foot station intervals and high and low points.
  4. Location and size of all public utilities and drainage structures. Sanitary sewer and drainage structures shall include slopes on all pipes.
- E. Cross sections shall include:
1. Right-of-way width and location and width of paving and sidewalk area.
  2. Type, thickness, and cross slope of paving and sidewalk area.
  3. Type and size of curb.
- F. The following shall be shown on the horizontal plans for storm drains and sanitary sewers:
1. Location and size of line corresponding to the profiles.
  2. Location of manholes or inlets.
  3. Property lines and ownership, with details of easements where required.
  4. Location of all other drainage facilities and public utilities.
  5. Top elevations for all inlets or manholes outside of roadways.
- G. Profiles for storm drains and sanitary sewers shall include the profile of the existing and proposed ground surface with elevations at the top and invert of manholes or inlets.

#### **§407. Record Plan Requirements**

The Record Plan shall be clear and legible black line print on mylar and shall be an exact copy of the approved Final Plan on a sheet of the size required for Final Plans. Plans sheets for recording purposes shall be twenty-four (24) inches by thirty-six (36) inches. Four (4) paper and two (2) mylar plans are required. The following information shall appear on the Record Plan, in addition to the information required in §406:

1. Seals.
  - A. The impressed seal of the licensed engineer, surveyor, and/or landscape architect responsible for the plan.
  - B. The impressed corporation seal, if the applicant is a corporation.
  - C. The impressed seal of a notary public or other qualified officer acknowledging owner's statement of intent.
2. Acknowledgments
  - A. A statement to the effect that the applicant is the owner of the land proposed to be developed and that the subdivision or land development shown on the Final Plan is made with his or their consent and that it is desired to record the same.
  - B. Acknowledgment of said statement before an officer authorized to take acknowledgments.

3. The following signatures shall be placed directly on the plan in black India ink:
  - A. The signatures of the owner or owners of the land. If the owner of the land is a corporation, the signatures of the president and secretary of the corporation shall appear.
  - B. The signature of the notary public or other qualified officer acknowledging the owner's statement of intent.
  - C. The signature of the licensed engineer, surveyor, and/or landscape architect who prepared the plan.
  - D. The signature of the chairman of the Township Planning Commission.
  - E. Signature of the Township Engineer.
  - F. The signatures of the Township Board of Supervisors.
  - G. Signature by the Bucks County Planning Commission.

**§408. Modifications**

1. The Board of Supervisors may grant a modification of the requirements of one (1) or more provisions of this Chapter if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Chapter is observed.
2. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Chapter involved, and the minimum modification necessary.
3. The request for modification shall be referred to the Planning Commission for advisory comments.
4. The Board of Supervisors shall keep a written record of all action on all requests for modifications.

**§409. As-Built Plan Requirements**

The following information shall appear on the referenced as-built plans, in accordance with the Final Inspection requirements of §320:

1. Street Right-of-Way and Utility As-built Plan Requirements
  - A. Sanitary sewer manhole locations, rim elevations, inverts, pipe material, sizes and slopes, and lateral locations.
  - B. Storm sewer structure locations, rim and grate elevations, inverts, pipe material, sizes and slopes, and direction of flow.
  - C. Detention basin grading, design and as-built volumes, outlet structure locations, grate elevations, orifice/weir sizes and elevations, berm and spillway widths and elevations and riprap apron locations.
  - D. Water main sizes, locations, valves, fire hydrants, corporate stops.

- E. Cartway widths and road centerline elevations every 50 feet.
  - F. Sidewalk locations and widths.
  - G. Trail locations and widths.
  - H. Street light locations.
  - I. All as-built plans must be prepared, signed and sealed by a PA-registered professional surveyor.
2. Lighting As-Built Plan Requirements
- A. Light locations, with type identified.
  - B. Existing light intensities and uniformity.
  - C. All as-built plans must be prepared, signed and sealed by a PA-registered professional surveyor and engineer/landscape architect.
3. Monumentation Certification Requirements
- A. Written certification prepared, signed and sealed by a PA-registered surveyor, stating that all required monumentation is set in accordance with the previously approved plot plan.

## Part 5

### Design Standards

#### §501. Application

1. The standards and requirements outlined herein shall be considered minimum safety standards and requirements for the promotion of the public health, morals, and general welfare.
2. Where literal compliance with the standards herein specified 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 these regulations.

#### §502. General

1. All portions of a tract being subdivided shall be take up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created.
2. Reserve strips controlling access to lots, public rights-of-way, public lands or adjacent private lands shall be prohibited unless their control is definitely placed with the Township under conditions approved by the Board of Supervisors.
3. In general, lot lines shall follow Township boundary lines rather than cross them.
4. Where trees, groves, waterways, scenic points, historic spots or other community assets and landmarks are located within a proposed subdivision or land development, every possible means to the fullest extent shall be provided to preserve these features.
5. Subdivisions or land developments shall be properly designed in order to prevent the necessity for excessive cut or fill.
6. Land subject to flooding or other hazards to life, health, or property and land deemed to be topographically unsuitable shall not be subdivided or developed for residential occupancy or for such other uses as may endanger health, life, or property, or aggravate erosion or flood hazards until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the Final Plans. Such land within a subdivision or land development shall be set aside on the plan for uses that will not be endangered by periodic or occasional inundation or will not produce unsatisfactory living conditions.
7. Where flooding is known to have occurred within the area shown on the plan, such area shall be clearly marked "subject to periodic flooding" and no building or street shall be permitted in this area.
8. Areas provided or reserved for community facilities, such as churches, libraries, schools, parks, playgrounds, shopping and local business centers, should be adequate to provide for building sites, landscaping, and off-street parking as appropriate to the use proposed. The Board of Supervisors reserves the right to accept or refuse offers of dedication for public use.

9. All design and construction specifications which are not specifically listed in this Chapter shall be those specified in the Pennsylvania Department of Transportation's Publication 408 Specifications and Roadway Construction Standards, or as may be amended.

**§503. Location**

1. Subdivision and land development proposals and submissions must be in conformance with the following:
  - A. The proposals in the Warminster Township Comprehensive Plan for the area in which the submission is located.
  - B. The requirements in the Warminster Township Zoning Ordinance (Chapter 27) for the district in which the submission is located, and for the use requirements for which the land is to be developed.
  - C. The character of existing development near the location of the submission. The submission shall be complementary to the surrounding uses, and shall be laid out so that the best possible integration of existing and proposed streets and building orientations is achieved.
2. A finding by the Board of Supervisors that the submission does not conform to one (1) or more of the above location criteria shall be sufficient reason for denying approval of the submission.

**§504. Streets, General**

1. The arrangement, character, extent, grade, and location shall conform to the Warminster Township Street Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
2. Proposed streets shall further conform to such County and State street and highway plans as have been prepared.
3. Where such is not in the Warminster Township Street Plan, the arrangement of streets in a subdivision or land development shall either provide for the continuation or appropriate projection of existing principal streets in surrounding areas, or conform to a plan for the neighborhood approved or adopted by the Board of Supervisors to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.
4. Residential streets shall be so laid out that their use by through traffic will be discouraged; however street connectivity for local residents shall be considered for access to principal roadways. Warminster Township Board of Supervisors may require traffic calming measures as a design requirement on residential streets.
5. Where a subdivision or land development abuts or contains an existing or proposed expressway, arterial or collector street, the Board of Supervisors with the advice of the Planning Commission may require marginal access streets, reverse frontage lots with screen planting contained in a non-access reservation along the rear property line, extra deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

6. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets. Street names shall not be repeated, and all street names shall be subject to the approval of the Board of Supervisors.
7. If the lots resulting from the original subdivision are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access to street openings for such an eventuality shall be provided.
8. Where the subdivision or land development adjoins unsubdivided acreage, stub streets shall be provided to the boundary lines with temporary easements for turnarounds.
9. Private Streets are Prohibited. They will be approved only if they are designed to meet public street standards.
10. Any development located along an existing bus route, or which proposed new roadways which may be incorporated into a bus route, shall provide adequate shelters for bus patrons at designated bus stop locations or as otherwise directed by the Planning Commission.
11. An applicant who encroaches within the legal right-of-way of a State highway is required to obtain a highway occupancy permit from the Pennsylvania Department of Transportation.

**§505. Street Standards**

1. Where a subdivision or land development abuts or contains an existing street of inadequate right-of-way width, a future right-of-way width shall be indicated on the plan to conform to the below standards.
2. Provision for additional street width may be required by the Board of Supervisors in specific cases for:
  - A. Public safety and convenience.
  - B. Parking in commercial or industrial areas and in areas of high density residential development.
  - C. Widening of existing streets where the minimum width outlined below does not meet with the specific requirements for the individual street.
  - D. At a minimum existing streets shall receive mill and overlay for full width of roadway along property frontage.
3. Streets shall be constructed in accordance with the following requirements:

**MINIMUM REQUIREMENTS**

<u>Street Classification</u>	<u>Right-of-Way</u>	<u>Cartway</u>	<u>Curb</u>	<u>Sidewalk</u>
Regional Arterial	100 feet	PennDOT	Yes	Yes
Community Arterial	100 feet	PennDOT/40'	Yes	Yes
Community Collector	80 feet	40 feet	Yes	Yes
Neighborhood Collector	60 feet	34 feet	Yes	Yes
Local Road/Streets	50 feet	26 feet	Yes	Yes
Marginal Access	40 feet	20 feet	Yes	Yes

Street Classification:

Regional Arterial:

- York Road (S.R. 263)
- Street Road (S.R. 132)
- County Line Road (S.R. 2038)
- Jacksonville Road (S.R. 332) between Bristol Road and Street Road

Community Arterial:

- Bristol Road (S.R. 2025)
- Mearns Road (S.R. 2077)
- Davisville Road between Street Road and County Line Road
- Jacksonville Road (S.R. 332) between Street Road and County Line Road

Community Collector:

- Valley Road
- Norristown Road
- Davisville Road between Bristol Road and Street Road
- Johnsville Boulevard
- Ivyland Road

Neighborhood Collector:

- |                   |                    |
|-------------------|--------------------|
| Acorn Drive       | Mueller Road       |
| Carr Way          | Park Avenue        |
| Centennial Road   | Penrose Lane       |
| Cooper Drive      | Phillips Road      |
| Delmont Avenue    | Roberts Road       |
| Evergreen Avenue  | St. David's Avenue |
| Henry Avenue      | Sinkler Road       |
| Hostman Avenue    | Sunmead Avenue     |
| Log College Drive | Sweetbriar Drive   |
| Louis Drive       | Victoria Road      |
| Madison Avenue    | Worthington Drive  |

Local Road/Streets:

All other two way streets not previously identified

Marginal Access:

A secondary street which is parallel to and adjacent to an expressway, arterial road, or collector road; and which provides access to abutting properties and protection from through traffic.

4. Minimum street construction standards shall conform to Warminster Township general specifications for street paving.

**§506. Street Alignment**

1. Horizontal Alignment.
  - A. Horizontal curves shall be used when centerlines are deflected in excess of five (5) degrees.
  - B. Minimum centerline radii for horizontal curves shall follow the following standards:
    1. Arterial Streets: Five hundred (500) feet.
    2. Collector Streets: Three Hundred (300) feet.
    3. Local Roads/Streets: One hundred fifty (150) feet.
  - C. A long radius curve shall be preferred in all cases to a series of curves and tangents.
  - D. A minimum tangent length measured at the centerline of one hundred (100) feet shall be provided on streets between the PT (point of tangent) of the first curve and PC (point of curve) of the second curve. Two (2) curves in reverse direction should be avoided unless joined together without a minimum one hundred (100) foot tangent length, unless used for traffic calming purposes in residential areas and by approval of the Township Engineer.
  - E. Curves within arterial and/or collector streets shall be super-elevated in accordance with Pennsylvania Department of Transportation, Design Manual, Part 2, Highway Design, as amended. On all super-elevated areas, the crown shall be removed and slope shall be uniform from the inside to the outside of the pavement. Full super elevations will be attained at the PC and the PT with run-outs as indicated in the design manual. The normal grade of the inside edge of the pavement or the centerline of the pavement will be held as a base line from which all super-elevation will be applied. The method to be used shall be as directed by the Township Engineer.
2. Sight Distance.
  - A. The following clear sight triangles shall be provided and maintained at all intersections, as measured in all directions from centerline intersections. No existing or proposed structures or plantings, between two (2) feet and seven (7) feet above road centerline shall be permitted in the clear sight triangle area.
    1. For thirty (30) to fifty (50) foot rights-of-way: Seventy-five (75) feet clear sight triangle.
    2. For greater than fifty (50) foot rights-of-way: One hundred thirty (130) foot clear sight triangle.
  - B. Minimum sight distances shall be maintained at all intersections and driveways. The minimum acceptable safe stopping sight distance (SSSD) values shall be computed from the following formula:

$$\text{SSSD} = 1.47VT + (V^2)/[30(f + g/100)]$$

where SSSD = Minimum safe stopping sight distance (feet)  
 V = 85<sup>th</sup> Percentile velocity of vehicle (miles per hour) or 10 MPH over the proposed speed limit  
 t = Perception time of motorist (average: 2.5 seconds)  
 f = Coefficient of friction of pavement (see table below)  
 g = Percent grade of roadway divided by 100.

85th Percentile Speed	Coefficient of Friction	Grade =				
		-10%	-5%	0%	5%	10%
25	0.38	166	155	147	140	135
30	0.35	230	210	196	185	177
35	0.34	299	269	249	233	221
40	0.32	389	345	314	291	274
45	0.31	487	425	383	353	330
50	0.30	600	517	462	422	392
55	0.30	706	605	538	490	454
60	0.29	852	721	634	573	528

#### §507. Street Grades

1. A minimum grade of one (1) percent shall be established on all streets. A lesser grade may be used with prior approval of the Township Engineer.
2. A maximum grade of five (5) percent shall generally apply to enable the installation of ADA compliant sidewalks. In hilly areas, a maximum grade of six (6) percent on "collector" and "primary" streets and ten (10) percent on "secondary" streets for a maximum distance of one thousand five hundred (1,500) feet will be permitted, subject to approval by the Township Engineer.
3. A combination of minimum horizontal curve radii and maximum grades shall not be approved.
4. Vertical curves shall be used at changes of grade exceeding one percent (1%) and shall be designed in relation to the extent of grade change and to provide the following minimum sight distances:
  - A. For crests, each four percent (4%) difference in gradient shall use one hundred twenty-five (125) foot length of curve.
  - B. For sags, each four percent (4%) difference in gradient shall use one hundred (100) foot length of curve.
  - C. Where the grade of any side street at the approach to an intersection exceeds four percent (4%), a leveling area shall be provided. Leveling area shall not be greater than four percent (4%) grade for a minimum distance of fifty (50) feet from the edge of the through cartway.
5. Maximum grades within one hundred (100) feet of the outer perimeter of a turnaround shall not exceed four (4) percent as measured along the centerline of the street.

**§508. Street Intersections**

1. Multiple intersections involving junction of more than two (2) streets shall be avoided. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety and upon approval by Township Engineer.
2. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another street at an angle of less than seventy (70) degrees.
3. Proposed streets/roads shall not intersect on the same side of a major Arterial or Collector Street at an interval of less than eight hundred (800) feet.
4. Proper sight lines shall be maintained at all street intersections in accordance with §506.2. "Sight Distance," and Pennsylvania State Department of Transportation specifications and design standards for roads and streets.
5. Street curb intersections shall be rounded by a tangential arc with a minimum radius of twenty (20) feet for "secondary" or "local" streets and thirty (30) feet for "primary" or "collector" streets.
6. Streets entering opposite sides of another street, existing or proposed, shall be laid out either directly opposite one another or with a minimum offset of one hundred twenty-five (125) feet between their centerlines.
7. The approaches to an intersection shall follow a straight course for a minimum of fifty (50) feet for secondary (local) streets and a minimum of one hundred (100) feet for arterial and collector streets.

**§509. Cul-de-Sac**

A cul-de-sac shall not be permitted unless the applicant can demonstrate to the satisfaction of the Township Engineer that construction of a through street is infeasible. Cul-de-sac shall be permitted only upon the approval of the Board of Supervisors subject to the following minimum standards.

- A. Cul-de-sac streets shall be designed to permit future extension into adjacent undeveloped property. Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to property line and contained within an easement area. A right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract. At such time as such a street is extended, the overage created by the turnaround outside the boundaries of the extended street shall revert in ownership to the property owners fronting on the cul-de-sac turnaround.
- B. Permanent cul-de-sac streets shall be kept to a minimum and shall not exceed five hundred (500) feet in length or serve as access to more than 12 dwelling units, whichever is more restrictive, unless specifically authorized by the Board of Supervisors. The minimum length of a cul-de-sac shall be two hundred fifty (250) feet. For the purposes of this Chapter, cul-de-sac length is measured from the intersection of the proposed right-of-way lines of the intersecting streets, or in the case of a proposed cul-de-sac intersecting an existing street, from the intersection of the proposed right-of-way line and ultimate right-of-way line of the existing street, to the center of the turnaround area.

- C. Cul-de-sac streets, whether permanent or temporary, shall be provided with a turnaround at the closed end having a minimum radius to the edge of the finished street or curb line of not less than forty (40) feet. Permanent cul-de-sac streets shall be provided at the terminus with a right-of-way radius of sixty (60) feet.
- D. A planted island may be provided in the center of the cul-de-sac turnaround, which shall be maintained by a lot owner or homeowners association. The planted island shall have a radius of thirty (30) feet with a twenty (20) feet wide cartway around the island. Fifty (50) feet paving radii shall be provided to transition the cartway at the entrance and exit of the turnaround. The turnaround shall be restricted to one-way traffic. Landscaping of the island shall be subject to the approval of the Township.
- E. Commercial and industrial cul-de-sac streets shall be reviewed for adequacy by the Township Engineer. When deemed necessary by the Township Engineer, additional cartway and/or right-of-way radius may be required.
- F. A snow storage area shall be provided along the right-of-way of the turnaround. The snow storage area shall be contained within an easement not less than fifteen (15) feet measured from the right-of-way line, and of sufficient length as deemed necessary by the Township to provide adequate snow storage area.
- G. Prospective purchasers of any property located either entirely or partially on a temporary cul-de-sac, as defined above, shall be advised by the owners of such property or their authorized agents or representatives that such property is so located on temporary cul-de-sac. Actual purchasers of any property located either entirely or partially on temporary cul-de-sac shall signify in writing that they have been advised that the property to be purchased is either entirely or partially on a temporary cul-de-sac. A signed copy of such writing shall be delivered and received by the Township before settlement of the property takes place.
- H. Drainage, where feasible, shall be toward the open end of the cul-de-sac.

**§510. Driveways**

- 1. Driveways shall be so located, designed, and constructed as to provide the adequate sight distance, for all anticipated turning movements into and out of the proposed driveway, as discussed previously in 506.2. "Sight Distance." A stopping area, measured twenty (20) feet behind the right-of-way line, shall be provided not to exceed a four percent (4%) grade.
- 2. Driveways, where provided, shall be located not less than forty (40) feet from the intersection corner of corner lots and shall provide access to the street of lower classification when a corner lot is bounded by streets of two (2) different classifications as herein defined.
- 3. Driveway entrances for non-residential and high density residential developments may be depressed in order to permit a freer and safer movement of vehicles.
- 4. Minimum design standards for driveways and entrance and exit drives shall be as follows:
  - A. A minimum width of twelve (12) feet for one (1) way use only.
  - B. A minimum width of twenty-five (25) feet for two (2) way use.

- C. A maximum of thirty-five (35) feet at the street line and fifty-four (54) feet at the curb line.
  - D. A minimum side setback of five (5) feet shall be provided for all residential driveways. Non-residential driveways and residential driveways for more than five vehicles shall be setback a minimum of fifteen (15) feet.
5. An applicant who encroaches within the legal right-of-way of a State highway, or proposes a change in the use or intensity of use for an existing driveway, is required to obtain a highway occupancy permit from the Pennsylvania Department of Transportation.

**§511. Accessory Drive-Through Facilities**

- 1. A drive-through facility is any vehicle-related commercial facility where a service is provided, or goods, food, or beverages are sold, to the operator of or passengers in a car without the necessity of the operator or passengers disembarking from the vehicle. Any facility which proposes a drive-through or drive-up window as an accessory facility to a retail, service, financial, eating place, or other use where customers are served in their cars shall be subject to the following requirements:
- 2. The following definitions shall apply:
  - BYPASS LANE/ESCAPE LANE - vehicular lane allowing traffic to pass the drive-through lane and/or allowing vehicles, because of emergencies or mistakenly entering the drive-through lane, to exit the drive-through lane.
  - DELAYED SERVICE PARKING AREA - stationing area, separate from the drive-through service area, which allows patrons to wait for goods and services that cannot be delivered promptly, while other patrons waiting to use the drive-through service area/facility could be serviced.
  - DRIVE-THROUGH CANOPY - overhead structures intended to shelter patrons from the weather while stationed at the drive-through area/facility.
  - DRIVE-THROUGH LANE - vehicular lane allowing the stationing and stacking of vehicles while ordering and waiting for goods and services.
  - DRIVE-THROUGH SERVICE AREA/FACILITY - position and facility which permits patron to receive goods or service, such as a pick-up window, drawer or similarly intended structure.
- 3. General Standards. A drive-through facility is subject to the following standards:
  - A. The drive-through facility shall be designed so as not to impede or impair vehicular and pedestrian traffic movement or exacerbate the potential for pedestrian/vehicular conflicts.
  - B. A drive-through facility with the drive-through service area/facility located in an existing or proposed shopping center shall have circulation patterns that are integrated with that of the center.
  - C. To minimize the impacts of drive-through facilities located adjacent to residential uses, hours of operation shall be set as a condition of approval of the use.

- 4. Location Standards.
  - A. Drive-through facilities may not be located across the street from residential zoning districts unless separated by an arterial street.
  - B. Drive-through facilities are not permitted on sites abutting schools, parks, playgrounds, libraries, churches, and other public and semipublic uses which have substantial pedestrian traffic.
  - C. Frontage Requirements. Minimum lot frontage on at least one street shall be 150 feet for all principal uses with accessory drive-through facilities to ensure adequate room for access drives.
- 5. Street Access.
  - A. Drive-through facilities shall abut only arterial streets or community collector streets, and access shall not be taken from local streets.
  - B. The driveway entrance and exit lane of a drive-through facility must be setback at least 100 feet from an intersection.
- 6. Drive-through Lanes and Bypass/Escape Lanes.
  - A. A bypass lane/escape lane shall be provided for all drive-through facilities.
  - B. The design of a drive-through lane and bypass lane/escape lane shall minimize the blocking, crossing, or passing through of off-street parking areas and minimize crossing of, or the need to be crossed by, pedestrian access ways for patrons.
  - C. The drive-through lane shall not be the sole ingress and egress to the site.
  - D. Drive-through lanes shall be marked by signs which indicate the entrance and exit for the drive-through lane. The direction of traffic flow for the drive-through lane and bypass lane/escape lane shall be clearly marked.
  - E. Delayed service parking areas shall be located a minimum of 20 feet from the point where the drive-through lane and bypass lane/escape lane merge.
- 7. Stacking Distance.
  - A. A stacking area is to be provided for vehicles waiting for service in the drive-through lane that is separated from other traffic circulation on the site. Stacking shall not be provided in parking aisles or in driveways provided for on-site circulation.
  - B. The stacking distance shall be as follows:

<b>Use</b>	<b>Maximum Number Vehicles</b>	<b>Lane Length (feet)</b>
Eating Place	6	132
Bank	6	132
Car Wash	10	220
Dry Cleaner	2	44
Pharmacy	7	154
Other uses	6	132

- 8. Lane Width.
  - A. Drive-through lanes are to be separated from the bypass lane/escape lane and parking aisles by painted lines. The lanes shall be a minimum of 12 feet wide. If two or more parallel drive-through lanes are provided, they shall each be a minimum of 10 feet wide.
  - B. A bypass lane/escape lane shall be a minimum of 10 feet wide.
  - C. Lane Separation. An on-site circulation pattern is to be provided for drive-through facility traffic that separates such traffic from that of walk-in/sit down/takeout patrons.
- 9. Drive-Through Canopy Height. The total height for any overhead drive-through canopy shall not exceed 15 feet.
- 10. Application Requirements. A traffic impact study shall be submitted to provide information which will be used to determine the necessary stacking area and the impact the proposal will have upon local traffic circulation. The traffic impact study shall address the following issues:
  - A. Nature of the product or service being offered.
  - B. Method by which product or service is being offered (e.g., window service or brought to vehicle by employee).
  - C. Time required to service typical customer.
  - D. Arrival rate for patrons.
  - E. Peak demand hour.
  - F. Anticipated vehicular stacking required.
  - G. Anticipated traffic generation.
  - H. Diagram of traffic flow, stacking and pedestrian crossings.

**§512. Automobile Parking Facilities**

- 1. Automobile parking facilities shall be provided off street in accordance with the requirements of the Warminster Township Zoning Ordinance [Chapter 27].
- 2. Parking space dimensions shall be no less than those listed in the following table:

<u>Angle of Parking</u>	<u>Stall Width</u>	<u>Stall Length</u>	<u>Drive Aisle one-way</u>	<u>Drive Aisle two-way</u>
90	9'	18'	20'	24'
60	9'	20'	18'	24'
45	9'	19'	14'	24'
Parallel	9'	22'	12'	24'

The length of the spaces shall be measured perpendicular to the curb for 90-degree spaces and parallel to the space for angle parking.

3. At no time shall angle or perpendicular parking be permitted along the public streets. All parking lots and bays permitting parking other than parallel shall be physically separated from the street and confined by curbing.
  - A. Curbing may be eliminated if grassed swales and/or bioretention facilities, designed in accordance with Chapter 26, Part 3 and the Pennsylvania Stormwater Best Management Practices Manual, December 2006 or latest edition, are provided adjacent to parking areas.
4. Handicapped parking stalls shall be installed in all parking lots as close and convenient to building entrances as is reasonable. The specific number and location of handicapped stalls shall meet current ADA requirements except where additional spaces are deemed necessary by the Board of Supervisors, with the advice of the Township Planning Commission and Engineer.
5. All dead-end parking lots shall be designed to provide sufficient back-up area for the end stalls of the parking lot and shall make provisions for vehicle turnaround in the event the lot is full.
6. Parking row shall be limited to twelve (12) spaces when single-stacked, twenty-four (24) spaces if double-stacked. Ten (10) foot wide, curbed refuge island shall be provided after a maximum of twelve parking spaces.
7. So as to eliminate the creation of very large parking areas, the Township shall have the right to require a division of parking areas for each one hundred (100) cars or fraction thereof. The division may be by ten (10) foot planting strip, four (4) foot grade separation, or any combination of planting strip and grade separation as is deemed appropriate by the Planning Commission.
8. Parking areas shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle.
9. No less than a five (5) foot radius of curvature shall be permitted for all curb lines in all parking areas.
10. Except at entrance and exit drives, all parking areas shall be set back from the future right-of-way line at least fifteen (15) feet. The distance between this required setback and the future cartway shall be maintained as a planting strip.
11. The use of pervious pavement in parking areas, in accordance with Chapter 26, Appendix C "Pervious Hardscaping Credit Criteria", is encouraged. The construction of all automobile parking areas not intended to be pervious shall be in accordance with the Warminster Township Specifications and Design Standards for Street and Roads.
12. In vertical or stacked parking structures, the following additional requirements shall apply:
  - A. A minimum of 5% of the spaces shall be provided with charging ports for electric vehicles.
  - B. A maximum of 10% of the parking stalls may be designated for compact cars. Compact car stalls may be reduced to eight (8) feet in width and fifteen (15) feet in length.

**§513. Sidewalks**

1. The minimum width of combination sidewalk and curb shall be six (6) feet. Where the sidewalk and curb are separated by an unpaved section, the minimum width of the sidewalk alone shall be five (5) feet along all streets, unless otherwise specified by the Warminster Township Supervisors. Residential areas shall have a three (3) foot planting strip between the curb and sidewalk with a four (4) foot wide sidewalk, all other areas to have a three (3) foot planting strip and five (5) foot sidewalk. Where sidewalk width is reduced to four (4) feet, passing areas, five (5) feet by five (5) feet minimum, shall be provided every two hundred (200) feet.
2. The grades and paving of the sidewalk shall be continuous across driveways except in non-residential and high density residential developments and in certain other areas where heavy traffic volume dictates special treatment.
3. The thickness of all sidewalks shall be constructed in accordance with the Warminster Township Specifications and Design Standards for Streets and Roads.
4. Sidewalks shall be laterally pitched at a slope not less than one eighth (1/8) inch per foot to provide for adequate surface drainage.
5. At corners and pedestrian street-crossing points, sidewalks shall be extended to the curb with access ramps designed in accordance with PennDOT and ADA design standards.
6. Sidewalks shall not exceed a five percent (5%) grade. Steps or a combination of steps and ramps, designed in accordance with PennDOT and ADA standards, shall be utilized to maintain the maximum grades.
7. Sidewalks adjacent to angle type parking areas shall have sufficient additional width to permit pedestrian movement beyond the bumper overhang area.
8. Sidewalks shall be built in accordance with all the requirements of the Warminster Township Specifications and Design Standards for Streets and Roads.
9. Access ramps shall be provided and constructed in accordance with Warminster Township general specifications for sidewalk and in accordance with Pennsylvania Department of Transportation Design Manual and ADA requirements.

**§514. Street Signs**

1. Street name plates shall be of metal construction; all corners shall be rounded, the lettering shall be of standard proportions and spacing in accordance with one (1) of the alphabets used by the Pennsylvania Department of Transportation. The lettering shall be such as required by the Board of Supervisors. The plates shall be horizontal. The lower edge of the name plate shall be a minimum of seven (7) feet above the ground level or curb. The name plate shall be attached to the standard by rust-proof metal fasteners.
2. The standard shall be rust-proof metal and shall be of sufficient length to permit the same to be embedded in the ground a distance of not less than three (3) feet, as hereinafter provided, and to permit the lower edge of the street name plate to be a minimum of seven (7) feet above the ground level or curb, as hereinafter provided. Upon erection, the standard shall be embedded in a concrete base for a depth of not less than three (3) feet below the surface of the ground. Suitable backfill material shall be placed in the hole around the post in successive layers not exceeding twelve (12)

inches in depth, measured loose. Each layer of backfill shall be thoroughly tamped to secure maximum practical density so that the post will be plumb and rigid. Posts shall not be installed in freezing or thawing weather. The standard shall be of such metal construction as to hold the name plate rigidly in a proper and permanent position and prevent it from swaying in the wind.

3. The signs shall be located with a view to making them seen at all times with a minimum of effort by both pedestrian and vehicular traffic and as close to the side of the cartway or curb as practical but no part of the name plate shall be permitted to overhang any part of the cartway or curb.
4. Street name plates, standards, installations, and locations shall be subject to the approval and inspection of the Township .Engineer.

#### **§515. Curbs**

All curbs shall be constructed in accordance with the Warminster Township Specifications and Design Standards for Streets and Roads.

#### **§516. Blocks**

1. The lengths, widths, and shapes of blocks shall be determined with regard to:
  - A. The planned use of the land.
  - B. Zoning requirements as to lot size, dimensions, and minimum lot area per dwelling unit.
  - C. Need for convenient access.
  - D. Control and safety of street traffic.
  - E. The limitations and opportunities of the topography.
2. In general, all blocks in a subdivision shall have a minimum length of at least five hundred (500) feet and a maximum length of one thousand six hundred (1,600) feet.
3. Whenever practicable, blocks shall be of such width as to provide two (2) tiers of lots of the minimum size permitted under the applicable zoning classification, except in the case of lots along a major thoroughfare where the lot fronts on an interior street.
4. Modifications of the above requirements are possible in multi-family, commercial, and industrial developments.
5. Pedestrian crosswalks, not less than eight (8) feet wide and with flush curbing not less than five (5) feet wide at each end shall be required where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

#### **§517. Lots**

1. The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
2. Lot dimensions shall conform to the requirements of the Warminster Township Zoning Ordinance [Chapter 27].

3. All lots shall abut on a street. Lots where the front and rear property lines abut streets shall be prohibited, except in the case of reverse frontage lots along major thoroughfares.
4. In general, side lot lines shall be at right angles or radial to the street line.
5. The depth and width of lots reserved or laid out for commercial and industrial uses shall be adequate to provide for off-street parking.
6. Lots excessively deep in relation to width, or lots excessively irregular in shape, are to be avoided. A proportion of two and one-half (2 ½) in depth to one (1) in width is generally accepted as a proper maximum.
7. House numbers shall be assigned in accordance with Township requirements.

**§518. Grading**

1. Blocks and lots shall be graded to secure proper drainage away from buildings and to prevent the collection of stormwater in pools.
2. All drainage provisions shall be of such design as to carry surface waters to the nearest practical street, storm drain, or natural water course.
3. The owner shall construct and/or install such drainage structures and/or pipes which are necessary to prevent erosion damage and to satisfactorily carry off such surface waters.
4. No excavation shall be made with a cut face steeper in slope than one (1) horizontal to one (1) vertical, except under one (1) or more of the following conditions:
  - A. The excavation is located so that a line having a slope of one (1) horizontal to one (1) vertical and passing through any portion of the cut face will be entirely inside of the property lines of the property on which the excavation was made.
  - B. The material in which the excavation is made is sufficiently stable to sustain a slope of steeper than one (1) horizontal to one (1) vertical, and a written statement of an engineer or geologist, licensed by the Commonwealth of Pennsylvania and experienced in erosion control and/or soil mechanics, to that effect is submitted to the Township Engineer and approved by him. The statement shall state that the site has been inspected and that the deviation from the slope specified hereinbefore will not result in injury to persons or damage to property.
  - C. A concrete, segmental block, or stone masonry wall, constructed in accordance with approved standards, is provided to support the face of the excavation with approval of the Township Engineer.
5. No fill shall be made which creates any exposed surface steeper in slope than one and one-half (1½) horizontal to one (1) vertical except under one (1) or more of the following conditions:
  - A. The fill is located so that settlement, sliding, or erosion will not result in property damage or be a hazard to adjoining property, streets, alleys, or buildings.
  - B. A written statement from an engineer, licensed by the Commonwealth and experienced in erosion control and/or soil mechanics, certifying that he has inspected the site and that the proposed deviation from the slope specified above

will not endanger any property or result in property damage, is submitted to and approved by the Township Engineer.

- C. A concrete, segmental block, or stone masonry wall, constructed in accordance with approved standards, is provided to support the face of the excavation.
6. 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.

**§519. Easements**

- 1. Easements with a minimum width of twenty (20) feet shall be provided as necessary for utilities and drainage.
- 2. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- 3. Nothing shall be permitted to be placed, planted, set or put within the area of an easement. The area shall be kept as lawn.
- 4. Where a subdivision or land development is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming to the requirements of §602.8, "Riparian Buffer." The Township may require such drainage way improvements to effectively improve the quality and character of such drainage way or watercourse.
- 5. Where stormwater or surface water will be gathered within the subdivision or land development and discharged or drained in volume over lands within or beyond the boundaries of the subdivision or land development, the applicant or owner shall reserve or obtain easements over all lands affected thereby, which easements shall be adequate for such discharge of drainage and for the carrying off of such water and for the maintenance, repair, and reconstruction of the same, including the right of passage over and upon the same by vehicles, machines, and other equipment for such purposes, and which shall be of sufficient width for such passage and work. The owner shall convey, free of charge or cost, such easements to the Township upon demand.

**§520. Stormwater Management**

The owner, developer, or subdivider shall provide stormwater management in accordance with Stormwater Management Ordinance, Chapter 26 Part 4.

**§521. Storm Sewerage System**

- 1. General.
  - A. Storm drains and appurtenances shall be required to be constructed by the owner in any area from which the surface or subsurface drainage could impair public safety or cause physical damage to adjacent lands or public property. The system shall be designed to collect water at the bottom of all vertical grades, immediately upgrade of all street intersections, and other areas where excessive flow may occur.
  - B. In the design of the storm sewerage system, the future use of undeveloped areas upstream shall be taken into account in calculating pipe sizes. The body of water or system shall be evaluated to verify its ability to handle the anticipated flows.

Anticipated flows should be based on maximum impervious cover permitted under the Zoning Ordinance [Chapter 27] in effect at the time of plan submission.

2. Storm Drain Pipes, Inlets, and Manholes.

- A. The design discharge for use in determining gutter flow, spacing of inlets, and for pipe sizing of storm sewer shall be computed by the rational formula  $Q = CIA$ , in which  $Q$  = Discharge, cubic feet per second;  $C$  = Runoff coefficient;  $I$  = rainfall intensity, inches per hour;  $A$  = Area, acres. The storm drainage system shall be designed to carry runoff from the twenty-five (25) year storm based on Region 5 rainfall intensity-duration-frequency curves, as supplied by PennDOT in their Design Manual, Part 2, Highway Design (Publication 13), or as amended. Storm sewer system shall have a minimum of one (1) foot of freeboard during a 100-year storm event.
- B. All inlets must be designed to accommodate the twenty-five (25) year peak flow rate. The capacity of all C-, M-, or S- type inlets shall be determined from the Pennsylvania Department of Transportation Design Manual, Part 2, and any amendments. Spread of runoff in gutters shall not exceed eight (8) feet in width, or one half of the travel lane whichever is lesser, during a ten (10) year storm event.
- C. The spacing of inlets shall not exceed a maximum distance of four hundred fifty (450) feet along anyone (1) continuous line.
- D. The minimum diameter of all storm sewer pipes shall be fifteen (15) inches and the minimum grade shall be one-half (1/2) of one percent.
- E. Storm sewer pipe shall be plain or reinforced concrete pipe or smooth-core, corrugated polyethylene pipe.
- F. Arched or elliptical pipe may be permitted in lieu of circular pipe when pipe cover is restricted.
- G. The crown of all pipes tying into an inlet or manhole shall be set at equal elevations.
- H. An inlet or manhole shall be provided at all horizontal deflections in the storm pipe system unless otherwise approved by the Township Engineer.
- I. An inlets or manhole shall be provided all changes of grade, at all locations where a transition in storm sewer pipe size is required, and at all points of convergence of two (2) or more influent storm sewer pipes. It is desirable that an inlet be used for this purpose in lieu of a manhole wherever possible.

3. Channel Flow.

- A. All drainage channels shall be designed to carry the peak flow from a twenty-five (25) year storm with a minimum of six (6) inches of freeboard. Provisions shall be made to insure that larger runoff events do not impair public safety or cause damage to adjacent lands or public property.
- B. Channels shall be designed to prevent erosion of channel bed or bank areas. Suitable stabilization shall be provided where required to prevent erosion from velocities that exceed the maximum permissible for grass channels as determined by the Township Engineer.

- C. Storm sewers discharging into existing or proposed channels shall enter at an angle less than thirty (30) degrees. If angle is greater, bank stabilization shall be required on far bank.
- D. Vegetated channels shall have a maximum side slope of three (3) horizontal to one (1) vertical.
- E. The design standards for channels shall follow PaDEP Erosion and Sediment Pollution Control Manual, latest edition, as minimum guide.

**§522. Bridges and Culverts**

- 1. Bridges and culverts shall be designed to carry the peak flow from a one hundred (100) year storm. The structures shall be designed in accordance with the Pennsylvania Department of Transportation standards. The structure shall be constructed to the full width of the right-of-way or 5 ft beyond edge of finished cartway, whichever is greater.
- 2. The approval of the Department of Environmental Protection shall be required for all wetlands and waters of the U.S. or when the drainage area exceeds 100 acres.

**§523. Landscape Improvements**

- 1. Purpose and Intent:

The purpose and intent of this Section is to preserve and promote the health, safety, and general welfare of the public; to facilitate the creation of a convenient, attractive and harmonious community; to conserve natural resources including air and water; to conserve properties and their values; to preserve the character of an area by preventing harmful effects of potentially dissimilar uses; and to encourage the appropriate use of land. More specifically this Section is intended to minimize the impact of dissimilar uses on adjoining or nearby uses by requiring a buffer between the uses in order to lessen the impact of noise, dust and other debris, motor vehicle headlight glare, artificial light intrusion, and to other objectionable activities or impacts conducted on or created by an adjoining or nearby use. Additionally, this Section is intended to require the landscaping of parking lots in order to reduce the harmful effects of wind, heat and noise, and the glare of motor vehicle headlights; to preserve underground water resources and to permit the return of precipitation to the below grade aquifers; to reduce the level of carbon dioxide; to prevent soil erosion; to provide shade; and to enhance the overall appearance of the lot.

- 2. Landscape Plan Requirements:

- A. Plans shall be drawn at an appropriate scale to accurately depict compliance with the requirements set forth in this Section.
- B. The Landscape Plan shall contain sufficient information regarding existing features, rights-of-way, utilities, grading, stormwater management facilities, easements and setback lines, driveways, parking areas, buildings, vegetation, and all other information necessary to ensure compliance with this Section.
- C. All areas to be disturbed for utility installations, electric lines, water and sewer lines, and the like, shall be shown on the Landscape Plan and Grading Plan. The plans shall include a line marking the limit of disturbance relative to existing vegetation.

- D. Plans shall include an inventory of all trees indicating size, species, and location for all trees greater than three (3) inches in caliper.
  - E. The Landscape Plan shall be signed and sealed by a Landscape Architect, registered in the Commonwealth of Pennsylvania, responsible for the preparation of the Plan.
3. Maintenance of Landscape Improvements:
- A. The owner, or his agent, shall be responsible for the maintenance, repair, and replacement of all landscape materials shown on the approved landscape plan.
  - B. All plant materials shall be maintained in a healthy growing condition, and replaced when necessary, due to poor health or unsafe conditions.
  - C. All landscaping shall be installed and maintained in accordance with the approved landscape plan. Any removal, relocation, or substitution in plant materials, shall be authorized by the Township, or the Townships representative.
  - D. The omission, removal, replacement, relocation, or substitution of approved plant materials, depicted on the approved Landscape Plan, without prior approval shall be replaced at the owner's expense and subject to review by the Township.
  - E. Plantings and other materials shall not be installed until finished grading has been completed.
  - F. Plantings shall be installed, inspected, and approved prior to the issuance of an occupancy permit.
4. Street Trees:
- A. Within any Land Development or Subdivision, street trees shall be planted along all streets except where the Township agrees that suitable street trees are already in place.
  - B. Street trees shall be located as to not conflict with signage, sidewalks, easements, utilities, or site lines at intersections.
  - C. One (1) street tree shall be planted for every 40 lineal feet of street frontage. The measurement shall not include widths associated with driveway crossings or easements.
  - D. Street trees shall be arranged either in a formal or informal manner. Arrangements are subject to acceptance from the Township.
  - E. Street trees shall be planted within the ultimate right of way line.
  - F. Street trees shall not cause conflict with aerial utilities.
    - 1. If trees are to be planted within 0-15 feet of a utility pole or line, measured along the ground from the base of the pole, only trees which shall not exceed a height of fifteen (15) feet at maturity shall be planted.
    - 2. If trees are to be planted within 15-25 feet of a utility pole or line, measured along the ground from the base of the pole, only trees which shall not exceed a height of thirty (30) feet at maturity shall be planted.

- G. Street trees shall be a minimum of two and one half (2.5) inches in diameter, measured at six (6) inches above grade, and have a uniform canopy and spread at the time of planting. Trees shall have a minimum height of seven (7) feet above grade before branching begins. Any trees installed which do not meet these requirements shall be replaced upon notice from the Township.
  - H. All trees to be installed shall be balled and burlap in accordance with the American Association of Nurserymen Standards.
  - I. Street trees shall be mulched to a depth of no less than three (3) inches in a six-foot diameter tree ring. Mulch shall not be placed against the tree trunk, or the root crown.
  - J. Street trees shall be staked for no longer than 1 year after initial installation. Trees shall be staked utilizing two (2) 2" x 2" x 8' rough sawn stakes. Trees shall be braced utilizing woven polypropylene ties. Under no circumstances shall metal guy wiring be utilized for bracing purposes.
  - K. Plant species which are native to Pennsylvania and hardy to USDA Planting Zone 6b shall be required, in lieu of alternate species.
5. Buffers:
- A. Buffers shall be required in any subdivision or land development.
  - B. General Buffer Requirements:
    - 1. At the Townships discretion, existing vegetation within the buffer yard that meets the objectives of buffer requirements may be utilized to fulfill or partially fulfill buffer requirements.
    - 2. Quantities, sizes, species, and locations of all existing plant material that is being utilized to meet buffer requirements shall be shown on the plans. All vegetation shall be permanently preserved by a note on the record plan to ensure that it remains part of the approved subdivision or land development.
    - 3. The Township, or its authorized representative, must inspect and approve all existing vegetation utilized to meet buffer requirements.
    - 4. All buffer yards shall be kept clean of debris and rubbish.
    - 5. Buffer yards may overlap front, side, and rear yards, however the larger yard requirement shall govern.
    - 6. No structure, stormwater management facility, utility, storage of material, parking facility, or other site amenity shall exist within the buffer which will inhibit the installation of required plant materials. Access driveways may cross the buffer yard provided that they are fairly perpendicular to the buffer yard.
    - 7. Berming shall only be provided where the Township agrees that it would be advantageous. Berms shall not exceed four (4) feet in height, and shall meander to follow the natural topography of the site. Berming shall not adversely affect site drainage or drainage occurring from offsite drainage areas on adjacent properties.

8. Maximum grading for berming purposes shall not exceed four (4) feet horizontal to one (1) foot vertical.

C. Buffer Requirements:

1. Buffers shall be designed in accordance with the following requirements unless otherwise specified in Zoning Ordinance [Chapter 27].

<b>Situation</b>	<b>Buffer Class</b>
Any new Subdivision or Land Development	1
Non-Residential Use abutting Residential Use	2
Multi-Family Residential use or Mobile Home Park abutting other Residential use	3

2. Class 1 Buffer Requirements:

- a. Buffer Yard Width: 15-20 feet
- b. Required quantities:

Canopy Trees:	1 Tree per 40 Linear Feet
Evergreen Trees:	1 Tree per 60 Linear Feet
Flowering Trees:	1 Tree per 60 Linear Feet
Shrubs:	1 Shrub per 20 Linear Feet
Herbaceous Perennials:	10 Plants per 20 Linear Feet
- c. Existing vegetation located within the buffer yard shall be preserved and supplemented with the above materials.

3. Class 2 Buffer Requirements:

- a. Buffer Yard Width: 30 Feet
- b. Required Quantities:

Canopy Trees:	1 Tree per 40 Linear Feet
Evergreen Trees:	1 Tree per 30 Linear Feet
Flowering Trees:	1 Tree per 30 Linear Feet
Shrubs:	3 Shrubs per 20 Linear Feet
Herbaceous Perennials:	10 Plants per 20 Linear Feet
- c. Existing vegetation located within the buffer yard shall be preserved and supplemented with the above materials.

4. Class 3 Buffer Requirements:

- a. Buffer Yard Width: 100 Feet
- b. Required Quantities:

Canopy Trees:	1 Tree per 20 Linear Feet
Evergreen Trees:	1 Tree per 20 Linear Feet
Flowering Trees:	1 Tree per 30 Linear Feet
Shrubs:	10 Shrubs per 20 Linear Feet
Herbaceous Perennials:	10 Plants per 20 Linear Feet

- c. Existing vegetation located within the buffer yard shall be preserved and supplemented with the above materials.

6. Parking Area Landscaping:

- A. All parking lots of six (6) or more parking spaces shall be enclosed, except for entrances and exits, by a hedge, no less than three (3) feet in height at the time of planting. The hedge shall consist of a mix of evergreen and deciduous shrubs.
- B. One shrub shall be provided for each three (3) feet of curb surrounding the parking spaces along the exterior of the parking lot.
- C. One (1) deciduous tree of two and one half (2.5) caliper inches shall be provided for every five parking spaces. Trees shall be planted in locations that will provide adequate shade on impervious surfaces. Parking area trees shall not conflict with site lighting fixtures, aerial, and underground utilities.
- D. Fifteen (15) percent of all parking areas shall be dedicated to landscaping and shall be sufficiently planted to reduce glare, heat, and noise. Calculations for determining percentage of landscaped area shall be determined as the total square footage of all parking stalls, multiplied by fifteen (15) percent. The square footage of drive aisles are excluded from this requirement. Plantings shall be located within or immediately surrounding the proposed parking facility.
- E. Parking islands, as required per §512.5. and 6., shall contain a mix of trees, shrubs, and groundcover creating year round interest. If islands are to be utilized as part of a stormwater management system, plantings shall be inclusive of trees, shrubs, and herbaceous perennials as defined in the Landscape Regulations for Stormwater Facilities, contained herein.
- F. Plantings shall be able to survive soot, salt, and fumes. Trees which have low growing branches, seed pods, gum, thorns, or fruit that could potentially clog drainage facilities shall not be permitted.

7. Landscape Regulations for Stormwater Management Facilities

- A. Stormwater management facilities shall be designed to harmoniously blend with features on site. Landscaping shall be provided to perform functionally as well as aesthetically. Materials shall be laid out in a manner to coincide with other landscape requirements, grading, and existing vegetation.
- B. Landscape Guidelines for Stormwater Management Facilities
  - 1. A mixture of canopy trees, evergreen trees, ornamental flowering trees, shrubs, and herbaceous perennials shall be utilized to naturalize stormwater management facilities.
  - 2. Use of native plant material is encouraged over exotic foreign species.
  - 3. Species specified within the facilities shall be tolerant of anticipated environmental conditions. These conditions include frequent inundation, permanent inundation, heat, wind, arid conditions, etc.
  - 4. Large scale landscaping shall not be placed on top of basin berms, and shall be located a minimum of ten (10) feet away from underground structures, pipes, under drains, etc.

5. Herbaceous perennials shall be provided within and around the basin in lieu of sod.
6. Thermal warming shall be reduced by placement of large scale plant materials to the south and west portions of the facility. Inflow and outflow areas shall be screened with shrub material.
7. Plantings shall not inhibit views, sightlines, or obstruct pedestrian and vehicular circulation.
8. Plantings tolerant of road salts, and chemicals shall be utilized where applicable.
9. Preserve existing natural vegetation where possible.
10. Provide signage to educate public, and define limits of mowing.
11. Stormwater Management Facilities shall comply with the requirements set forth in Chapter 26, Part 4 "Stormwater Management Ordinance."

C. Stormwater Detention/Retention Basin Design Regulations

1. Basin floors, except for basins with permanent ponds, shall be planted with native herbaceous perennials, shrubs, and trees tolerant of frequent inundations.
2. Basin side slopes shall be planted with native herbaceous perennials.
3. Quantities of stormwater management landscaping shall be calculated based on the following:
  - Trees: 1 deciduous tree per 200 square feet of basin.
  - Flowering Trees: 1 ornamental flowering tree per 100 square feet.
  - Shrubs: 1 shrub per 20 square feet of basin.
4. Planting arrangements shall be grouped together to replicate naturalized planting arrangements. Uniform planting patterns should be avoided where possible.
5. Calculations for basin plantings shall be determined by the total area covered by the stormwater facility, including berms, side slopes, basin floor, and the like.

8. Replacement Trees

- A. Any tree three (3) inches in caliper or greater, removed in conjunction with a subdivision or land development shall be replaced onsite. Should sufficient area not exist onsite, the applicant may install trees elsewhere in the Township, as directed by the Director of Parks and Recreation, or provide a fee in-lieu-of replacement trees. The fee for each tree shall be determined at market rate for installation, guarantee, etc.
- B. Replacement trees shall be a minimum of 2.5 inches in caliper at the time of installation.
- C. Replacement trees shall be provided at an inch-per-inch replacement ratio.

- D. Trees which are diseased and which should be removed for safety or for the protection of other healthy trees, as certified by a trained arborist, may be removed and will not be subject to the requirements of this Section.
- E. Tree removal necessary to accommodate public utilities or public facilities to be constructed or installed by the Township or the Township Authority shall be exempt from the requirements of this Section.
- F. Trees required to be planted in accordance with this Section shall be installed in addition to other landscaping requirements set forth in this Ordinance.

9. Compliance Chart

- A. The following Compliance Chart shall be shown on the Landscape Plan, to demonstrate compliance with this Section of the Ordinance.

**Landscape Compliance Chart:**

	Required Qty.	Existing Qty.	Proposed Qty.
<b>Street Trees (___ L/F Total)</b>			
1 Tree per 40 L/F			
<b>Buffer Plantings (___ L/F Total)</b>			
Buffer Class ___			
Canopy Trees			
Evergreen Trees			
Ornamental Flowering Trees			
Shrubs			
Perennials			
<b>Parking Area Plantings</b>			
1 Tree per 5 Stalls			
1 Shrub per 3 L/F Perimeter			
15% Parking Area Landscaping (___ sq. ft.)			
<b>Storm Water Management Plantings (___ sq. ft.)</b>			
1 Tree per 200 sq. ft.			
1 Ornamental Flowering tree per 100 sq. ft.			
1 Shrub per 20 sq. ft.			
<b>Replacement Trees</b>			
Replacement Trees (___ Cal. Inches Removed)			

10. Disapproved Plant List:

Plantings listed below have been selected based on their invasive characteristics. All plantings proposed for installation shall not be classified as an Invasive Species according to the most recent lists provided by USDA, DCNR Bureau of Forestry, or the PA Department of Agriculture. Additionally, plantings chosen shall be disease free varieties.

**Herbaceous Perennials**

<i>Scientific Name</i>	<i>Common Name</i>
Aegopodium podagaria	Goutweed
Allaria petiolata	Garlic Mustard
Carduus nutans	Musk Thistle
Cirsium arvense	Canada Thistle
Cirsium vulgare	Bull Thistle
Coronilla varia	Crown vetch
Datura stramonium	Jimsonweed
Galega officinalis	Goatsrue
Heracleum mantegazzianum	Giant Hogweed
Hesperis matronalis	Dames Rocket
Lythrum salicaria, L. virgatum	Purple Loosestrife
Myriophyllum spicatum	Eurasian Water Milfoil
Ornithogallum nutans, O. umbellatum	Star of Bethlehem
Pastinaca sativa	Wild Parsnip
Perilla frutescens	Beefsteak Plant
Polygonum cuspidatum	Japanese Knotweed
Ranunculus ficaria	Lesser Celandine
Trapa nutans	Water Chestnut

**Grasses**

<i>Scientific Name</i>	<i>Common Name</i>
Arundinaria viridistriata	Running Bamboo
Bromus tectorum	Cheatgrass
Equisetum hyemale	Scour Rush
Imperata cylindrica	Japanese Blood Grass
Microstegium vimineum	Japanese Stilt Grass
Miscanthus sinensis	Maiden Grass
Phalaris arundinacea	Reed Canary Grass
Phragmites australis	Common Reed
Phyllostachys aureosulcata	Yellow Grove Bamboo
Semiarundinaria murelae	Running Bamboo
Sorghum bicolor	Shattercane
Sorghum halepense	Johnson Grass
Typha latifolia	Common Cattail

**Shrubs**

<i>Scientific Name</i>	<i>Common Name</i>
Alnus glutinosa	European black alder

Berberis thunbergii	Japanese Barberry
Berberis vulgaris	European Barberry
Eleagnus angustifolia	Russian Olive
Eleagnus umbellata	Autumn Olive
Euonymus alatus	Winged Euonymus
Ligustrum obtusifolium	Border Privet
Ligustrum vulgare	Common Privet
Lonicera maackii	Amur Honeysuckle
Lonicera morrowii	Morrow's Honeysuckle
Lonicera morrowii x tatarica	Bell's Honeysuckle
Lonicera standishii	Standish Honeysuckle
Lonicera tartarica	Tartarian Honeysuckle
Rhamnus catharticus	Common Buckthorn
Rhamnus frangula	Glossy Buckthorn
Rubus phoenicolasius	Wineberry
Rosa multiflora	Multiflora Rose
Spraea japonica	Japanese Spiraea
Viburnum opulus	European Cranberrybush Viburnum

### Trees

<i>Scientific Name</i>	<i>Common Name</i>
Acer platanoides	Norway Maple
Acer pseudoplatinus	Sycamore Maple
Albezia julibrissin	Mimosa
Ailanthus altissima	Tree of Heaven
Maclura pomifera	Osage Orange
Morus alba	Mulberry
Paulownia tomentosa	Princess Tree
Pyrus calleryana	Callery Pear
Ulmus pumila	Siberian Elm

### Vines

<i>Scientific Name</i>	<i>Common Name</i>
Akebia quinata	Five Leaf Akebia
Ampelopsis brevipedunculosa	Porcelian Berry
Celastrus orbiculatus	Oriental Bittersweet
Hedra helix	English Ivy
Lonicera japonica	Japanese Honeysuckle
Polygonum perfoliatum	Mile-a-Minute Vine
Pueraria lobata	Kudzu Vine

## §524. Lighting

### 1. Purpose and Intent:

To ensure adequate and effective lighting is provided for streets, buildings, parking lots, and other facilities to ensure the safety and comfort of the users. Excessive lighting wastes energy; intrudes upon neighboring properties; is a nuisance to pedestrians, cyclists, and motorists; disturbs wildlife; and can jeopardize the health safety and welfare of the general public. Management of outdoor artificial lighting shall be designed to promote public safety; to minimize adverse effects; to minimize glare; to minimize light trespass; to be utilized where needed to the most efficient extent.

### 2. Definitions:

**DIRECT GLARE** - Glare resulting from high illuminance or insufficiently shielded light sources in the field of view.

**DIRECT LIGHT** - Light emitted directly from the lamp, off the reflector or reflector diffuser, or through the refractor diffuser lens, of a luminaire.

**FIXTURE** - The assembly that houses the lamp(s) source.

**FLOOD or SPOT LIGHT** - Any light fixture that incorporates a reflector or a refractor to concentrate light output into a directed beam in a particular direction.

**FOOT-CANDLE** - A unit of illuminance. One foot-candle is one lumen per square foot.

**FULL CUTOFF** - A luminaire light distribution where zero candela intensity occurs at an angle of 90 degrees above nadir, and at all angles above nadir.

**FULLY SHIELDED LIGHTS** - Outdoor light fixtures shielded or constructed in a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element or indirectly by reflection or refraction, is projected below the horizontal plane through the fixtures lowest light emitting part as certified by a photometric test report.

**GLARE** - The sensation produced by lighting fixtures within the visual field that is sufficiently greater than the luminance to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance.

**HEIGHT OF LUMINAIRE** - the height of a luminaire shall be the vertical distance from finished grade directly below the centerline of the luminaire to the lowest direct-light emitting part of the luminaire.

**IESNA** - Illuminating Engineering Society of North America.

**ILLUMINANCE** - the quantity of light measured in footcandles or lux.

**INDIRECT LIGHT** - direct light that has been reflected or has scattered off of another surface.

**LAMP** - The component of a luminaire that produces light.

**LIGHT LOSS FACTOR** - The ratio of illuminance for a given area to the value that would occur if lamps operated at their initial rated lumen output and if no system variation or depreciation had occurred.

**LIGHT TRESPASS** - The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

LUMEN - A standard unit of luminous flux. One foot-candle is one lumen per square foot.

LUMINAIRE - A complete lighting unit, consisting of one or more lamps together with the fixture.

LUX - A standard unit of illuminance. One lux is equal to one lumen per square meter (lm/m<sup>2</sup>).

OUTDOOR LIGHTING - The illumination of an outdoor area or object by any manmade device that produces light by any means.

OUTDOOR LIGHTING, TEMPORARY - Outdoor lighting that is used for a period of less than 7 days, with at least 180 days passing before being used again or used annually for a period of 30 days or less.

SPORTS FIELD LIGHTING - Artificial outdoor lighting used for the sole intention of illuminating areas to be used for sporting purposes.

3. Applicability. The requirements of this Section shall apply to all outdoor lighting installations as follows:
  - A. Outdoor lighting installations that are designed, constructed, erected, or otherwise placed into operation after the effective date of this Section.
  - B. Alterations, rehabilitations or renovations to existing outdoor lighting installations which are commenced after the effective date of this Section, and which involve the complete replacement of an existing lighting system with a new lighting system.
  - C. Non-Applicability: The requirements of this Section shall not apply to outdoor lighting installations operating before the effective date of this Section, except for any lighting installation that creates a safety hazard as deemed by the Township. Routine maintenance of these pre-existing outdoor lighting installations shall not have to comply with the requirements of this Section. Routine maintenance includes the following:
    1. Replacement of expired lamps.
    2. Replacement/repair of damaged or inoperative luminaire components such as ballasts, igniters, lenses, reflectors, refractors, sockets, or photocell controls.
  - D. Exemptions: The requirements of this Section shall not apply in the following circumstances:
    1. Where superseded by Federal or State Law.
    2. Temporary emergency lighting used by police, fire, emergency medical services, public works, or other public safety services.
    3. Hazard/warning lights required by State or Federal regulations, except that all luminaires used must be red and must be shown to be as close as possible to the minimum lumen output for that specific task.

4. General Regulations:

- A. All outdoor lighting shall be aimed, located, directed, designed, fitted, and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse, and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring property or use.
- B. Floodlights and Spotlights, where permitted, shall be installed and/or aimed so that they do not project their output at neighboring properties, or skyward, or directly onto a roadway.
- C. Except as otherwise permitted in this Section, all fixtures shall meet IESNA full cutoff criteria. No lighting shall be permitted that results in glare beyond an angle of 30 degrees from vertical plane, measured from the light source, or results in glare beyond the property boundaries upon which the luminaire is located.
- D. Except as otherwise permitted in this Section, all fixtures shall not exceed a height of twenty (20) feet from finished grade. Fixtures located in the historic district shall not exceed a height of fourteen (14) feet from finished grade. If using LED fixtures, mounting height may be increased to 24 feet provided all glare requirements are met. This measurement shall include the mounting base, pole, and total depth of the fixture to be installed.
- E. Lighting fixtures shall be of a type and design appropriate to the lighting application and aesthetically acceptable to the Township. The use of searchlights, flashing strobe lights, and laser lights is prohibited.
- F. All night lighting not utilized for safety or security, shall be extinguished between the hours of 11 PM and 7 AM. Not more than twenty-five (25) percent of all lighting fixtures on site shall be considered security lighting.
- G. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Glare shall be controlled primarily by use of cutoff fixtures, baffles, shields, mounting height, wattage, aiming, and angle.
- H. Electrical feeds for lighting fixtures shall be run below grade, and shall conform to the National Electric Code requirements and all corresponding building codes.
- I. All lighting fixtures shall be placed within landscaped islands. Should fixtures be required to be installed otherwise, they shall be placed on a base thirty (30) inches in height and no less than eighteen (18) inches in diameter.
- J. All lighting, except as outlined herein, shall conform to the recommendations for illumination and uniformity ratios specified by the IESNA Lighting Handbook, latest edition.
- K. All fixtures specified on site shall be as electrically efficient as possible. LED type lighting fixtures are preferred over high intensity discharge fixtures.

5. Requirements for Outdoor Area Lighting

- A. This subsection applies to all outdoor lighting to be employed for area illumination of parking lots, yards, roadways, streets, driveways, entryways, and similar areas or lots.

- B. All fixtures shall conform to the IESNA definition of full cutoff fixtures. Cut sheets, details, and the like shall be submitted to the Township to demonstrate compliance.
- C. All luminaires shall be mounted plumb and level in accordance with the intended application of their design.
- D. Fixtures that do not meet the IESNA definition of full cutoff shall be prohibited.
- E. Illumination levels and ratios shall be in accordance with IESNA recommendations.
- F. Maximum Maintained Illuminance Levels: The maximum maintained illuminance levels permitted within the property boundary during the night hours shall be five (5) foot-candles.
- G. Maximum Illuminance Levels Permitted at Property Lines or Right of Ways: The maximum maintained illuminance levels permitted at the property lines during the night hours shall be measured in horizontal foot candles or horizontal lux according to the table listed below.

1. Exceptions

- a. Outdoor roadway lighting installations intended for illumination of public roadways, streets, highways, cartways, and the like.
- b. Designated vehicular or pedestrian entries/exits between properties and public roadways. The area of illumination shall not extend beyond fifty (50) feet from the centerline of the designated entry/exit point or in any direction along the property line/right of way.
- c. Automotive dealership display areas for the sole use of display for vehicular sales. All other areas shall conform to the requirements herein.

Location	Maximum Illuminance (foot-candles)	Maximum Illuminance (lux)
Along any public right-of-way or roadway	0.5	5.4
Along boundary of a non- residential property	0.2	2.2
Along boundary of a residential property	0.1	1.1

- H. Illumination of Outdoor Canopies
  - 1. All lighting associated with outdoor canopies shall be shown on the Lighting Plan.
  - 2. All fixtures shall be mounted within the canopy structure, and pointed straight down. Fixtures shall not direct light above the canopy.

3. The canopy itself shall not be illuminated. If signage is placed on the canopy, it shall be in accordance with the Sign Lighting regulations, contained herein.
  4. Outdoor canopies include:
    - a. Fuel island canopies
    - b. Exterior canopies associated with store frontage or overhangs
    - c. Pavilions, Trellis's, and Gazebos
    - d. Canopies associated with bank drive through lanes and ATM machines.
  5. Fixtures shall meet IESNA standards for full cutoff fixtures.
  6. Illumination levels and ratios shall be in accordance with IESNA recommendations.
- I. Illumination of Sports and Recreational Lighting
1. These regulations apply to all sports and recreational facilities including ball fields, ballparks, stadiums, tennis courts, basketball courts, soccer fields, recreation fields, football fields, driving ranges, firearm shooting ranges, and the like.
  2. Sports and recreational lighting shall be shielded whenever possible. Such lighting shall have directional and glare control devices to minimize light trespass and sky glow.
  3. All lighting, excluding security lighting, shall be equipped with automatic shutoff control devices to extinguish light no more than one hour past the expiration of an event.
  4. Lighting levels and ratios shall comply with IESNA standards, and all applicable regulations specified by the governing agency (i.e. PIAA, NCAA, etc.).
  5. No direct light shall project off the property.
- J. Sign, Façade, Building, and Landscape Lighting
1. The requirements of this subsection apply to all outdoor lighting installations employed to illuminate signs, building facades, billboards, structures, fountains, trees, shrubs, and the like.
  2. All luminaires used for illumination of the above mentioned amenities shall be full cutoff.
  3. Externally illuminated signs and billboards shall be lighted from the top of the structure, and aimed downwards.
  4. Fixtures used for architectural lighting shall be designed and aimed so as to not project their output beyond the objects intended to be illuminated.

K. Automobile Sales Display Areas

1. The requirements of this subsection apply to all outdoor lighting installations employed to illuminate outdoor vehicular display areas utilized in conjunction with automobile sales.
2. All luminaires used for illumination of the above mentioned amenities shall be full cutoff. All luminaires shall meet the definition of full cutoff.
3. No fixtures shall be mounted in excess of twenty (20) feet in height.
4. Illumination levels and ratios shall be in accordance with IESNA recommendations.

6. Lighting Plan Requirements

- A. Plans shall be drawn at an appropriate scale to accurately depict compliance with the requirements set forth in this Section.
- B. The Lighting Plan shall contain sufficient information regarding existing features, rights-of-way, utilities, grading, stormwater management facilities, easements and setback lines, driveways, parking areas, buildings, vegetation, and all other information necessary to ensure compliance with this Section.
- C. The Lighting Plan shall include all charts, diagrams, schedules, calculations etc. to ensure compliance with this Section
- D. The Lighting Plans shall depict all proposed landscaping to verify that proposed landscaping and lighting locations do not conflict.
- E. Fixture Details depicting mounting heights, pole, etc for each fixture.
- F. Product sheets of all proposed fixtures including manufacturer, product name and/or number, and IES file used to depict lighting levels on the plan.

**§525. Community Facilities**

1. Where a proposed park, playground, school or other public use shown in the Comprehensive Plan is located in whole or in part in a subdivision or land development, the Board of Supervisors may require the dedication or reservation of such area within the subdivision or land development in those cases in which the Board of Supervisors deems such requirements to be reasonable.
2. Where deemed essential by the Board of Supervisors, upon consideration of the particular type of development proposed, and especially in large scale planned unit developments, the Board of Supervisors may require the dedication or reservation of such other areas or sites of a character, extent, and location suitable to the needs created by such development for schools, parks, and other neighborhood purposes.
3. Where a proposed park, playground, or other public use is indicated on a proposed subdivision or land development plan, the Parks and Recreation Board shall review the plan and submit recommendations to the Board of Supervisors.

4. The following standards shall apply to the provisions of recreation space:
  - A. Areas set aside for recreational purposes shall be reasonably compact parcels, placed to serve all parts of the subdivision or land development, accessible from a public street.
  - B. Playgrounds for active sports shall be of adequate size to provide sufficient area for proposed uses and associated improvements including, but not necessarily limited to, parking and stormwater management.

**§526. Transportation Impact Study.**

1. For any proposed subdivision, land development or revision of existing land use anticipated to generate one hundred or more trips per day, based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, most current edition, a Transportation Impact Study shall be required to be submitted to Warminster Township simultaneously with the Preliminary Plan. The proposed use or development shall be identified by using the appropriate Land Use Code as indicated by the ITE Land Use Code. Where doubt exists, the applicant shall seek guidance by the Township Engineer. The provisions of this Section may be waived by the Township Board of Supervisors upon recommendation of the Township Engineer if:
  - A. The proposed subdivision or land development in the opinion of the Township Engineer has no impact, or a negligible impact, on the type and amount of highway or pedestrian traffic.
  - B. A recent prior transportation impact study which includes the area of the proposed subdivision or land development has previously been performed, has been submitted to the Township, and in the opinion of the Township Engineer remains current, and indicates that improvements are not necessary or required.
2. Conduct of a Transportation Impact Study. The transportation impact study shall be prepared by a Professional Engineer licensed in the Commonwealth of Pennsylvania, practicing in Traffic or Transportation Engineering. The cost of said study is to be borne by the applicant.
3. Definitions.

TRANSPORTATION – any mode or movement of passengers or goods while utilizing the existing or future transportation infrastructure including but not limited to, pedestrian, bicycle, rail (transit and freight), bus (school and transit), vehicular, and truck traffic.

LEVEL OF SERVICE - as described in the Highway Capacity Manual, indicates how well traffic moves on a particular highway facility or through a specific intersection. There are six (6) levels of servicing (LOS) ranging from "A" through "F". Level of Service "A" indicates generally free movement; Level of Service "E" represents maximum capacity of the facility; and Level of Service "F" indicates congestion. Level of Service "C" is considered the design level of service, representing a stable traffic flow and a relatively satisfactory travel speed.

MAJOR INTERSECTION - any intersection where traffic generated by the proposal will have a significant impact on the operation of the intersection. The transportation engineer shall seek guidance from the Township Engineer prior to the submission of the transportation impact study.

**PUBLIC TRANSPORTATION** - transportation service for the general public provided by a common carrier of passengers generally on a regular route basis, by the Southeastern Pennsylvania Transportation Authority or a private operator offering service to the public.

**STUDY AREA** – For proposed developments anticipated to generate 250 or less trips in an average weekday, the study area will extend approximately one-half (1/2) mile along the adjacent roadway in both directions from all access points or to a major intersection along these roadways. For proposed developments anticipated to generate more than 250 trips in an average weekday, the study area will extend to approximately one (1) mile along the adjacent roadway in all directions from all access points or to a major intersection along these roadways. The transportation engineer shall seek guidance from the Township Engineer prior to the submission of the transportation impact study.

**TRIP GENERATION RATES** - the total count of trips to and from a study site per unit of land use as measured by parameters such as dwelling units, acres, square footage, etc. The Trip Generation Rates are determined by the ITE Land Use Code most applicable or by approval by the Township Engineer of an alternate data source.

**VOLUME/CAPACITY ANALYSIS** - This procedure compares a roadway or intersection approach to its capacity (maximum number of vehicles that can pass a given point during a given time period). The procedures described in the most current Highway Capacity Manual, by the Transportation Research Board, as outlined in the PennDOT Design Manual, Volume 2, or most current, shall be followed.

**WARRANTS FOR TRAFFIC SIGNAL INSTALLATION** - This is a series of eight (8) warrants which detail the minimum traffic or pedestrian volume or other criteria necessary for the installation of a traffic signal. These warrants are contained in the Manual on Uniform Traffic Control Devices, most current edition; prepared by the U.S. Department of Transportation, Federal Highway Administration.

4. General Requirements and Standards. A transportation impact study shall contain the following information:

A. General Site Description.

1. The site description shall include the size, location, proposed land uses, construction staging, and completion date of the proposed land development. If the development is residential, types of dwelling units and number of bedrooms shall also be included.
2. A brief description of other major existing and proposed land development within the study area shall be provided.
3. The general site description shall also include probable socioeconomic characteristics of potential site users to the extent that they may affect the transportation needs of the site (i.e., number of senior citizens).

B. Transportation Facilities Description. The description shall contain a full documentation of the proposed internal and existing external transportation system. This description shall include proposed internal vehicular, bicycle and pedestrian circulation, all proposed ingress and egress locations, all internal roadway widths and rights-of-way, parking conditions, traffic channelization, and any traffic signals or other intersection control devices at all intersections within the site. The site design shall be shown to maximize potential public transportation usage to and from the development, such as providing adequate

turning radius at all access points to allow a bus to enter the development. Bus shelter and sign locations shall be designated where appropriate. The report shall describe the entire external roadway system within the study area. Major intersections in the study area shall be identified and sketched. All existing and proposed public transportation services and facilities within a one (1) mile radius of the site shall also be documented. All future highway improvements, including proposed construction and traffic signalization, shall be noted. This information shall be obtained from the three (3) year Transportation Improvement Program and the twelve (12) year State Transportation Improvement Program (TIP) from the Delaware Valley Region Planning Commission and from the Pennsylvania Department of Transportation. Any proposed roadway improvements due to proposed surrounding developments shall be recorded.

C. Existing Traffic Conditions.

1. Existing traffic conditions shall be measured and documented for all roadways and intersections in the study area. Existing traffic data must include 24-hour automatic traffic recorder counts with classification and speed data at the proposed site driveway. Data must be obtained bi-directionally. In addition, existing peak highway hour(s) traffic, and if appropriate, peak development generated hours(s) traffic shall be recorded. Manual turning movement counts at major intersections in the study area shall be conducted, encompassing the peak highway and development-generated hour(s) (if appropriate) and documentation shall be included in the report. The use of any traffic count data greater than two years of age by date of submission of the Transportation Impact Study shall be prohibited without prior approval of the Township Engineer.
2. Turning movement counts shall include heavy vehicles, pedestrian, bicycle, and transit (where available) data. A volume/capacity analysis based upon existing volumes shall be performed during the peak highway hour(s) and the peak development-generated hour for all roadway and major intersections in the study area. Levels of service and delays shall be determined and provided in tabulation and graphic form for each studied intersection and by turning movement. 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 "D", "E" or "F" shall be noted as congested locations and an improvement shall be identified to mitigate identified deficiencies. Signal optimization shall not be identified as a mitigation measure as this is considered normal signal maintenance.
3. As part of the existing traffic conditions, a five year crash history (both reportable and non-reportable records), for each approach of any studied intersection shall be obtained and reviewed. Crash records shall be obtained through Warminster Township Police Department and/or Pennsylvania Department of Transportation and shall be analyzed for causation factors, patterns with the intent to provide possible trend data or mitigation measures.
4. An electronic data file shall be provided to the Township Engineer for any and all recorded traffic data, including manual turning movement counts and automatic traffic recorder counts.

- D. Future No-Build Traffic Conditions. The total future traffic shall be calculated and consist of the existing traffic expanded to the greater of the following: a three (3) year traffic data projection or to the year of the anticipated full build-out of the proposed development. The existing traffic shall be expanded with the annual growth rates available from PennDOT Bureau of Planning and shall be compounded annually. Levels of service and delays shall be determined and provided in tabulation and graphic form for each studied intersection and by turning movement. This analysis will determine the adequacy of the future roadway system to serve the future traffic demand. Roadways and/or intersections experiencing levels of service "D", "E" or "F" shall be noted as congested locations and an improvement shall be identified to mitigate identified deficiencies. Signal optimization shall not be identified as a mitigation measure as this is considered normal signal maintenance.
- E. Transportation Impact of the Development. Estimation of vehicular trips to result from the proposed land development shall be completed from the average daily peak highway hour(s) and peak hour(s) of the development generator(s). The Peak Hour Analysis is assumed to be AM, PM and Saturday Peak Hours unless the Township Engineer has approved the elimination of one or more of the aforementioned peak hours. Vehicular trip generation rates to be used for this calculation shall be obtained from the most current Institute of Transportation (ITE) Trip Generation Rates. These development-generated traffic volumes shall be provided for the in-bound and out-bound traffic movements as estimated, and the reference source(s) and methodology followed shall be documented. No assumptions for the reduction of trip generation data with respect to Pass-by Trips, Diverted Link Trips, and Internal Capture shall be used without supporting documentation and approval by the Township Engineer. All turning movements shall be calculated. These generated volumes shall be distributed to the study area and assigned to the existing roadways and intersections throughout the study area. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to individual access points. Pedestrian volumes shall also be calculated, if applicable. If school crossings are to be used, pedestrian volumes shall be assigned to each crossing. Any characteristics of the site that will cause particular trip generation problems shall be noted.
- F. Analysis of the Transportation Impact.
1. An estimation of vehicular trips to result from the proposed land development shall be completed for the average daily peak highway hour(s) and peak development-generated hour(s) combined with the existing traffic expanded to the greater of the following: a three (3) year traffic data projection or to the year of the anticipated full build-out of the proposed development. In addition, the study shall include any traffic generated by other proposed developments in the study area. The existing traffic shall be expanded to a future year with the annual growth rates available from PennDOT Bureau of Planning and shall be compounded annually.
  2. Vehicular trip generation rates to be used for this calculation shall be obtained from the most current edition of the Institute of Transportation Engineers (ITE), *Trip Generation Manual*. For all land use proposals not listed in the ITE manual, the transportation engineer shall seek guidance

from the Township Engineer. All turning movements for site traffic shall be calculated. These generated volumes shall be distributed to the study area and assigned to the existing roadways and intersections throughout the study area. Documentation of all assumptions used in the distribution and assignment phase shall be provided and numerical data shall be provided in both graphical and tabulation form. Traffic volumes shall be assigned to individual access points. Pedestrian volumes shall also be calculated, if applicable. If school crossings are to be used, pedestrian volumes shall be assigned to each crossing. Any characteristics of the site that will cause particular trip generation problems shall be noted.

- G. Sight Distance Analysis. The Study shall include a sight distance analysis for all movements into and out of the proposed access driveway. The analysis shall include the existing/available stopping sight distance and the calculated minimum required stopping sight distance for all anticipated movements into and out of the proposed site access(es). The calculated minimum required stopping sight distance shall be based on the 85<sup>th</sup> percentile speed as indicated in the automatic traffic recorder data, by approach.
- H. Conclusions and Recommended Improvements.
1. Levels of service and time delays for all roadways and intersections, by turning movement, shall be listed and shown in graphical and tabulation form. All roadways and/or intersections turning movements showing a level of service below "C", or dropping one Level of Service with a greater than 10 second delay over the No-Build scenario, or showing a Level of Service "F" and a greater than 10 second delay over the No-Build Scenario, shall be considered deficient, and specific recommendations for the elimination of these problems shall be listed. The 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. Existing and/or future public transportation service shall also be addressed. A listing of all actions to be undertaken to increase present public transportation usage and improve service, if applicable, shall be included.
  2. The listing of recommended improvements for both roadways and transit shall include, for each improvement, the party responsible for the improvement, the cost and funding of the improvement, and the completion date for the improvement.
  3. An Executive Summary shall be included in the Transportation Impact Study providing a less detailed discussion of impacts identified in the more comprehensive body of the report. The Executive Summary shall include a Level of Service/Delay Matrix, by Peak Hour, intersection turning movements for all studied scenarios (Existing, Future, No-Build, Build and Mitigation) The Matrix is to provide a clear understanding of deficiencies and mitigation measures.

5. Time of Submission.

- A. The Transportation Impact Study shall be submitted to Warminster Township Planning Commission and the Bucks County Planning Commission with the Preliminary Plan application. It is strongly recommended to submit the Transportation Impact Study at the Sketch Plan stage for large scale Land Development and Subdivision Applications.
- B. If the proposed land development requires a Pennsylvania Department of Transportation (PennDOT) Highway Occupancy Permit (HOP), the applicant shall initiate the HOP process simultaneously to the preliminary plan submission in accordance with latest PennDOT procedures. The developer shall include the Township Engineer in any and all meetings, including the Scoping Meeting and/or or correspondence or discussions regarding the permitting process. In addition, any documentation submitted as part of the HOP process shall be simultaneously submitted to the Township for review purposes.
  - 1. TIS / HOP Scoping Meeting shall be scheduled to coincide with Sketch Plan, if this submission is made. This meeting will provide discussion of the project and potential problems and set the parameters of the TIS for PennDOT review.
  - 2. TIS shall be submitted to PennDOT for review and approval simultaneously with the preliminary plan submission.
  - 3. Construction Plans for HOP shall be submitted to PennDOT for review and approval simultaneously with the final plan submission.
- 6. Implementation (Subdivision Land Development Building Permits). The Warminster Township Planning Commission, the Bucks County Planning Commission, the Township Engineer, and the Township Supervisors shall review the Transportation Impact Study to analyze its adequacy in solving any traffic problems that will occur as a result of construction of the proposed subdivision or land development. The Township Supervisors may decide that certain improvements on or adjacent to the site are mandatory for plan approval and may attach these conditions to the approval. If the Township Supervisors conclude that additional improvements are necessary, the developer shall have the opportunity to resubmit alternative improvements designs for approval.

**§527. Multi-Family Development**

- 1. 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 section 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 refiled and reviewed and approved.
- 2. Bonding procedures shall be required before final approval of the land development plan, and shall guarantee the improvements by the builder of streets, sidewalks, curbs, street lighting, street trees, drainage facilities, utilities, and other facilities that the Board of Supervisors may deem necessary.

3. Arrangement of Buildings and Facilities
  - A. All of the elements of the site plan shall be harmoniously and efficiently organized 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 livable and economic land use pattern.
  - B. Arrangement of buildings shall be in favorable relation to the natural topography, existing desirable trees, views within and beyond the site, and exposure to the sun and other buildings on the site.
4. Access and Circulation
  - A. 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.
  - B. Access and circulation for firefighting equipment, furniture moving vans, fuel trucks, garbage collection, deliveries, and snow removal shall be planned for efficient operation and convenience.
  - C. Walking distance from the main entrance of building to a street, driveway or parking area shall typically be less than one hundred (100) feet; exceptions to this standard should be reasonably justified by compensating advantages, such as desirable views and site preservation through adaptation to topography. In no case shall the distance exceed two hundred fifty (250) feet.
5. Yards
  - A. Yards shall assure adequate privacy, desirable outlook, adequate natural light and ventilation, convenient access to and around the dwellings, and other essential uses.
6. Grading
  - A. Grading shall be designed for buildings, lawns, paved areas, and other facilities to assure adequate surface drainage, safe and convenient access to and around the buildings, and for the conservation of desirable existing vegetation and natural ground forms.
  - B. Grading around buildings shall be designed to be in harmony with natural topography and to minimize earthwork and the need for deep footings.
7. Streets
  - A. Streets shall be provided on the site where necessary to furnish principal traffic ways for convenient access to the living units and other important facilities on the property.
  - B. Streets proposed to be dedicated for public use and maintenance shall conform to the design requirements and specifications of this Chapter, Warminster Township Specifications, and Pennsylvania Department of Transportation Publication 408 Specifications, and any amendments thereto.

8. Driveways

- A. 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.
- B. Driveways shall be planned for convenient circulation for suitable traffic needs and safety.
- C. Driveways shall conform to those standards of §510 of this Chapter.
- D. All driveways shall be paved and constructed in accordance with the Warminster Township and/or Pennsylvania Department of Transportation Specifications and Design Standards for Roads and Streets.

9. Parking Areas

- A. Paved parking areas shall be provided to meet the needs of the residents and their guests without interference with normal traffic.
- B. Parking areas shall conform to the standards and requirements of §512 and those of the Warminster Zoning Ordinance [Chapter 27].
- C. Parking areas shall be constructed in accordance with the Warminster Township Specifications and Design Standards for Roads and Streets.

10. Sidewalks

- A. Street sidewalks and onsite 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 project facilities.
- B. Width, alignment, and gradient of walks shall provide safety and convenience for pedestrian traffic. Small jogs in the alignment shall be avoided.
- C. The alignment and gradient of walks shall be coordinated with the grading plan to prevent the passage of concentrated surface water on or across the walk and to prevent the pocketing of surface water by walks.
- D. Sidewalks shall be constructed in accordance with the Warminster Township and/or Pennsylvania Department of Transportation Specifications and Design Standards for Roads and Streets and §513 of this Chapter.

11. Refuse Collections

- A. Outdoor collection stations shall be provided for garbage and trash removal, in accordance with current Township requirements, when individual collection is not made and indoor storage is not provided.
- B. Collection stations shall be located to avoid being offensive and shall be convenient for both collectors and tenants. Trash containers shall be screened or concealed from direct view of the public.

12. Planting:

- A. The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features, and by additional new plant material in accordance with §523 of this ordinance.

**§528. Nonresidential Development**

1. Plotting of individual lots for commercial purposes shall be avoided in favor of a comprehensive design of the land to be used for such purposes.
2. 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 refiled and reviewed and approved.
3. Bonding procedures shall be required before final approval of the land development plan, and shall guarantee the improvements by the builder of streets, sidewalks, curbs, street lighting, landscaping, drainage facilities, utilities, and other facilities that the Board of Supervisors may deem necessary.
4. Arrangement of Buildings and Facilities: All of the elements of the site plan shall be harmoniously and efficiently organized 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 livable and economical land use pattern.
5. 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 from vehicles entering or leaving parking areas.
6. When adjacent lots proposed for non-residential uses front on a collector or arterial street, the owner may be required to provide a service road for ingress and egress or, in lieu thereof, the owner may be required to provide an area adjacent to the proposed lots for off-street parking purposes.
7. Every effort shall be made to protect adjacent residential areas from potential nuisance of the proposed nonresidential development, including the provisions of extra depths in parcels backing up on existing or potential residential developments and provisions for a permanently landscaped evergreen buffer strip.
8. Streets carrying nonresidential traffic shall not normally be extended to the boundaries of the adjacent existing or potential residential areas, or connected to streets intended for predominantly residential traffic.
9. Parking areas shall be located or designed in such a manner that they are visibly secluded from eye level of the surrounding area. Grading techniques, raised berms, landscaping, or fencing are satisfactory methods to create such seclusion.
10. All area, design, and parking requirements shall conform to the Warminster Township Zoning Ordinance [Chapter 27].

### **§529. Erosion Control**

The owner, developer, or subdivider shall install erosion and sediment control measures for any site improvements. The measures shall be shown on a plan in accordance with present Township ordinances and Bucks County Conservation District Standards. All required permits shall be obtained from the Bucks County Conservation District prior to approval by the Township.

### **§530. Tree Protection Standards**

1. General Regulations.
  - A. Grade changes and excavations shall not encroach upon the Tree Protection Zone (TPZ).
  - B. No toxic materials shall be stored within one hundred (100) feet of a TPZ, including petroleum based and/or derived products.
  - C. The area within the TPZ shall not be built upon, regraded or modified nor shall any materials be stored there either temporarily or permanently. Vehicles and equipment shall not be parked in the TPZ.
  - D. When tree stumps are located within ten (10) feet of the TPZ, the stumps shall be removed by means of a stump grinder to minimize the effect on surrounding root systems.
  - E. Tree roots which must be severed shall be cut by a backhoe or similar equipment aligned radially to the tree. This method reduces the lateral movement of the roots during excavation which if done by other methods could damage the intertwined roots of adjacent trees.
  - F. Within four (4) hours of any severance of roots, all tree roots that have been exposed and/or damaged shall be trimmed cleanly and covered temporarily with moist peat moss, moist burlap, or other moist biodegradable material to keep them from drying out until permanent cover can be installed.
  - G. Point discharges of stormwater shall not discharge into the TPZ except at existing channels or waterways.
  - H. Sediment, retention, and detention basins shall not be located within the TPZ.
2. Tree protection areas shall be shown on the landscape plan and the grading plan submitted by the applicant. Tree trunk locations as well as tree canopy locations shall be shown.
3. Prior to construction the TPZ shall be delineated by the following methods:
  - A. Tree Protection during Construction:
    1. Tree protection areas shall be delineated to implement the standards contained in this ordinance regarding preservation of trees, woodlands, and forests during the development and construction process.
    2. Tree Protection Area - An area that is radial to the trunk of a tree. The tree protection area shall be 15 feet from the trunk of the tree to be retained, or the distance from the trunk to the dripline (the line marking the outer edge of the branches of the tree), whichever is greater. Where

there is a group of trees or woodlands, the tree protection area shall be the aggregate of the protection areas for the individual trees.

- B. Protection from Mechanical Injury - Prior to any site work, clearing, tree removal, grading or construction, the tree protection area shall be delineated by the following methods:
  - 1. The tree protection area that is delineated on the site prior to construction shall conform to the approved development plans.
  - 2. All trees scheduled to remain shall be marked. Where groups of trees exist, only the trees on the edge need to be marked. The Township shall then inspect the limits of clearing.
  - 3. Once agreement is reached on the limits of clearing, a forty-eight (48) inch high snow fence or other suitable fence, such as super silt fence, mounted on steel posts located eight feet on center, shall be placed along the boundary of the tree protection area.
  - 4. Trees being removed shall not be felled, pushed or pulled into a tree protection area or into trees that are to be retained.
  - 5. Trees shall not be used for roping, cables, signs or fencing. Nails and spikes shall not be driven into trees.
- 4. Protection from Grade Change
  - A. When the original grade cannot be retained at the tree protection area line, a retaining wall shall be constructed outside the tree protection area.
  - B. The retaining wall shall be designed to comply with the Township standards for retaining walls.
  - C. To ensure the survival of trees, the following methods shall be used:
    - 1. The top of the wall shall be four (4) inches above the finished grade level.
    - 2. The wall shall be constructed of large stones, brick, building tile, concrete blocks, or treated wood beams (wood treated with CCA shall not be permitted) not less than six inches by six inches. A means for drainage through the wall shall be provided so water will not accumulate on either side of the wall. Weep holes shall be required within any wall.
    - 3. Any severed roots as a result of excavation shall be trimmed so that their edges are smooth and are cut back to a lateral root if exposed.
- 5. Trees damaged during construction
  - A. Tree trunks and exposed roots damaged during construction shall be protected from further damage.
  - B. Damaged branches shall be pruned according to National Arborist Association standards. All cuts shall be made sufficiently close to the trunk or parent limb but without cutting into the branch collar or leaving a protruding stub. All necessary pruning cuts must be made to prevent bark from being torn from the tree and to facilitate rapid healing.

6. Protection from Excavations

- A. When there is no alternative but to locate an electrical or other small utility line within a tree protection area, the township shall determine the most desirable location for the line and the following guidelines shall be used:
1. Where possible, trenches should bypass the root area.
  2. Where trenches must be dug past the side of a tree, the following precautions shall be observed:
    - a. Trenches shall be no closer to the trunk than half the distance from the drip line.
    - b. Cut as few roots as possible.
    - c. If roots have to be cut, cut them as cleanly as possible.
    - d. Backfill the trench as soon as possible, avoiding soil compaction.

## Part 6

### Natural Resource Protection, Open Space, and Recreation Lands

#### §601. Application

Any Subdivision or Land Development may be undertaken only if it conforms to all zoning regulations as well as the environmental protection standards of this Part and the Zoning Ordinance [Chapter 27] and the Open Space and Recreation Lands as required by the Zoning Ordinance [Chapter 27] and this Part. Site alterations, regrading, filling, or clearing of vegetation by a landowner or developer which would violate the following standards shall be a violation of this Ordinance. The developer shall determine the presence of environmental or natural features on the site and shall meet the following standards for environmental protection.

#### §602. Natural Resource Protection

1. Floodplains and Floodplain soils. Shall meet the requirements of the Floodplain Conservation District of the Zoning Ordinance, Chapter 27, Part 17.
2. Steep Slopes. In areas of steep slopes, the following standards shall apply:
  - A. Class 1, eight percent (8%) to fifteen percent (15%) – no more than forty percent (40%) of such areas shall be developed, re-graded or stripped of vegetation.
  - B. Class 2, fifteen percent (15%) to twenty-five percent (25%) - No more than thirty percent (30%) of such areas shall be developed, re-graded or stripped of vegetation.
  - C. Class 3, twenty-five percent (25%) or more - No more than fifteen percent (15%) of such area shall be developed, re-graded or stripped of vegetation.
3. Woodlands. The following standards shall apply to woodlands.
  - A. Woodlands in Environmentally Sensitive Areas. No more than fifteen percent (15%) of woodlands located in environmentally sensitive areas shall be altered, re-graded, cleared or built upon. Environmentally sensitive areas shall include floodplains, floodplain soils, steep slopes, wetlands, wetland margins and riparian buffers.
  - B. Other Woodland Areas. No more than thirty percent (30%) of woodlands which are not located in environmentally sensitive areas (as defined above) shall be altered, re-graded, cleared or built upon.
  - C. In addition to woodlands, any tree over twenty-four (24) inches caliper shall be protected one hundred percent (100%), whether located within the woodland areas or stand-alone.
4. Lakes, Ponds, Wetlands or Streams. Such areas shall not be altered, re-graded, developed, filled, piped, diverted or built upon except that streams, watercourses, and wetlands may be crossed where design approval and permit are obtained from the Township, the Pennsylvania Department of Environmental Protection and the U.S. Army Corps of Engineers where applicable.
5. Lake and Pond Shorelines shall be protected in accordance with Riparian Buffers.

6. Wetlands Margins shall be protected in accordance with Riparian Buffers.
7. The Permanent Removal of Topsoil from any parcel of land shall be prohibited, except as follows:
  - A. During actual construction on premises, that portion of the topsoil present which covers an area to be occupied by permanent structures or permanently located materials of an impervious nature or ponds and lakes may be considered excess, and may be removed by the owner.
  - B. During regrading operations conducted upon premises, whether or not carried on in conjunction with on-site construction, excess topsoil remaining after restoring proper topsoil cover to the areas of the parcel upon which regrading operations were conducted may be removed by the owner.
8. Riparian Buffer. No land disturbance shall be permitted within any riparian buffer except as permitted below. The measurement of the riparian buffer shall extend a minimum of one hundred (100) feet from each defined edge of an identified watercourse or surface water body at bankfull flow or level, or shall equal the extent of the 100-year floodplain, whichever is greater. The buffer area will consist of two (2) distinct protection zones.
  - A. Zone 1. This buffer area will begin at the edge of the identified waterway (which includes wetlands and intermittent watercourses) and occupy a margin of land with a minimum width of fifty (50) feet measured horizontally on a line perpendicular to the edge of water at bankfull flow.

Open space uses that are primarily passive in nature may be permitted in Zone 1, including:

    1. Open space uses such as wildlife sanctuaries, nature preserves, forest preserves, fishing areas, passive areas for public or private parklands, and reforestation.
    2. Customary agricultural practices in accordance with a soil conservation plan approved by the Bucks County Conservation District and a nutrient management plan in accordance with State requirements, if applicable.
    3. Regulated activities permitted by the Pennsylvania Department of Environmental Protection and the Township for stream or wetland crossing or other encroachment (i.e., farm vehicle and livestock, recreational trails, roads, sewer or water lines, and utility transmission lines) provided that any disturbance is offset by riparian corridor improvements as approved by the Township.
    4. Vegetation management in accordance with streambank stabilization plan, an approved landscape or open space management plan.

Runoff or wastewater to be buffered or filtered by Zone 1 will be limited to sheet flow or subsurface flow only. Concentrated flows must be converted to sheet flow or subsurface flows prior to entering Zone 1.
  - B. Zone 2. This buffer zone will begin at the outer edge of Zone 1 and occupy a minimum width of fifty (50) feet in addition to Zone 1. However, where the width of the 100-year floodplain extends greater than one hundred (100) feet from the waterway, Zone 1 shall remain a minimum of fifty (50) feet and Zone 2 shall

extend from the outer edge of Zone 1 to the outer edge of the 100-year floodplain.

Uses permitted in this buffer area include open space uses that are primarily passive in nature including:

1. Open space uses such as wildlife sanctuaries, nature preserves, forest preserves, passive areas for public or private parklands, recreational trails and reforestation.
2. Customary agricultural practices in accordance with a soil conservation plan approved by the Bucks County Conservation District.
3. Regulated activities permitted by the Pennsylvania Department of Environmental Protection and the Township for stream or wetland crossing or other encroachment (i.e., farm vehicle and livestock, recreational trails, roads, sewer or water lines, and utility transmission lines) provided that any disturbance is offset by riparian corridor improvements as approved by the Township.
4. Recreational activities or uses not involving impervious surfaces such as ball fields or golf courses.
5. Naturalized stormwater management facilities provided the entire facility is located a minimum of fifty (50) feet from the defined edge of the identified water course and situated outside the 100-year floodplain.

C. Prohibited Uses. Any use or activity not authorized within Subsection A. or B. above shall be prohibited within the riparian buffer. The following activities and facilities are specifically prohibited:

1. Clear cutting of trees and other vegetation.
2. Selective cutting of trees and/or the clearing of other vegetation, except where such clearing is necessary to prepare land for a use permitted under Subsection A. or B. above or where removal is necessary as a means to eliminate dead, diseased or hazardous trees. Removal is subject to revegetation by native plants that are most suited to the riparian corridor.
3. Storage of any hazardous or noxious materials.
4. Roads or driveways, except as permitted as corridor crossings by Pennsylvania Department of Environmental Protection and the Township.
5. Parking lots.
6. Subsurface sewage disposal areas.

D. Revegetation of Riparian Area. In cases where a major subdivision or land development is proposed, replanting of the riparian corridor shall be required where there is little or no existing streamside vegetation. Native vegetation approved by the Township must be used in replanting efforts. Three (3) layers of vegetation are required when replanting the riparian corridor. These layers include herbaceous plants that serve as ground cover, understory shrubs, and trees that form an overhead canopy. The revegetation plan shall be prepared by a qualified professional such as a landscape architect or engineer and shall

comply with the following minimum requirements, unless modified by the Board of Supervisors upon recommendation of the Planning Commission:

1. **Ground Cover.** Ground cover consisting of a native seed mix extending a minimum of twenty-five (25) feet in width from the edge of the stream bank must be provided along the portion(s) of the stream corridor where little or no riparian vegetation exists. Appropriate ground cover includes native herbs and forbs exclusive of noxious weeds as defined by the Pennsylvania Department of Agriculture. This twenty-five (25) foot wide planted area shall be designated on the plan as a “no mow zone” and shall be left as natural cover except in accordance with the maintenance instructions stated on the plan.
2. **Trees and Shrubs.** These planting layers include trees that form an overhead canopy and understory shrubs. Overstory trees are deciduous or evergreen trees that include oak, hickory, maple gum, beech, sycamore, hemlock, pine and fir. Evergreen and deciduous shrubs should consist of elderberry, viburnum, azalea, rhododendron, holly, laurel and alders. These plants shall be planted in an informal manner clustered within Zone 1 of the riparian buffer as indicated in Subsection A. above. These plants shall be provided at a rate of at least one (1) overstory tree and three (3) shrubs for every twenty (20) linear feet of waterway.
3. **Exceptions.** These planting requirements shall not apply to existing farm fields located within the riparian buffer if farming operations are to be continued and the required nutrient management plan is met.

### **§603. Open Space.**

1. **Open Space Design Standards.** The Zoning Ordinance [Chapter 27] requires several different Uses to provide a minimum amount of open space. All open space shall comply with the following standards:
  - A. Areas of open space shall have a minimum dimension of seventy-five (75) feet in any direction, in order to be considered as part of the minimum open space requirement.
  - B. Areas occupied by buildings; easements; roads or road rights-of-way; lot area or yards associated with any dwelling unit; and parking areas shall not be included as a part of the required open space.
  - C. Stormwater management facilities may be included in the minimum required open space subject to the provisions of the Zoning Ordinance and the approval of the Board of Supervisors. Stormwater management facilities located in open space shall not exceed 25% of the required open space and shall represent features in keeping with the nature of the open space. (wet ponds, bioretention areas, constructed wetlands, etc.)
  - D. Access ways to open space that are located between or adjacent to residential lots or dwelling units shall be delineated with landscaping (i.e. the planting of trees, hedgerows, and/or shrubs) and/or a four foot (4') high fence. Such delineation shall be subject to approval by the Board of Supervisors.

- E. Open space shall be connected with abutting open space land on adjacent parcels, where applicable. Likewise, natural resource protection areas and recreation areas shall be connected, where feasible.
  - F. Open space areas shall also be connected via recreational trails, bikeways, and/or greenways so as to provide a continuous network of paths linking open space areas throughout the Township.
2. Open Space Management Plan. An Open Space Management Plan shall be submitted along with the Preliminary Plan for any subdivision or land development that contains open space land including, but not limited to, open space, recreation land, riparian buffers, landscape buffers, and/or stormwater management facilities. The plan shall be written to fully inform those responsible for the care and maintenance of the open space land of those responsibilities and how to fulfill them. The plan shall include the following:
- A. A narrative describing ownership, use, and maintenance responsibilities shall be submitted for all open space land. The narrative shall include:
    - 1. The location of each area of open space land.
    - 2. The characteristics of the land.
    - 3. The intended use and the category of open space land.
    - 4. Tasks that will be needed on a regular basis to control invasive species of plants and to promote a varied habitat for plant and wildlife.
    - 5. Who will be responsible for the maintenance of the open space land in both the short term and the long term.
    - 6. The proposed ownership of the various areas of open space land in accordance with the Township Zoning Ordinance.
  - B. A detailed program for the necessary regular and periodic operation and maintenance for each category of open space land such as listed above. The program shall include schedules for mowing, fertilizing, pruning of shrubbery and trees, applying mulch to planting beds and around trees, irrigation, application of pesticides and herbicides, control of invasive plants, leaf removal, removal of debris and litter, trash collection, and any other activity necessary to properly maintain the open space land. It shall also address the planting and care of annuals and perennials in planting beds where applicable.
  - C. A program for the care of all new plant material in buffer yards, recreation areas, and other landscaped areas until the plants are established and for the replacement of plant material that does not survive.
  - D. A program and schedule for the long term care of the various categories of open space land that addresses maintenance activities that occur annually or less often.
  - E. Appropriate and recommended programs and schedules for the maintenance of natural areas such as wetlands, riparian buffers, and woodlands.
  - F. The specification of who will be responsible for implementing all aspects of the maintenance program.

- G. An estimate of the staffing needs, insurance requirements, and associated costs, and defining the means for funding the maintenance of the open space and any recreation facilities on an on-going basis. Such funding plan shall include the means for funding long-term capital improvements, as well as regular annual operating, maintenance, and capital reserve costs.

**§604. Recreational Facilities.**

1. Definitions.

- A. **Recreational Lands.** Areas within a subdivision or land development that are set aside, designed, and constructed for the express purpose of providing recreational facilities for that subdivision or land development. Recreational lands may be part of required Open Space, in accordance with Zoning Ordinance [Chapter 27] and as referenced in §602, but may not include any residential lot areas, street rights-of-way, stormwater management areas or utility rights-of-way. Recreational lands shall not include narrow or irregular pieces of land that serve no recreational function or are remnants from the plotting of lots, streets and/or parking areas.
- B. **Recreational Facilities.** Components, equipment, graded fields, structures, or other improvements that satisfy minimum design and performance criteria. All recreational facilities must conform to the Township Playground Code where appropriate.

2. General Requirements.

- A. Recreational lands shall comprise a minimum of 25% of required open space as specified in the Zoning Ordinance [Chapter 27] unless waived by the Board of Supervisors.
- B. Areas set aside for recreational purposes shall be reasonably compact parcels, placed to serve all parts of the subdivision or land development, accessible from a public street.
- C. Playgrounds for active sports shall be of adequate size to provide sufficient area for proposed uses and associated improvements including, but not necessarily limited to, parking and stormwater management.
- D. The recreation facilities shall be constructed on recreational lands as appropriate to the proposed use. Subdivisions/land developments that are required to provide open space/recreational lands per the Zoning Ordinance [Chapter 27] shall provide one or more of the following classes of recreational facilities as recommended by the Planning Commission:

Playgrounds	Recreational Fields
Village Greens	Recreational Trails
Basketball, Volleyball, and Tennis Courts	Fitness Trails
Shuffleboard and Bocce Courts	Backstops
Soccer and Lacrosse Goals	Pavilions
Gazebos	Community Centers
Skate Parks	

- C. Recreational facilities and lands shall be centrally located and readily accessible to all residents of the subdivision/land development.
  - D. Recreation lands shall be configured to accommodate all the recreation facilities and activities proposed by the subdivisions/land development plans. The recreation lands shall be improved so that they are usable for the intended activity, including the installation of necessary facilities and equipment. All proposed improvements, including facilities and equipment, must be approved by the Township.
  - E. Recreational facilities shall not be traversed by utility easements or rights-of-way unless said utilities are placed underground and no part of them or their supportive equipment protrudes above ground level.
  - F. Adequate buffering/fencing shall be constructed to separate recreational lands and/or facilities from adjoining properties.
  - G. Recreational lands and facilities shall be owned, maintained, and preserved in accordance with §603 above and the Zoning Ordinance [Chapter 27]. Recreational lands and/or facilities to be dedicated to the Township shall meet the requirements of Use 13 Public Recreation Facility as described in §1602 of the Township Zoning Ordinance [Chapter 27]. At a minimum, such lands or facilities shall include parking spaces for that particular facility, at a rate of three (3) spaces per playground, ten (10) spaces per recreational field, and three (3) spaces near each trail head or destination point. All parking areas for a recreation facility shall be located a maximum fifty (50) feet from that facility.
  - H. Signage. All recreational facilities shall post signs alerting users to the proper age group for the facilities, and where necessary, proper use of and/or restrictions for the facilities.
  - I. Recreational lands and facilities shall have access to public roadway and be provided with safe and direct access to the facilities for emergency and maintenance vehicles.
3. Design Standards for Facilities - the following subsections provide design standards for types of recreational facilities and recommended number and class of facilities where such are required within subdivisions/land developments.
- A. Playgrounds.
    - 1. A minimum of one hundred (100) square feet per dwelling unit shall be planned and constructed as a playground. This requirement does not apply to dwelling units in CCRC, CCRC2 or AQC zoning districts. In no case will a playground be less than two thousand (2,000) square feet in size.
    - 2. All dwelling units must be within one thousand (1,000) feet walking distance from the perimeter of at least one (1) playground within the subdivision/ land development.
    - 3. Playgrounds, their equipment, components, and surfacing shall comply with the Americans with Disabilities Act, the Township Playground Code, and meet all ASTM Standards for Playground Design.

4. Each residential subdivision/land development is required to provide playgrounds incorporating play structures in accordance with the following Table:

Dwelling Units	Ratio of Components to Dwelling Units	Preferred Configuration
4 to 17	N/A – Applicant must provide 6 components	Applicant must provide a 6-component structure
18 to 50	1:3	8-component structures
51 to 150	1:3	8- or 12-component structures
151 and up	1:3	Applicant must provide a 20-component main structure plus additional 8- and 12-component structures as needed

5. Components of playground equipment may include the following: slides, climbers, tunnels, cyclers, swings, spring riders, seesaws, and overhead exercise events. Bridges, ramps, enclosures, and panels only count as one-half (0.5) of a component for the purposes of fulfilling the component requirement. Roofs and decks do not count toward fulfilling the component requirement.
6. Use of the playgrounds shall be limited to daylight hours only. No lighting shall be installed, unless deemed necessary for safety and security by the Township.
7. Every playground shall be enclosed by a gated fence, four (4) feet tall, constructed of wooden, unpointed pickets. Gates shall be self-closing and self-latching. A landscaped buffer shall be provided around the outside of the fence a minimum of ten (10) feet in width. The buffer shall consist of canopy trees positioned to adequately provide shade over the play-structure, and its surroundings. Groundcover plantings shall be installed to permanently cover the ground to eliminate excess maintenance. Clear sight lines into and out of the playground area shall be maintained between a height of 2 feet and 7 feet above grade for security. In no circumstance will evergreen trees or shrubs be allowed within or around the play structure or fencing. Plantings installed around play areas shall not attract wildlife.
8. Seats and/or benches shall be provided along the perimeter of the playground. A drinking fountain connected to a potable water supply and a waste receptacle shall be located within the playground. A four-slot bike rack shall be located adjacent to, but outside of, the playground fence.
9. Minimum dimensional criteria will be as follows:
- Minimum area: 2,000 square feet within the fence
- Minimum horizontal dimension: 35 feet
- Minimum setbacks:
- From lot lines and right-of-way lines of local streets 25 feet
- From the ultimate right-of-way lines of collectors and arterials 50 feet

B. Recreational Fields.

1. A minimum of one thousand (1,000) square feet per dwelling unit must be planned and constructed as recreational fields.
2. Recreational fields shall be used only during daylight hours. No lighting shall be installed.
3. Recreational fields are intended for informal, neighborhood use. Recreational fields shall not be used for formalized programs such as Little League baseball, youth soccer, midget football, etc. unless they meet the requirements of Use 13 Public Recreation Facility as described in §1602 of the Township Zoning Ordinance [Chapter 27] and are located, designed, and intended for use by the entire Township.
4. Recreational fields shall consist of a lawn area, unobstructed by trees, shrubs, benches, playground equipment or other obstructions. Recreational fields shall be planted with special turf grass mixtures to accommodate the intended use and wear. Trees and shrubs shall be installed along the perimeter of a recreational field to define its limits, enhance its appearance, and filter noise generated by activities. Individual planting schemes for recreational fields may vary from location to location, but a minimum of one (1) large tree and four (4) shrubs or hedges for every fifty (50) feet of recreational field border shall be installed.
5. Recreational fields shall be not less than one percent (1%) nor more than one and one-half percent (1.5%) grade and shall be well-drained so that they are suitable for use in good weather.
6. Recreational fields must be fenced whenever the edge of a field is within fifty (50) feet of any of the following:
  - a. Stormwater management facilities.
  - b. Playgrounds.
  - c. Slopes exceeding eight percent (8%).
  - d. Wetlands, watercourses, riparian buffers, lakes, and/or ponds.
  - e. Other locations as may be determined by the Township.

The fence provided must be eight (8) feet high, non-pointed. Gates or passageways must be provided at the mid-point of each proposed fence run.
7. Seats and/or benches shall be provided along the perimeter of all recreation fields. Bike racks shall be provided adjacent to, but not within, the recreational field area. A minimum of six (6) slots per recreational field is required.
8. All recreational fields must meet the following minimum criteria:

Minimum area:	20,000 square feet
Minimal horizontal dimension:	125 feet

Minimum setbacks to the edge of playfield.

- From any dwelling unit: 100 feet
- From any property line: 50 feet
- From the ultimate right-of-way of local streets and alleyways: 50 feet
- From the ultimate right-of-way of collector/arterial streets: 100 feet

C. Village Green

1. All dwelling units must be within one thousand five (1,500) hundred feet walking distance from the perimeter of at least one (1) village green within the subdivision/land development. A village green shall be located in the approximate center of the group of dwellings it serves within the subdivision/land development. The dwelling units shall be located in a radial pattern extending out from the village green.
2. All dwelling units abutting a village green must front and face the village green. Dwelling units located along a street abutting a village green must front and face the village green.
3. Village greens shall not be less than one percent (1%) nor more than three percent (3%) grade and shall be well-drained.
4. Village greens shall have trees planted along their perimeter in accordance with the street tree requirements of this Ordinance.
5. A minimum of fifty percent (50%) of the perimeter of a village green shall abut a street. Sidewalks shall be provided along all streets fronting a village green.
6. Pavilions and gazebos may be located in the village green.
7. Individual village greens shall be sized variably in accordance with the following table:

Lots	Minimum Area of Village Green per Lot	Minimum Dimension in Any Direction
25 <sup>th</sup> to 74 <sup>th</sup>	600 sq. ft.	125 feet
75 <sup>th</sup> to 150 <sup>th</sup>	500 sq. ft.	150 feet
151 <sup>st</sup> and up	400 sq. ft.	200 feet

D. Recreational Trails.

1. Recreational trails include pedestrian paths and nature trails. Recreational trails provide pedestrian access and recreational opportunities within and/or around a site. Recreational trails are different from, fulfill different needs, and may be required in addition to sidewalks which may be required by other Sections of this Ordinance.
2. Recreational trails shall be coordinated with and linked to the Multi-Use Trail Network approved by Warminster Township Parks and Recreation.
3. The required minimum length of the recreational trail shall equal the total front footage of the subdivision/land development. The total front footage

is the total length of all the street frontages within and/or abutting the subdivision/land development including frontage along existing streets, as measured at the street line. The total front footage of lane lots shall be measured at the point where the minimum required lot width to provide a front yard setback is satisfied. If the average lot size within the subdivision/land development exceeds two (2) acres per lot, then the required minimum trail length shall be one-half (0.5) the total front footage of the subdivision/land development. Farmland tracts with no existing or proposed dwellings may be excluded from the total front footage calculation.

3. Recreational trails shall be constructed within a fifteen (15) foot wide easement or right-of-way. The Township may, but shall not be required to, accept the trail and right-of-way for dedication.
4. All recreational trails shall be a minimum of six (6) feet in width and shall be constructed with six (6) inches of crushed stone base course topped by two (2) inches of ID-2 wearing course. The crushed stone shall extend a minimum of two (2) feet beyond the pavement on each side per Warminster Township Specifications and Design Standards. The use of pervious materials for recreational trails is encouraged.
5. All topsoil removed during the construction of a recreational trail must be kept on-site and redistributed throughout the rest of the subdivision/land development.
6. Low spots shall be avoided. Where recreational trails cross watercourses or swales, drainage pipes or footbridges shall be designed and installed to carry runoff and storm flows in accordance with driveway pipe design criteria of §521. Such drainage pipes must be designed to convey the 10-year frequency storm without being overtopped. If the drainage through the low spot exceeds ten (10) cubic feet per second for the 10-year storm, a footbridge shall be used to cross the low spot. Design approval must be obtained through the Township and any applicable agencies.
7. Recreational trails shall be signed in accordance with Federal Highway Administration (FHWA) and PennDOT signage criteria regarding location and types of signage.
8. Recreational trails may be laid out within the required open space. Recreation trails also may be located along the perimeter of stormwater management areas located in open space and may co-exist with resource protected areas or easements.
9. Recreational trails may be located within the right-of-way of streets, but only as a connection between an interior trail within required open space and other recreational trails located off-site or in order to cross a street or to connect to sidewalks. Only fifty (50) feet of the recreational trail located within the right-of-way of a street may be credited toward meeting the minimum length requirements for recreational trails set forth in this Ordinance. The location of recreational trails within the right-of-way of a street shall be subject to approval by the Township.

10. Any proposed recreational trail system shall conform to the following design criteria:
- |  |                       |
|--|-----------------------|
| Maximum grade:                         | 10%                   |
| Minimum centerline radii:              | 15 feet               |
|  | 60 feet for bikeways  |
| Minimum overhead clearance from trail: | 8 feet                |
| Minimum centerline sight distance:     | 60 feet               |
|  | 130 feet for bikeways |
11. Painted crosswalks shall be provided at intersections between trails and/or sidewalks located on opposite sides of the street and/or where a trail/sidewalk ends on one side of a street and another trail/sidewalk starts on the opposite side of the street.

4. Optional Facilities for Residential Subdivisions/Land Developments - In addition to the facilities described above, Applicants may also design and install optional recreational facilities of their choosing, in accordance with the calculations derived in this Subsection. For each proposed dwelling unit that is of a particular type, the Applicant will be charged the number of Option Points associated with that particular type of dwelling. The total number of Option Points for any particular subdivision/land development is the cumulative total of all the Option Points for all the proposed dwellings within that subdivision/land development. Each class of optional facility has been assigned an Option Credit value. The total number of Option Credits for any particular subdivision/land development is the cumulative total of the Option Credits for all the optional recreational facilities proposed to be installed in the subdivision/land development. The Applicant must install enough optional recreational facilities so that the total Option Credits for the subdivision/land development equal or exceed the total Option Points for the subdivision/land development.

- A. Total Option Points Calculation Sheet - This sheet shall be filled out completely and submitted with all applications for land development and/or subdivision approval that propose optional recreational facilities. The Applicant shall use this sheet to calculate the total number of Option Points created by the proposed subdivision/land development.

Class of Unit	Unit	Number of Units Proposed	Points per Unit	Total points
Single Family Dwelling	Dwelling Unit		4	
Two-Family Dwelling	Dwelling Unit		3	
Multi-Family Dwelling	Bedroom		1	
Townhouse	Dwelling Unit		3.5	
Total Option Points				

- B. Total Option Credits Calculation Sheet - This sheet shall be filled out completely and submitted with all applications for land development and/or subdivision approval that propose optional recreational facilities. The Applicant shall use this sheet to determine what optional recreational facilities shall be installed as a part of the proposed subdivision/land development. The total number of Option Credits must be greater than or equal to the total number of Option Points as calculated under Subsection A above. No more than thirty-three percent (33%) of the total number of Option Points may be used up by the installation of any one class of optional recreational facilities.

Class	Unit	Units Proposed	Points per Unit	Total Points
Basketball/Tennis/Volleyball Court	Each		40	
Shuffleboard/ Bocce Court	Each		20	
Backstops	Each		20	
Soccer Goals	Pair of Goals		20	
Lacrosse Goals	Pair of Goals		10	
Pavilion	1000 Sq. Ft.		40	
Gazebo	100 Sq. Ft.		35	
Community Center	1000 Sq. Ft.		70	
Fitness Trail	Station		15	
Skate park	1000 Sq. Ft.		60	
Total Option Credits				

- C. Design Specifications for Optional Facilities.
1. Basketball Courts, Tennis Courts, Volleyball Courts, Shuffleboard Courts, and Bocce Courts shall be constructed in accordance with standards and details of respective sporting organization to provide state-of-the-art, safe facilities per current technologies. (NCAA, National Recreation and Park Association, etc.)
  2. Skate parks shall be a minimum of three thousand (3,000) square feet in area, and shall consist of permanent or modular construction as available by Skatewave Modular Skatepark Systems or approved equal, and applicable design standards from International Inline Skating Association (IISA), as appropriate.
  3. Gazebos shall be a minimum of two hundred (200) square feet in area and constructed of wood.

4. Pavilions shall be a minimum of one thousand (1,000) square feet in area, shall be ADA-compliant, and shall include a ten-slot bike rack, waste receptacle, and drinking fountain. Each pavilion shall provide restroom facilities with keylock entry, and a utility room.
  5. Community Centers shall be a minimum of four thousand (4,000) square feet of enclosed space, centrally located to the rest of the subdivision/land development. Design, style and layout of community centers may vary widely, but in general, the center's exterior shall be constructed of wood, stone, or brick, and contain open activity areas, kitchen facilities, separate indoor-access restroom facilities, and utility and storage rooms. Parking shall be in accordance with Township Zoning Ordinance requirements.
  6. Backstops, Soccer Goals, and Lacrosse Goals shall be provided in accordance with standards and details of respective sporting organization and target users. For each backstop or set of goals, there shall be provided an area of sufficient size and configuration for at least high school players aligned along a north-northwest axis in accordance with NCAA standards. This minimum area may be part of the required recreational field as required under §604.3.B. Although backstop fields, soccer fields, and lacrosse fields may overlap for multi-use applications, the area may only be counted in one category to fulfill the requirements of this Section.
    - a. Baseball field: 200 ft by 200 ft
    - b. Softball field: 150 ft by 150 ft
    - c. Soccer field: 195 ft by 330 ft
    - d. Lacrosse field: 180 ft by 330 ft
    - e. All fields shall be designed in accordance with NCAA standards for high school fields and be provided with appropriate accessories to insure full usage of the facility.
5. Non-Residential Subdivisions and Developments.
- A. All subdivisions/land developments proposing a total gross floor area greater than twenty thousand (20,000) square feet within any Non-Residential District, and any subdivisions/land developments proposing Non-Residential Uses in any Zoning District shall meet the following requirements.
    1. Recreational trails shall be provided throughout the interior of the subdivision/land development. Except as provided below, these trails shall not fulfill any applicable sidewalk requirement nor shall sidewalks fulfill any part of this requirement for recreational trails.
    2. The required minimum length of the recreational shall equal the total front footage of the subdivision/land development or the total length of the perimeter of required stormwater management facilities, which ever is greater. The total front footage is the total length of all the street frontages within and/or abutting the subdivision/land development including frontage along existing streets, as measured at the street line. The total front footage of a lane lots shall be measured at the point where the minimum required lot width to provide a front yard setback is satisfied.

3. At a minimum, trails shall be provided along the perimeter of the stormwater management facilities and shall be connected to the areas of the subdivision/land development that experience heaviest pedestrian use via some type of pedestrian way. The actual length of the recreational trails may be much greater than the required minimum length depending upon the location of stormwater facilities and the connection method between those facilities and other pedestrian areas within the subdivision/land development.
4. Subdivisions/land developments in commercial zoning districts may use sidewalks to meet their recreational trail requirement. In this instance, the width of the sidewalk shall be increased to minimum of six (6) feet, and may be increased as determined by the Township. No recreational trails shall be required throughout the interior of the subdivision/land development.
5. All recreation trails shall conform to design criteria listed in §604.3.D. of this Ordinance.

## **Part 7**

### **Mobile Home Parks**

#### **§701. Application Procedure**

An application for development of a lot or parcel of land for mobile home park purposes shall be made and approved or approved as modified before any zoning permit for such use shall be issued. This Chapter shall govern the processing of all applications for mobile park development, and is accordingly incorporated herein in its entirety.

#### **§702. Preliminary or Final Application Notations**

In addition to the requirements contained in this Chapter, an application for preliminary and final approval of a mobile home-park shall indicate by drawings, diagrams, maps, text, affidavit or other legal document, the following:

- A. That the parcel or lot for which application is made is held in single and separate ownership.
- B. The placement, location, and number of mobile home lots and mobile home pads on a layout map of the parcel at a scale of one (1) inch to fifty (50) feet.
- C. The location and dimension of all driveways, pedestrian ways, curbs, sidewalks, and access roads with notation as to type of impervious cover.
- D. The location and dimension of all parking facilities.
- E. The location, dimension, and arrangement of all areas to be devoted to lawns, buffer strips, screen planting, and recreation.
- F. Location and dimension of all buildings existing or proposed to be built, and location and description of all existing tree masses and trees of over six (6) inch caliper.
- G. Proposed provisions for handling of stormwater drainage, street and onsite lighting, water supply, and electrical supply in the form of written and diagrammatic analysis with calculations and conclusions prepared by a registered professional engineer.
- H. Proposed provisions for treatment of sanitary sewage together with proof that the treatment and disposal of such sewage meets with and has the approval of the Bucks County Department of Health and Pa DEP, consistent with the Township Act 537 Sewage Facilities Plan.
- I. Grading plan of entire site based on field run topographic survey, minimum two (2) feet contour interval.
- J. Collection of solid waste refuse, trash, etc., including location of collection points, description of refuse units, method of planting or other screening, and schedule of collection times.

**§704. Area and Density Regulations**

1. A mobile home park shall have an area of not less than twenty (20) contiguous acres of land.
2. There shall be not more than five (5) mobile homes per net acre being the maximum density permitted on the buildable portion of the site as determined by this Part and the Zoning Ordinance [Chapter 27].
3. There shall be no other mobile home unit within twenty-five (25) feet from all walls of any other mobile home and no mobile home within twenty-five (25) feet from any other structure, porch, patio, roof, deck, or additional building or construction of any nature whatsoever. No mobile home shall be less than twenty-five (25) feet from the curb line.
4. At least twenty (20) percent of the remaining gross area of each mobile home park, after subtraction of required buffer areas, shall be set aside as common open space for the use and enjoyment of the residents of the mobile home park. Such common open space shall be substantially free of structures except for those designed for recreational purposes. The open space shall be subject to Part 21 of the Zoning Ordinance [Chapter 27].
5. Buffers shall comply with §523 of this Ordinance.

**§705. Park Street System**

1. Provisions shall be made for safe and efficient circulation to and from public streets and highways serving the mobile home park development without causing interference or confusion with the normal traffic flow.
2. The entrance road or area connecting the park with a public street or road shall have a minimum pavement width of thirty-four (34) feet for a depth of at least one hundred (100) feet from the public street or road.
3. Street Construction and Design.
  - A. Grades. Grades of all streets within a mobile home park shall be sufficient to insure adequate surface drainage, but shall not be more than six (6) percent. Short sections of roadway with a maximum grade of ten (10) percent may be permitted where necessitated by topography, provided traffic safety is assured by appropriate surfacing and intermittent leveling areas.
  - B. Curves
    1. Horizontal. Whenever an internal street is deflected in excess of five (5) degrees, connections shall be made by horizontal curves having minimum centerline radii of one hundred fifty (150) feet.
    2. Vertical curves shall be used at changes of grade exceeding 1% and shall be designed in accordance with §507.4.
  - C. Within fifty (50) feet of an intersection, intersecting streets shall be at approximately right angles. A distance of at least one hundred fifty (150) feet shall be maintained between the centerlines of off-set intersecting streets. Intersections of more than two (2) streets at one (1) point shall be prohibited.

- D. All internal streets and roadways shall be constructed of concrete or macadam in accordance with Warminster Township Specifications and Design Standards. All internal streets shall be constructed with curbs per §505.3.
- 4. Illumination of Streets. All mobile home parks shall be furnished with lighting fixtures so spaced and so equipped with luminaries as will provide adequate levels of illumination throughout the park for the safe movement of vehicles and pedestrians at night.
- 5. Clear Sight Triangle. No structure, fence, tree, shrub or other planting shall be maintained between a line two (2) feet above the street level and a plane seven (7) feet above the street level so as to interfere with traffic visibility across the corner within the triangle bounded by the intersecting street lines and a straight line drawn between points on each street seventy-five (75) feet from the intersection of said street lines.

**§706. Off-Street Parking Areas and Walks**

- 1. Off-street parking for at least two (2) motor vehicles shall be provided at each mobile home site. Each parking stall shall be at least nine (9) feet by eighteen (18) feet and shall be of either concrete or macadam construction, which shall be specified on the plan. Off-site common parking areas may be provided in lieu of parking slots at each mobile home site, but in such case parking slots shall be provided at the ratio of two (2) slots for each mobile home site not equipped with on-site parking.
- 2. Additional parking spaces for vehicles of nonresidents shall be provided at the rate of four (4) spaces for each ten (10) units. Such parking spaces may be provided either:
  - A. On-street, on one (1) side only, in which case the road width requirements specified in §505.3 shall be increase by adding eight (8) feet to the paved width.
  - B. In the event that such additional parking spaces are provided off-street, then parking shall be prohibited on internal roads, and it shall be the duty of the owner or operator of the mobile home park to enforce this provision.
- 3. All mobile home parks shall provide safe, convenient, all season pedestrian walkways of adequate width for their intended use, durable and convenient to maintain, between the park streets and all community facilities for park residents. Such walkways shall be of a concrete construction of four (4) inch on a four (4) inch stone base constructed to Township standards.
  - A. Where pedestrian traffic is concentrated, each walk shall have a minimum width of five (5) feet.
  - B. All mobile home sites shall be connected to common walks and to streets or to driveways connecting to a paved street. Each such walk shall have a minimum width of three and one-half (3½ ) feet.

**§707. Storm Drainage, Erosion and Sediment Control**

The ground surface on all parts of every mobile home park shall be graded and equipped to drain all surface water in a safe, efficient manner. The provisions of this Chapter and Chapter 26, Part 4 “Stormwater Management” shall be applicable to all mobile home park developments, and are accordingly incorporated herein by reference.

**§708. Water Supply**

1. Wherever an existing public water system is geographically arid economically accessible to the proposed mobile home park, a distribution system connecting thereto shall be designed to furnish an adequate supply of water to each mobile home and all service buildings with adequate main sizes and fire hydrant locations to meet the specifications of the Warminster Township Municipal Authority.
2. Where a satisfactory public water supply system is not available, a mobile home park shall be served by a private water supply system which shall meet all the applicable requirements and regulations of State and County agencies having jurisdiction and the Warminster Township Municipal Authority.

**§709. Sanitary Sewage Disposal**

1. The proposed mobile home park shall utilize the public sanitary sewage collection system operated by the Warminster Township Municipal Authority.
2. The internal sanitary collection system must be designed to meet the "Standard Specifications for Sanitary Sewer Construction" approved by the Warminster Township Municipal Authority.

**§710. Utility Distribution Systems**

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

**§711. Common Open Space Areas and Buffers**

1. Standards for Location and Management. Common open space areas shall be located and designed as areas easily accessible to residents and preserving natural features. Common open space areas should include both active recreation areas for all age groups and, particularly where the site includes hilly or wooded areas, land which is left in its natural state. Such location and design shall be subject to the provisions of §§603 and 604 of this Ordinance and Part 21 of the Zoning Ordinance [Chapter 27].
2. Buffered setbacks shall consist of a visual screen of mixed evergreen and deciduous plant materials of varying species in accordance with §523 of this Ordinance.
  - A. The plantings shall be maintained permanently and replaced within one (1) year in the event of death of any plant material. Plantings shall not be placed closer than three (3) feet from any property line.
  - B. All existing deciduous and evergreen trees above two (2) inches in caliper and/or six (6) feet in height shall be preserved in the buffer areas, except where clearance is required to insure sight distance.

**§712. Service Buildings and Facilities**

1. Where a service building is provided, it must contain at least one (1) water closet and lavatory for each sex and adequate storage areas for occupants of the park. In addition, the owner may provide showers, laundry facilities, management office, repair shop, indoor recreational facilities, and/or commercial uses to supply essential goods and

services to park residents only. It is also recommended that the applicant provide sheltered waiting areas for transportation and a mail box area for residents.

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

### **§713. Fuel Supply and Storage**

#### 1. Liquefied Petroleum Gas Systems.

A. The design, installation, and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases shall conform to the Act of Pennsylvania Legislation 1951, December 27, P.L. 1793, as it may be amended; and to the regulations therefore promulgated by the Pennsylvania Department of Labor and Industry, or its successor, as may be amended; and to the Pennsylvania Uniform Construction Code regulations as adopted by Warminster Township pertaining to liquefied petroleum gas systems.

B. Liquefied petroleum gas systems provided for mobile homes, service buildings or other structures, when installed, shall be maintained in conformity with the rules and regulations of Pennsylvania Uniform Construction Code as adopted by Warminster Township pertaining to liquefied petroleum gas systems and shall include the following:

1. Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
2. Systems shall have at least one (1) accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.
3. All liquefied petroleum gas piping outside of the mobile homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall be conveyed through piping equipment or systems in mobile homes.
4. Vessels of at least twelve (12) U.S. gallons and less than sixty (60) U.S. gallons gross capacity shall be maintained in a vertical position and shall be securely, but not permanently, fastened to prevent accidental overturning. No vessel shall be placed any closer to a mobile home exit than five (5) feet, and no closer to any window than three (3) feet.
5. No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, car port, mobile home or any other structures.
6. All piping shall be copper and all pipe connections shall be a flare type.

#### 2. Fuel Oil Supply Systems.

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

- B. All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.
- C. All fuel oil supply systems provided for mobile homes, service buildings or 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, and not less than three (3) feet from any window.
- E. Storage tanks located in areas subject to traffic shall be protected against physical damage.

**§714. Fire Protection**

- 1. All mobile home parks shall be provided with fire hydrants to meet the specifications of the Middle States Department Association of Fire Underwriters, but in any case, in sufficient numbers to be within six hundred (600) feet of all existing and proposed structures and mobile homes, measured by way of accessible streets. Placement of fire hydrants shall be subject to review by the Fire Marshal and Warminster Township Municipal Authority.
- 2. Portable hand-operated fire extinguishers of a type suitable for use on oil fires and approved by the Warminster Township Fire Marshall shall be kept in each service building under park control and shall be required by the mobile home operator to be placed in each mobile home in the park, located inside the mobile home in a fixed location preferably near a door but not in close proximity to cooking facilities.

**§715. Landscaping**

- 1. No tree masses or portions thereof with an average tree caliper of four (4) inches or greater shall be cleared unless clearly necessary for effectuation of the proposed mobile park development. Applicants shall make all reasonable efforts to harmonize their plans with the preservation of existing trees.
- 2. In addition to plantings for buffered setbacks, a mobile home park shall be provided with the following landscaping requirements:
  - A. Disturbed topsoil shall be stockpiled and replaced after construction.
  - B. Deciduous trees of varying species shall be planted within the mobile home park at the ratio of two (2) per mobile home pad. In the event that a substantial portion of the tract is wooded and a substantial number of trees remain after development, the Board of Supervisors may modify this requirement.
  - C. Deciduous and/or evergreen shrubs of varying species shall also be planted within the mobile home park at the ratio of at least four (4) per mobile home pad.
  - D. Planting of landscape materials shall be in accordance a plan prepared by a registered landscape architect.

### **§716. Permits Required**

1. It shall be unlawful for any person to construct, alter, extend or operate a mobile home park within Warminster Township unless and until he obtains:
  - A. A valid permit issued by the Bucks County Department of Health, in the name of the operator, for a specified construction, alteration or extension proposed.
  - B. A permit issued by Warminster Township Zoning Officer in the name of the operator, which shall not be issued until a copy of the Health Department permit has been furnished, all permits for water supply and sewage systems have been obtained, and all other requirements contained herein have been complied with, and final approval of the application has been granted by the Board of Supervisors.
2. Annual Licenses. In addition to the initial permits, the operator of a mobile home park shall apply to the Bucks County Department of Health and to the Warminster Township Zoning Officer on or before the tenth (10) day of each year for an annual license to continue operation of the mobile home park. The Zoning Officer shall issue the annual license upon satisfactory proof that the park continues to meet the standards prescribed by State and County agencies having jurisdiction and the standards of this Part. The license so issued shall be valid for one (1) year from the date of issuance.
3. Fees.
  - A. Fees for the initial application and preliminary and final approvals shall be prescribed by resolution by the Board of Supervisors of Warminster Township.
  - B. The fee for the annual license shall be prescribed by resolution of the Board of Supervisors and shall be submitted to the Zoning Officer with the application for the annual license.
4. Inspection.
  - A. Upon notification to the licensee, manager or person in charge of a mobile home park, a representative of Warminster Township may inspect a mobile home park at any reasonable time to determine compliance with this Part.
  - B. Upon receipt of the application for annual license and before issuing such annual license, the Zoning Officer or other designated representative of Warminster Township shall make an inspection at the mobile home park to determine compliance with this Part. The Zoning Officer or other representative shall thereafter notify the licensee of any instances of noncompliance with this Part and shall not issue annual license until the licensee has corrected all such violations.

### **§717. Maintenance of Facilities**

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

**§718. Failure to Maintain**

The operator and licensee shall thereafter have thirty (30) days in which to correct any such violations, except that if the violation is determined by the Zoning Officer or other representative to constitute a hazard to the health or safety of the residents of the mobile home park, he shall order that the violation be corrected forthwith.

**§719. Maintenance Bond**

1. The licensee of a mobile home park shall, prior to issuance of any certificate of occupancy, pursuant to final approval of an application, post with the Township a maintenance bond in a form acceptable to the Township Solicitor in an amount sufficient to cover for a period of two (2) years, the cost of maintenance of all common facilities as determined by the Township Zoning Officer or other representative. The bond shall remain in effect for the duration of the operation of the mobile home park.
2. In the event of noncompliance with an order pursuant to this Part whether a thirty (30) day order or an order to correct violations forthwith, the Township may forfeit the maintenance bond and use the proceeds thereof to effect correction of the violations.

**§720. Responsibilities of the Park Management**

1. The person to whom a license for a mobile home park is issued shall operate the park in compliance with this Part and shall provide adequate supervision to maintain the park, its facilities, and equipment in good repair and in a clean and sanitary condition.
2. The park management shall supervise the placement of each mobile home on its home site which includes securing its stability and installing all utility connections.
3. The park management shall give the Warminster Township Zoning Officer or his designee free access to all mobile home sites, service buildings, and other service facilities for the purpose of inspection.
4. The mobile home park operator shall maintain a register of all occupants and notify the Board of Supervisors, in writing, the name of the owner of each mobile home in the park and of the arrival and departure of each mobile home.
5. The person to whom a license for a mobile home park is issued shall be the person responsible for any violations of this Part and shall be liable for prosecution thereof.
6. The park management shall make provisions so that all park streets shall be maintained in passable condition and snow shall be removed commensurate with Township requirements.
7. A copy of this Part and copies of all rules and regulations of the mobile home park management shall be posted at a place accessible to all park occupants.

**§721. Removal of Mobile Homes**

No mobile home, in a mobile home park, shall be removed from Warminster Township without first obtaining a permit from the Township Tax Collector, as required by Act 54. 1969 of the Pennsylvania General Assembly. Such permit shall be issued upon payment of a fee to be established from time to time by resolution of the Board of Supervisors and taxes assessed against the home and all occupants thereof remaining unpaid at the time the permit is requested.

**§722. Revocation or Suspension of License**

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

## **Part 8**

### **Required Improvements**

#### **§801. Purpose**

1. The purpose of this Part is to establish and define the public improvements which will be required to be constructed by the applicant as condition for Final Plan approval.
2. All construction shall be completed in accordance with the specific conditions of the commitment and the accepted drawings and Specifications, and in the manner acceptable to the Township Board of Supervisors.
3. All improvements shall be constructed in accordance with Warminster Township specifications and the Pennsylvania Department of Transportation specifications, and any amendments thereto.

#### **§802. Application**

1. The improvements included in this Part are minimum requirements. However, the Board of Supervisors reserves the right in any case to increase the same if conditions so warrant.
2. Where literal compliance with the improvements hereinafter specified is clearly impractical, the Board of Supervisors may modify or adjust the improvements and standards to permit reasonable utilization of property while securing substantial conformance with the objectives of the regulations.

#### **§803. Revision or Plans**

When changes from the accepted drawings and specifications become necessary during construction, written acceptance by the Board of Supervisors with the advice of the Township Engineer shall be secured before the execution of such changes. The Supervisors shall also advise in writing the Planning Commission and the Zoning Officer of these changes before they become effective.

#### **§804. Maintenance**

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

#### **§805. Streets**

1. The construction of streets, roads, lanes and driveways as shown upon Final Plans and as contained in contract agreements shall in every respect conform to such requirements as the Board of Supervisors may require for the construction of streets in the Township. These requirements shall be known as the Warminster Township and/or Pennsylvania Department of Transportation Specifications and Design Standards for Roads and Streets and are hereby incorporated as part of these regulations, including such changes as the Board of Supervisors may from time to time adopt by resolution. The minimum requirements of all subdivisions, land developments, plans and

agreements shall be governed by that resolution in effect at the time of the approval of the applicant's Final Plan.

2. All streets shall be graded to:
  - A. The grades shown on the street profiles and cross-section plan submitted and approved with the Final Plan.
  - B. The full width of the right-of-way.

#### **§806. Street Signs**

1. The owner shall erect at every street intersection a street sign or street signs 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.
2. All street signs shall conform to those standards of §514.

#### **§807. Street Lights**

The Township may require the owner to install or cause to be installed at the owner's expense, metal pole street lights serviced by underground conduit in accordance with a plan to be prepared by the Philadelphia Electric Company and approved by the Board of Supervisors in conformity to a general standard of street lighting established by the Board of Supervisors. The equipment of metal poles may be waived in such instances as approved by the Zoning Officer due to the existence of wooden poles already in place. Provision shall be made for engineering said lighting after fifty (50) percent or more of the dwellings in a given subdivision or land development or section of a subdivision or land development have been occupied. The owner shall be responsible for all charges or rates of the streets lighted until such time that the streets are accepted or condemned as public streets by the Board of Supervisors.

#### **§808. Monuments**

1. Monuments shall be placed at each change in direction of boundary, three (3) 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.
2. Lot boundary lines shall be provided with a concrete monument at their intersection with the street line and/or ultimate right-of-way line. All other lot boundary corners shall be provided with iron pins. Iron pins shall consist of a metal pipe or reinforcement rod, at least 5/8 inches in diameter and thirty (30) inches in length.
3. 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, four (4) inches square, minimum of thirty (30) inches in length. All monuments/pins shall be set no greater than one (1) inch above finished grade. All monuments/iron pins shall be provided with permanent caps (plastic/bronze) and shall include the license number and firm name of the professional surveyor responsible for setting the monument/pin.
4. All monuments shall be checked for accuracy by the Township Engineer or their accuracy certified by the owner's engineer. Accuracy of monument shall be within three hundredths (3/100) of a foot.

**§809. Sidewalks**

1. Sidewalks shall be constructed on one (1) side of all frontage streets and both sides of all other streets within the subdivision or land development, unless in the opinion of the Board of Supervisors with the advice of the Planning Commission, they are unnecessary for public safety and convenience.
2. All sidewalks shall be constructed in accordance with this Chapter, Warminster Township specifications, and Pennsylvania Department of Transportation specifications, and any amendments thereto.

**§810. Curbs**

1. Curbs shall be provided along both sides of all streets, unless in the opinion of the Board of Supervisors, with the advice of the Township Engineer, they are unnecessary.
2. Along the existing streets on which a subdivision or land development abuts (hereinafter called boundary streets), curbs shall be constructed and the existing paved cartway shall be widened to the curb. The location of curbing along a boundary street shall be determined by the width of the existing or future right-of-way of the road as established by the Board of Supervisors and in accordance with those specified in §505 of this Chapter.
3. All curbs shall be designed and constructed in accordance with this Chapter, Warminster Township specifications, and Pennsylvania Department of Transportation specifications, and any amendments thereto.

**§811. Storm Sewerage System**

The owner shall construct stormwater drainage facilities, including curbs, catch basins and inlets, storm sewers, road ditches, and open channels in order to prevent erosion, flooding, and other hazards to life and property. All such facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow. Facilities size, type, and general construction shall follow Warminster Township specifications, Pennsylvania Department of Transportation Standards and Specifications, and specifications set out in S.C.S. Erosion and Sediment Pollution Control Manual, and any amendments thereto.

**§812. Public Water Supply**

1. The owner shall construct water mains in such a manner as to make adequate water service available to each lot or dwelling unit within the subdivision or land development. The entire system shall be designed in accordance with the requirements and standards of the Warminster Township Municipal Authority and shall be subject to their approval.
2. The system shall also be designed with adequate capacity and appropriately spaced fire hydrants for fire fighting purposes. Review and approval by the Fire Marshal and Warminster Township Municipal Authority shall be required in order to insure that fire protection is provided.

**§813. Private Water Supply.**

1. 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 and the lot also contains its sewage disposal facilities, the well shall be of the drilled type cased and grout-sealed into the

bedrock. Wells shall meet the requirements of Chapter 26, Part 3, Well Rules and Regulations.

2. Well requirements for building developments with ten (10) to ninety-nine (99) equivalent dwelling units as adopted by the Warminster Township Municipal Authority or as may be amended. For proposed developments containing a total of ten (10) to ninety-nine (99) equivalent dwelling units, the developer must provide the following prior to Final Plan approval:
  - A. Provide a hydrogeologist to select test well sites.
  - B. Request site inspections from Bucks County Department of Health (BCDH). Report progress to BCDH.
  - C. Coordinate the well exploration with the Delaware River Basin Commission (DRBC) and the Pennsylvania Department of Environmental Protection (DEP). Report progress to DRBC, DEP, and WMA.
  - D. Provide a water feasibility study to determine the impact of the proposed development on the municipal well water supply and on other existing wells in the area.
  - E. Drill six (6) inch diameter test wells. The yield from the developed well(s) must tentatively be at least one hundred (100) gallons per minute. The selected well(s) must be reamed to at the least eight (8) inches in diameter. Well logs are to be furnished to WMA along with laboratory reports certifying the water quality in accordance with U.S. Public Health standards.
  - F. The selected well(s) must be constructed, developed, tested, and capped in accordance with DRBC and DEP standards. Monitoring of adjacent wells must be performed as required by DRBC.
  - G. The safe yield of the well or wells must be at least twice the amount required by the completed development.
  - H. The well site(s) to be dedicated to WMA shall be at least two hundred (200) feet by two hundred (200) feet, with the well at the center. Should the well site(s) not have street frontage, a paved access road and pipeline easement must be dedicated to the Authority for each site.
  - I. Submit the hydrogeologist's report to WMA, DRBC, DEP, and BCDH. The report shall include, but not be limited to, the following:
    1. Site description and scope of project.
    2. Discussion of hydro-geologic formations.
    3. Discussion of ground water conditions.
    4. Recommended test well site(s).
    5. Hydrologic report defining the specific capacity and the long term safe yield of the well(s).
    6. All test data with analyses.
    7. Geologic well log(s).

8. Conclusion and recommendations.
  - J. A copy of the DRBC approval shall be submitted prior to the granting of final approval of the subdivision or land development application.
3. Well requirements for building developments with one hundred (100) equivalent dwelling units as adopted by the Warminster Township Municipal Authority or as may be amended. When a development is proposed, for which total water supply requirements will be at least thirty-six thousand (36,000) gallons per day, the developer must provide the following prior to Final Plan approval:
  - A. Provide a hydrogeologist to select test well sites.
  - B. Request site inspections from Bucks County Department of Health (BCDH). Report progress to BCDH.
  - C. Coordinate the well exploration with the Delaware River Basin Commission (DRBC) and the Pennsylvania Department of Environmental Protection (DEP). Report progress to DRBC, DEP, and WMA.
  - D. Provide a water feasibility study to determine the impact of the proposed development on the municipal well water supply and on other existing wells in the area.
  - E. Drill six (6) inch diameter test wells. The yield from the developed well(s) must tentatively be at least two hundred (200) gallons per minute. The selected well(s) must be reamed to twelve (12) inches in diameter. Well logs are to be furnished to WMA along with laboratory reports certifying the water quality in accordance with U.S. Public Health standards. The water must also be tested for organic contaminants.
  - F. The selected well(s) must be constructed, developed, and tested in accordance with DRBC and DEP standards. Monitoring of adjacent wells must be performed as required by DRBC.
  - G. The safe yield of the well or wells must be at least twice the amount required by the completed development.
  - H. The well site(s) to be dedicated to WMA shall be at least two hundred (200) feet by two hundred (200) feet, with the well at the center. Should the well site(s) not have street frontage, a paved access road and pipeline easement must be dedicated to the Authority for each site.
  - I. Submit the hydrogeologist's report to WMA, DRBC, DEP, and BCDH. The report shall include, but not be limited to, the following:
    1. Site description and scope of project.
    2. Discussion of hydro-geologic formations.
    3. Discussion of ground water conditions.
    4. Recommended test well site(s).
    5. Hydrologic report defining the specific capacity and long term safe yield of the well(s).
    6. All test data with analyses.

7. Geologic well log(s).
8. Conclusions and recommendations.
- J. A copy of the DRBC approval shall be submitted prior to the granting of final approval of the subdivision or land development application.
- K. Submit plans and specifications for pumping facilities, along with DRBC application and DEP water supply modules, to WMA, DRBC, DEP, and BCDH.
- L. Provide pumping facilities, disinfection facilities, and discharge piping to the water distribution system all in accordance with WMA approved specifications.
- M. Obtain electrical service from Philadelphia Electric Company.
- N. Upon final inspection and acceptance by WMA, all of the above shall become the property of WMA.
- O. Provide to WMA a one (1) year warranty, with operation and maintenance data on all equipment.
- P. Provide WMA with a release of liens for all labor and material utilized in the construction of the above facilities.

#### **§814. Public Sanitary Sewers**

1. The owner shall construct sanitary sewers in such a manner as to make adequate sanitary sewage service available to each lot within the subdivision.
2. The entire system shall be designed in accordance with the requirements and standards of the Warminster Township Municipal Authority and shall be subject to their approval.

#### **§815. Private Sewage Disposal Systems**

If public sewer facilities are not available, the owner shall provide for sewage disposal on an individual basis according to the rules, regulations, terms, definitions, and conditions of the Pennsylvania Department of Environmental Protection and Individual Sewage Disposal System Application and Certification Procedure for Bucks County, Pennsylvania, adopted by the Bucks County Department of Health on January 20, 1969, and any amendments thereto. However, no private sewage disposal system shall be permitted if a public connection is available within one hundred fifty (150) feet of the property line.

#### **§816. Capped Sewers**

If, at the time of final approval, public sanitary sewer facilities are not available to the subdivision or land development, but will become available within a period of five (5) years or a period determined by the Board of Supervisors from the date of recording, the owner shall be required to install or cause to be installed at his expense sanitary sewers and sewer laterals to the street line in accordance with the requirements and standards of the Warminster Township Municipal Authority; and shall cap all laterals. Review and approval by the Warminster Township Municipal Authority shall be required.

**§817. Public Utilities**

1. The owner shall cause gas (if available), electric power, telephone, and cable facilities to be installed in such a manner as to make adequate service available to each lot or dwelling unit in the subdivision or land development.
2. All public utilities required to service subdivisions and land developments shall be placed underground except for minor exceptions necessary to permit the overall installation of utilities.
3. Where practicable, all utilities shall be located within the street right-of-way, otherwise easements or rights-of-way of sufficient width for installation and maintenance shall be provided.

**§818. Grading**

Grading shall conform in all respects to the Final Plan and the requirements and standards of this Chapter.

**§819. Planting**

1. Street trees and other required plantings shall be in accordance with §523 of this Chapter.
2. Street trees and other required plant material shall not be planted until the finished grading of the subdivision or land development has been completed.
3. Plans of proposed street tree planting shall be reviewed and approved by the Warminster Township Shade Tree Commission, or by the Zoning Officer.

**§820. Community Facilities**

1. Additional community facilities may be required to serve the proposed lots or dwellings in a subdivision or land development. Where a proposed park, playground or other public facility is shown in the Comprehensive Plan or Community Facilities Plan or parts thereof, and is located in whole or in part in a subdivision or land development, the dedication or reservation of such area may be required by the Board of Supervisors in those cases in which it deems such requirements to be reasonable.
2. The Warminster Township Parks and Recreation Board shall review all plans where public recreation facilities are proposed.

## **Part 9**

### **Administration**

#### **§901. Modifications**

1. The Board of Supervisors may grant a modification of the requirements of one (1) or more provisions of this Chapter if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Chapter is observed.
2. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Chapter involved, and the minimum modification necessary.
3. The request for modification shall be reviewed by the Planning Commission for advisory comments.
4. The Board of Supervisors shall keep a written record of all action on all requests for modifications. Any modifications granted shall be noted on the final recorded plans.

#### **§902. Conditions**

In granting modifications the Board of Supervisors, with the advice of the Township Planning Commission, may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

#### **§903. Fees and Deposits**

1. The owner shall pay to the Township reasonable engineering fees incurred by the Township for the services of the Township Engineer incidental to the examination and other work incidental to the approval of each subdivision or land development, or section thereof, and shall also pay to the Township reasonable legal fees incurred by the Township for legal services incidental to the preliminary discussions and negotiations with respect to the approval of such plans of each subdivision or land development, or section thereof, the approval thereof, and the drafting of the contracts and bonds required by Part 8 of this Chapter and for legal services required by the Township which may arise by reason of the approval of such plans of each subdivision or land development, or section thereof, inclusive of the cost of legal services incidental to the final acceptance by the Township of the streets laid out on the subdivision.
2. The engineering and legal fees required to be paid by this Chapter shall be promptly paid to the Township by the owner upon the submission of bills thereof to the owner by the Township, from time to time, as such fees are billed to the Township or Authority by its or their engineers or attorneys.
3. To the engineering and legal fees required to be paid to the Township by this Chapter, there shall be added the sum of ten (10) percent which the owner shall pay to the Township as reimbursement to the Township of the costs incurred by the Township for the administration of this Chapter, collection of such fees, and the disbursement of the same to the Township Engineer and the Township Solicitor.

4. A deposit in accordance with §406 of this Chapter shall be required at the time of submission of the Preliminary Plans in order to cover engineering and legal fees incurred during review and approval of subdivision or land development plans.
5. Pursuant to subsection 4 of this Section, the developer is required to deposit a sum in escrow to cover the fees and costs of engineering, legal, and administration. Such amount of fees and escrow shall be set, from time to time, by resolution by the Board of Supervisors.
6. Review Fees.
  - A. Review fees shall include the reasonable and necessary charges by the Township's professional consultants or engineer for review and report to the Township, and shall be set by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Township Engineer or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.
  - B. In the event the applicant disputes the amount of any such review fees, the applicant shall, within ten (10) days of the billing date, notify the Township that such fees are disputed, in which case the Township shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.
  - C. In the event that the Township and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the fees shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

#### **§904. Inspection by Township Engineer**

1. Three (3) days prior to the commencement of any operation in the construction or installation of streets, curbs, sidewalks, drainage facilities, street signs, monuments, or capped sewers, the owner shall notify the Township Engineer who shall inspect the work, materials, construction, and installation to assure that the same are in accordance with Township requirements.
2. The Township Engineer shall be authorized to have such tests of materials made as are provided in the Warminster Township Specifications and Design Standards for Roads and Streets in order to have proper control of materials. The owner shall pay to the Township the cost of such tests plus three (3%) percent to reimburse the Township for the collection of such fees and disbursement of same to the Township Engineer.

#### **§905. Use and Occupancy Permits; Releases**

1. Prior to the issuance of any use and occupancy permits, conditional or final, the applicant shall satisfy any outstanding fees or costs due to the Township for legal expenses, engineering review, administrative review.

2. As a condition of the issuance of any conditional occupancy permit, the applicant for such permit shall execute a release of liability and waiver in a form approved by the Licenses and Inspections Department which shall relieve Warminster Township, its agents or employees from any and all liability from personal injury or property damage as a result of the issuance of such conditional occupancy permit.
3. Should any occupancy permits be issued prior to the completion of the final course of bituminous paving in any subdivision or land development, the applicant shall ramp any protruding manholes or other protruding substance to eliminate any dangerous or hazardous condition.

## Part 10

### Required Contracts

#### §1001. Contracts

Before the Township Supervisors shall cause their approval to be endorsed upon the Final Plans of any subdivision or land development, and as a requirement for the approval thereof, the owners shall enter into a written agreement with the Township in the manner and form set forth by the Township Solicitor where they shall agree:

- A. To construct or cause to be constructed, at his own expense, all streets, curbs, sidewalks, water mains, fire hydrants, street lights, drainage facilities, street signs, monuments, sanitary sewer mains, capped sewers, parks, and other improvements shown on said Final Plan when required to do so by the Board of Supervisors in accordance with the Final Plans, as finally approved, and in strict accordance with the standards and specifications of the Township.
- B. To maintain at his own cost the said streets, curbs, sidewalks, drainage facilities, street signs, parks, monuments, fire hydrants, street lighting, capped sewers, and other improvements until the same are accepted or condemned by the Township for public use, and for a period one (1) year thereafter to repair and reconstruct the same or any part of one (1) of them when such repair or reconstruction shall be specified by the Board of Supervisors as necessary by reason of faulty construction, workmanship or materials, and at or before acceptance of such improvements by the Township.
- C. To install, or cause to be installed, at his own expense and without any cost to the Township for any part of such installation, street lighting facilities on all streets within and abutting the subdivision, if proposed to be dedicated to the Township, as required by this Chapter.
- D. To pay all costs, charges or rates of the utility furnishing electric service for the lighting of the streets on or abutting said subdivision, from the lights installed by the owner, until such time as the streets shown on the subdivision plans shall be accepted as public streets of the Township by resolution approved by the Court of Quarter Sessions or condemnation proceedings, and to indemnify and save harmless the Township from and against all suits, actions, claims and demands for electric service to the streets shown on said plans, or any part thereof, to the time that the said streets shall be accepted as public streets of the Township in the manner hereinabove set forth.
- E. To pay the inspection fees required by Part 9, §904.
- F. To obtain the easements and releases required when any street, drainage facility or other improvement wherein a subdivision abuts or traverses lands of persons other than the person holding legal title to the lands of the subdivision at his own cost, and obtain from the owner of lands so abutted or traversed full releases from all damages which may change in grade, construction, or otherwise of the street, drainage facility or other improvement, and such releases shall insure to the benefit not only of the owner of the subdivision but to the Township as well.

- G. To promptly reimburse to the Township reasonable attorney's fees as specified in Part 9, §903.5.
- H. To pay for damage to any Township roads caused by equipment, vehicles, or employees of applicant or its agents.

**§1002. Completion of Improvements or Guarantee Thereof prerequisite to Final Plat Approval**

1. No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be otherwise required by this Chapter and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers, and other improvements as may be required by this Chapter have been installed in accordance with this Chapter. In lieu of the completion of any improvements required as a condition for the final approval of a plat, including improvements or fees otherwise required by this Chapter, the developer may deposit with the Township financial security in an amount sufficient to cover the costs of such improvements or common amenities including basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required.
2. When requested by the developer, in order to facilitate financing, the Board of Supervisors shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or Record Plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the Board of Supervisors. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.
3. Without limitation as to other types of financial security which the Township may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this Section.
4. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
5. Such bond, or other security, shall provide for and secure to the public the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
6. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten percent (110%) of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90th) day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the

Township may require the developer to post additional security in order to assure that the financial security equals said one hundred ten percent (110%). Any additional security shall be posted by the developer in accordance with this subsection.

7. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the applicant or developer, and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third (3rd) engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third (3rd) engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.
8. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten percent (10%) for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten percent (110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
9. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plats by sections 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.
10. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors 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 requests shall be in writing addressed to the Board of Supervisors, and the Board of Supervisors shall have forty-five (45) days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Board of Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Board of Supervisors 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 Board of Supervisors fails to act within said forty-five (45) day period, the Board of Supervisors shall be deemed to have approved the release of funds as requested. The Board of Supervisors 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.
11. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion, the Board of Supervisors 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 plat for a term not to exceed eighteen (18) 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 not exceed fifteen percent (15%) of the actual cost of installation of said improvements.

12. 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 Township, 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.
13. If roadway improvements with the right-of-way of state highways, along with associated improvements related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of Pennsylvania Department of Transportation, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of PaDOT and shall not be included within the financial security as otherwise required by this Section.
14. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this Section, the Township 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 plat upon actual completion of the improvements depicted upon the approved final plat. 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 plat, 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.

### **§1003. Release from Improvement Bond**

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors, in writing by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Board of Supervisors shall within ten (10) days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Board of Supervisors, and shall promptly mail a copy of the same to the developer. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Board of Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.
2. The Board of Supervisors shall notify the developer, within fifteen (15) days of receipt of the engineer's report, in writing, of the action of said Board of Supervisors with relation thereto.

3. If the Board of Supervisors or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
4. If any portion of the said improvements shall not be approved or shall be rejected by the Board of Supervisors, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
5. Nothing herein, however, shall be construed in limitation of the developers right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors or the Township Engineer.
6. Where herein reference is made to the Township Engineer, he shall be as a consultant thereto.
7. The applicant or developer shall reimburse the Township for the reasonable and necessary expense incurred for the inspection of improvements according to a schedule of fees adopted by resolution of the Board of Supervisors and as from time to time amended. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township Engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.
  - A. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the Township that such expenses are disputed as unreasonable or unnecessary, in which case the Township shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.
  - B. If, within twenty (20) days from the date of billing, the Township and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and the Township shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
  - C. The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
  - D. In the event that the Township and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the Township is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the Township Engineer nor any professional engineer who has been retained by, or performed services for, the Township or the applicant within the preceding five (5) years.

- E. The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one thousand (\$1,000) dollars or more, the Township shall pay the fee of the professional engineer, but otherwise the Township and the applicant shall each pay one-half (1/2) of the fee of the appointed professional engineer.

**§1004. Remedies to Effect Completion of Improvements**

In the event that any improvements which may be required have not been installed as provided in this Chapter or in accord with the approved final plat, the Board of Supervisors is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If the proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

APPENDIX A  
**Application Form**

**WARMINSTER TOWNSHIP**  
**SUBDIVISION AND LAND DEVELOPMENT APPLICATION**

Project Name: \_\_\_\_\_ W.T.P.C. File No. \_\_\_\_\_

Date of Application: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Escrow Paid: \_\_\_\_\_

Application for:	Sketch Review	<input type="checkbox"/>	Lot Line Change	<input type="checkbox"/>
	Preliminary Review	<input type="checkbox"/>	Minor Subdivision	<input type="checkbox"/>
	Final Review	<input type="checkbox"/>	Major Subdivision	<input type="checkbox"/>
			Land Development	<input type="checkbox"/>
			Waiver of Land Development	<input type="checkbox"/>

1. Owner of record of land: Name \_\_\_\_\_

Address \_\_\_\_\_ Tel. No. \_\_\_\_\_

2. Applicant: Name \_\_\_\_\_

Address \_\_\_\_\_ Tel. No. \_\_\_\_\_

3. Agent of Attorney, (if any): Name \_\_\_\_\_

Address \_\_\_\_\_ Tel. No. \_\_\_\_\_

4. Register Engineer or Surveyor: Name \_\_\_\_\_

Address \_\_\_\_\_ Tel. No. \_\_\_\_\_

5. Location: \_\_\_\_\_

Tax Parcel No: \_\_\_\_\_ Zoning District \_\_\_\_\_

6. Where deed is recorded: Book No. \_\_\_\_\_ Page No. \_\_\_\_\_.

7. No. of Lots or Dwelling Units: \_\_\_\_\_

8. Average Lot Size or Density: \_\_\_\_\_

9. Area to be developed or subdivided: \_\_\_\_\_

10. Water Supply: Public system  On lot system  Community

11. Sewage System: Public system  On lot system  Community

Planning Modules: Attached  Received  Exemption

Subdivision and Land Development Application

12. List of all Encumbrances:

<u>Amount</u>	<u>Name &amp; Address of Person or Firm</u>	<u>Bk. No.</u>	<u>Pg. No.</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

13. Zoning classification of subject land: \_\_\_\_\_

14. Lineal feet of new streets: \_\_\_\_\_

15. Copy of all restrictions, covenants, etc., if any, under which lots are to be sold.

Attached   
None

16. A copy of the description of land as set forth in deed shall be attached.

Parcel No. \_\_\_\_\_

17. A letter for the Request for Modifications of Subdivision and Land Development Ordinance Regulations shall be attached.

Attached  No Modifications requested

Signature of Owner \_\_\_\_\_

APPENDIX B

**Sketch Plan Checklists**

**WARMINSTER TOWNSHIP  
SUBDIVISION AND LAND DEVELOPMENT**

**CHECKLIST FOR SKETCH PLAN**

Name of Subdivision or Development: \_\_\_\_\_ WTPC File No. \_\_\_\_\_

The following check list summarizes the information which shall be shown on the Sketch Plan in order to be reviewed by the Township Planning Commission. The check list shall be filled out by the Zoning Officer and the Applicant at the time of submission, and if incomplete, the plan shall be returned to the applicant noting the deficiencies.

		<u>Check Item if complete</u>	
1.	Twelve (12) copies of the Sketch Plan and application.	<input type="checkbox"/>	<input type="checkbox"/>
2.	Name of the subdivision or development.	<input type="checkbox"/>	<input type="checkbox"/>
3.	Name, address, and telephone number of the owner.	<input type="checkbox"/>	<input type="checkbox"/>
4.	Name and address of the engineer, surveyor, or architect.	<input type="checkbox"/>	<input type="checkbox"/>
5.	Tract Boundaries showing bearings and distances.	<input type="checkbox"/>	<input type="checkbox"/>
6.	North point and date.	<input type="checkbox"/>	<input type="checkbox"/>
7.	Location Map.	<input type="checkbox"/>	<input type="checkbox"/>
8.	Streets on and adjacent to the tract.	<input type="checkbox"/>	<input type="checkbox"/>
9.	Significant topographical and physical features.	<input type="checkbox"/>	<input type="checkbox"/>
10.	Proposed general street layout.	<input type="checkbox"/>	<input type="checkbox"/>
11.	Proposed general lot layout or building layout.	<input type="checkbox"/>	<input type="checkbox"/>
12.	Contours based on U.S.G.S. topography.	<input type="checkbox"/>	<input type="checkbox"/>

Date of completed submission: \_\_\_\_\_

Signatures

\_\_\_\_\_

Zoning Officer

\_\_\_\_\_

Applicant/Agent

**WARMINSTER TOWNSHIP  
SUBDIVISION AND LAND DEVELOPMENT**

**DISTRIBUTION CHECKLIST FOR SKETCH PLAN**

Name of Subdivision  
or Development: \_\_\_\_\_ WTPC File No. \_\_\_\_\_

Applicant and address: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_

Number of Copies: 12

\_\_\_\_\_

\_\_\_\_\_

Distribution List per Chapter 22, §303:

- A. Township Manager: One (1) copy of plans, applications, and reports   
Address: via Township mail.
- B. Township Engineer: Two (2) copies of plans, applications, and reports
- C. Planning Commission: Six (6) copies of plans, applications, and reports   
Address: via Township mail to Township Secretary
- D. Zoning Officer: One (1) copy of all plans, applications, and reports   
Address: via Township mail
- E. Fire Marshall: One (1) copy of all plans, applications, and reports   
Address: hand deliver
- F. Township Files: One (1) copy of all plans, applications, and reports

Current Escrow Balance: \_\_\_\_\_

APPENDIX C

**Preliminary Plan Checklists**

**WARMINSTER TOWNSHIP  
SUBDIVISION AND LAND DEVELOPMENT**

**CHECKLIST FOR PRELIMINARY PLAN**

Name of Subdivision or Development: \_\_\_\_\_ WTPC File No. \_\_\_\_\_

The following check list summarizes the information which shall be shown on the Preliminary Plan in order to be reviewed by the Township Planning Commission and the Board of Supervisors. The check list shall be filled out by the Zoning Officer and the Applicant at the time of submission, and if incomplete, the plan shall be returned to the applicant noting the deficiencies.

- |   | <u>Check Item<br/>if complete</u>                 |
|---|---|
|   | <input type="checkbox"/> <input type="checkbox"/> |
| 1. Seventeen (17) copies of the preliminary plan and application.   | <input type="checkbox"/> <input type="checkbox"/> |
| 2. Name of the subdivision or development.  | <input type="checkbox"/> <input type="checkbox"/> |
| 3. Name, address, and telephone number of the owner.  | <input type="checkbox"/> <input type="checkbox"/> |
| 4. Name and address of the engineer, surveyor, or architect.  | <input type="checkbox"/> <input type="checkbox"/> |
| 5. Scale of 1" equals 100 feet, 1" equals 50 feet or greater.   | <input type="checkbox"/> <input type="checkbox"/> |
| 6. North point, date, and scale in graphic and written form.  | <input type="checkbox"/> <input type="checkbox"/> |
| 7. Location Map.  | <input type="checkbox"/> <input type="checkbox"/> |
| 8. Tract Boundaries showing bearings and distances.   | <input type="checkbox"/> <input type="checkbox"/> |
| 9. Information to be included in summary on plan for Subdivisions:  |   |
| a. total area   | <input type="checkbox"/> <input type="checkbox"/> |
| b. number of lots proposed  | <input type="checkbox"/> <input type="checkbox"/> |
| c. average and minimum lot size   | <input type="checkbox"/> <input type="checkbox"/> |
| d. proposed length of new streets   | <input type="checkbox"/> <input type="checkbox"/> |
| e. zoning requirements  | <input type="checkbox"/> <input type="checkbox"/> |
| 10. Location of existing and proposed streets, utilities, buildings, political subdivision lines, easements, rights-of-way. | <input type="checkbox"/> <input type="checkbox"/> |

- |     |   |                          |                          |
|-----|---|--------------------------|--------------------------|
| 11. | Contours at two (2) foot intervals  | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. | Layout of lots, number, dimensions, and setbacks                                | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. | Layout of buildings and parking areas for multi-family and commercial projects. | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. | Existing natural features – trees, streams, etc.                                | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. | Existing sewers, water mains, culverts, etc.                                    | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. | Cross-sections and centerline profiles for each proposed street.                | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. | Sites intended to be dedicated.   | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. | Zoning of adjacent areas  | <input type="checkbox"/> | <input type="checkbox"/> |
| 19. | Present zoning classification of tract.   | <input type="checkbox"/> | <input type="checkbox"/> |

Date of completed submission: \_\_\_\_\_

Signatures

\_\_\_\_\_  
Zoning Officer

\_\_\_\_\_  
Applicant/Agent

**WARMINSTER TOWNSHIP  
SUBDIVISION AND LAND DEVELOPMENT**

**DISTRIBUTION CHECKLIST FOR PRELIMINARY PLAN**

Name of Subdivision  
or Development: \_\_\_\_\_ WTPC File No. \_\_\_\_\_

Applicant and address: \_\_\_\_\_ Date: \_\_\_\_\_

_____	<u>Number of Copies</u>
_____	Application, checklist, etc.: 19
_____	Preliminary Plan Sets: 19
_____	Stormwater Management Reports: 4
	Traffic Impact Study: 6
	Water Resources Study: 7
	Site Analysis Report: 17
	One copy of all plans and reports to be provided in digital format.

Distribution List per Chapter 22, §307:

- A. Township Manager: One (1) copy of plans, application and checklists, Traffic Study, Water Resources Study, and Site Analysis Report.
- B. Township Engineer: Two (2) copies of plans, applications and checklists, and all reports
- C. Planning Commission: Six (6) copies of plans, applications and checklists, and Site Analysis Reports.
- D. Board of Supervisors: Five (5) copies of plans, applications and checklists, and Site Analysis Reports.
- E. Zoning Officer: One (1) copy of all plans, applications and checklists, and all reports. Check for Application Fee and check for Escrow Deposit as per published schedule.
- F. Fire Marshall: One (1) copy to each of all plans, applications and checklists, Traffic Study, and Site Analysis Report.
- G. Warminster Municipal Authority: Two (2) copies of all plans, applications and checklists, Water Resources Study, and three (3) copies of their receipt for fees (if available). All copies of Planning Modules, if applicable.
- H. Township Files: One (1) copy of all plans, applications and checklists, and all reports. Digital copy of all plans, applications, and reports.

Current Escrow Balance: \_\_\_\_\_

APPENDIX D

**Final Plan Checklists**

**WARMINSTER TOWNSHIP  
SUBDIVISION AND LAND DEVELOPMENT**

**CHECKLIST FOR FINAL PLAN**

Name of Subdivision  
or Development: \_\_\_\_\_ WTPC File No. \_\_\_\_\_

The following check list summarizes the information which shall be shown on the Final Plan in order to be reviewed by the Township Planning Commission and the Board of Supervisors. The check list shall be filled out by the Zoning Officer and the Applicant at the time of submission, and if incomplete, the plan shall be returned to the applicant noting the deficiencies.

- |   | <u>Check Item<br/>if complete</u>                 |
|---|---|
|   | <input type="checkbox"/> <input type="checkbox"/> |
| 1. Seventeen (17) copies of the preliminary plan and application.                 | <input type="checkbox"/> <input type="checkbox"/> |
| 2. Sheet size of 18" x 24" or 24" x 36"   | <input type="checkbox"/> <input type="checkbox"/> |
| 3. Name of the subdivision or development.  | <input type="checkbox"/> <input type="checkbox"/> |
| 4. Name, address, and telephone number of the owner.                              | <input type="checkbox"/> <input type="checkbox"/> |
| 5. Name and address of the engineer, surveyor, or architect.                      | <input type="checkbox"/> <input type="checkbox"/> |
| 6. Scale of 1" equals 100 feet, 1" equals 50 feet or greater.                     | <input type="checkbox"/> <input type="checkbox"/> |
| 7. North point, date, and scale in graphic and written form.                      | <input type="checkbox"/> <input type="checkbox"/> |
| 8. Location Map.  | <input type="checkbox"/> <input type="checkbox"/> |
| 9. Tract Boundaries indicated by solid heavy line showing bearings and distances. | <input type="checkbox"/> <input type="checkbox"/> |
| 10. Information to be included in summary on plan for Subdivisions:               |   |
| a. total area   | <input type="checkbox"/> <input type="checkbox"/> |
| b. number of lots proposed  | <input type="checkbox"/> <input type="checkbox"/> |
| c. average and minimum lot size   | <input type="checkbox"/> <input type="checkbox"/> |
| d. proposed length of new streets   | <input type="checkbox"/> <input type="checkbox"/> |
| e. zoning requirements  | <input type="checkbox"/> <input type="checkbox"/> |

- |     |  |                          |                          |
|-----|--|--------------------------|--------------------------|
| 11. | Names of adjoining subdivision or development, if any, and the names of owners of all adjacent unplatted land. | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. | Radii, internal angles, points of curvature, tangent, bearing and lengths.                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. | Street lines, lot lines, rights-of-way, easements, and areas to be dedicated.                                  | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. | Location of all monuments  | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. | Building setback lines and/or proposed placement of each building.   | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. | All lots or buildings numbered.  | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. | Names of streets within and adjacent to tract.   | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. | All dimensions shown in feet and hundreds of a foot.   | <input type="checkbox"/> | <input type="checkbox"/> |
| 19. | Cartways and sidewalks.  | <input type="checkbox"/> | <input type="checkbox"/> |
| 20. | Location of all existing and proposed utilities.   | <input type="checkbox"/> | <input type="checkbox"/> |
| 21. | Proper signature blocks as required in Part 4, §407 of this Chapter.   | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. | The words "Final Plan" in title-block.   | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. | Zoning of adjacent areas.  | <input type="checkbox"/> | <input type="checkbox"/> |
| 24. | Improvement construction plans.  | <input type="checkbox"/> | <input type="checkbox"/> |
| 25. | Present zoning classification of tract.  | <input type="checkbox"/> | <input type="checkbox"/> |

Date of completed submission: \_\_\_\_\_

Signatures

\_\_\_\_\_  
Zoning Officer

\_\_\_\_\_  
Applicant/Agent

**WARMINSTER TOWNSHIP  
SUBDIVISION AND LAND DEVELOPMENT**

**DISTRIBUTION CHECKLIST FOR FINAL PLAN**

Name of Subdivision or Development: \_\_\_\_\_ WTPC File No. \_\_\_\_\_

Applicant and address: \_\_\_\_\_ Date: \_\_\_\_\_

	Number of Copies
	Application, checklist, etc.: 19
	Preliminary Plan Sets: 19
	Stormwater Management Reports: 4
	Traffic Impact Study: 6
	Water Resources Study: 7
	Site Analysis Report: 17
	One copy of all plans and reports to be provided in digital format.

Distribution List per Chapter 22, §311:

- A. Township Manager: One (1) copy of plans, application and checklists, Traffic Study, Water Resources Study, and Site Analysis Report.
- B. Township Engineer: Two (2) copies of plans, applications and checklists, and all reports
- C. Planning Commission: Six (6) copies of plans, applications and checklists, and Site Analysis Reports.
- D. Board of Supervisors: Five (5) copies of plans, applications and checklists, and Site Analysis Reports.
- E. Zoning Officer: One (1) copy of all plans, applications and checklists, and all reports. Check for Application Fee and check for Escrow Deposit as per published schedule.
- F. Fire Marshall: One (1) copy to each of all plans, applications and checklists, Traffic Study, and Site Analysis Report.
- G. Warminster Municipal Authority: Two (2) copies of all plans, applications and checklists, Water Resources Study, and three (3) copies of their receipt for fees (if available). All copies of Planning Modules, if applicable.
- H. Township Files: One (1) copy of all plans, applications and checklists, and all reports. Digital copy of all plans, applications, and reports.

Current Escrow Balance: \_\_\_\_\_

APPENDIX E

**Waiver of Land Development Checklists**

**WARMINSTER TOWNSHIP  
SUBDIVISION AND LAND DEVELOPMENT**

**CHECKLIST FOR WAIVER OF LAND DEVELOPMENT**

Name of Development: \_\_\_\_\_ WTPC File No. \_\_\_\_\_

The following check list summarizes the information which shall be shown on the Permit Plans in order to be reviewed by the Township Planning Commission and the Board of Supervisors. The check list shall be filled out by the Zoning Officer and the Applicant at the time of submission, and if incomplete, the plan shall be returned to the applicant noting the deficiencies.

		<u>Check Item if complete</u>	
1.	Seventeen (17) copies of the permit plan and application.	<input type="checkbox"/>	<input type="checkbox"/>
2.	Name of the subdivision or development.	<input type="checkbox"/>	<input type="checkbox"/>
3.	Name, address, and telephone number of the owner.	<input type="checkbox"/>	<input type="checkbox"/>
4.	Name and address of the engineer, surveyor, or architect.	<input type="checkbox"/>	<input type="checkbox"/>
5.	Scale of 1" equals 100 feet, 1" equals 50 feet or greater.	<input type="checkbox"/>	<input type="checkbox"/>
6.	North point, date, and scale in graphic and written form.	<input type="checkbox"/>	<input type="checkbox"/>
7.	Location Map.	<input type="checkbox"/>	<input type="checkbox"/>
8.	Tract Boundaries showing bearings and distances.	<input type="checkbox"/>	<input type="checkbox"/>
9.	Information to be included in summary on plan for Subdivisions:		
a.	total area	<input type="checkbox"/>	<input type="checkbox"/>
b.	impervious coverage, existing and proposed	<input type="checkbox"/>	<input type="checkbox"/>
c.	number of parking spaces: required, existing, and proposed	<input type="checkbox"/>	<input type="checkbox"/>
d.	zoning requirements	<input type="checkbox"/>	<input type="checkbox"/>
10.	Location of existing and proposed streets, utilities, buildings, political subdivision lines, easements, rights-of-way.	<input type="checkbox"/>	<input type="checkbox"/>
11.	Contours at two (2) foot intervals	<input type="checkbox"/>	<input type="checkbox"/>
12.	Layout of buildings and parking areas, dimensions, and setbacks	<input type="checkbox"/>	<input type="checkbox"/>

- |     |  |                          |                          |
|-----|--|--------------------------|--------------------------|
| 13. | Existing natural features – trees, streams, etc. | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. | Existing sewers, water mains, culverts, etc.     | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. | Zoning of adjacent areas                         | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. | Present zoning classification of tract.          | <input type="checkbox"/> | <input type="checkbox"/> |

Date of completed submission: \_\_\_\_\_

Signatures

\_\_\_\_\_  
Zoning Officer

\_\_\_\_\_  
Applicant/Agent

**WARMINSTER TOWNSHIP  
SUBDIVISION AND LAND DEVELOPMENT**

**DISTRIBUTION CHECKLIST FOR WAIVER OF LAND DEVELOPMENT**

Name of Development: \_\_\_\_\_ WTPC File No. \_\_\_\_\_

Applicant and address: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Number of Copies \_\_\_\_\_.

Application, checklist, etc.: 17

Permit Plan Sets: 17

Stormwater Management Reports: 4

One copy of all plans and reports  
to be provided in digital format.

Distribution List per Chapter 22, §307:

- A. Township Manager: One (1) copy of plans, application and checklists.
- B. Township Engineer: Two (2) copies of plans, applications and checklists,  
and Stormwater Management Report (if applicable)
- C. Planning Commission: Six (6) copies of plans, applications and checklists.
- D. Board of Supervisors: Five (5) copies of plans, applications and checklists.
- E. Zoning Officer: One (1) copy of all plans, applications and checklists,  
and all reports. Check for Application Fee and check for Escrow Deposit  
as per published schedule.
- F. Fire Marshall: One (1) copy to each of all plans, applications and checklists.
- G. Township Files: One (1) copy of all plans, applications and checklists,  
and all reports. Digital copy of all plans, applications, and reports.

Current Escrow Balance: \_\_\_\_\_