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**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

**ORDINANCE NO. 2015-9-02**

**WINDSOR TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**



# SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

for

WINDSOR TOWNSHIP

YORK COUNTY, PENNSYLVANIA

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Article 1

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## **Short Title, Purpose, Authority, and Jurisdiction**

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### **Section 101 Short Title**

1. This Ordinance shall be known as and may be cited as the "Windsor Township Subdivision and Land Development Ordinance."

### **Section 102 Purpose**

1. The purpose of these subdivision and land development regulations is to provide for the harmonious development of the Township by:
  - A. Assisting in the orderly and efficient integration of land developments within the Township.
  - B. Ensuring conformance of land development plans with public improvement plans and programs.
  - C. Ensuring coordination of inter-municipal public improvement plans and programs.
  - D. Securing the protection of water resources and drainage ways.
  - E. Facilitating the efficient movement of traffic.
  - F. Securing equitable handling of all land development plans by providing uniform standards and procedures.
  - G. In general, promoting greater health, safety, and welfare of the citizens of the Township.
  - H. Securing adequate sites for recreation, conservation, scenic and other open space purposes.
  - I. Achieving general consistency with the statement of community goals and objectives as contained in the Windsor Township and Windsor Borough Joint Comprehensive Plan.

### **Section 103 Authority and Jurisdiction**

1. No subdivision and land development of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance. The authority for the control and regulation of subdivision and land development within the Township shall be as follows:
  - A. Review by the Township Planning Commission. The Windsor Township Planning Commission, hereinafter referred to as the "Planning Commission," shall be vested with the review of subdivision and land development plans.

- B. Review by the County Planning Commission. Plans for subdivision and land development located within Windsor Township shall be forwarded upon receipt by the Township to the York County Planning Commission for review and report. The Windsor Township Board of Supervisors shall not give final approval to such plans until the County report is received or until the expiration of 30 days from the date the application was forwarded to the County.
- C. Approval by the Township Board of Supervisors. The Windsor Township Board of Supervisors, hereinafter referred to as the "Board of Supervisors," shall be vested with the authority to approve or disapprove all subdivision and land development plans.

## Article 2

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### Definitions

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**ACCESS DRIVE** - An improved cartway designed and constructed to provide for vehicular movement between a public road and the off-street parking and/or loading area for any non-residential use.

**AGENT** - Any person, other than the developer, who, acting for the developer submits land development plans to the Township Supervisors for the purpose of obtaining approval thereof.

**AGRICULTURE** - The tilling of the soil, the raising of crops, timber harvest, horticulture and gardening, including the keeping or raising of livestock such as cattle, cows, hogs, horses, sheep, goats, emus, llamas, poultry, rabbits, birds, fish, bees, and other similar animals. This definition also includes agricultural buildings, structures, noncommercial greenhouses and mushroom houses, as well as the processing and retail sale of goods produced on the farm.

**ALLEY** - A minor right-of-way, privately or publicly owned, primarily for service access to the rear or sides of properties.

**ALTERATION** - Any change in the supporting members of a building or structure such as bearing walls, columns, beams or girders, joists or rafters, or enclosing walls. Any renovation to a building which would change its use.

**APPLICANT** - A landowner or developer, as hereinafter defined, who has filed an application for subdivision or land development including his heirs, successors and assigns.

**AREA** - The two-dimensional measurement of space between known lines or boundaries. Refer to the Windsor Township Zoning Ordinance for specific area types.

**BASEMENT** - A space with less than half of its floor-to-ceiling height above the average finished grade of the adjoining ground.

**BLOCK** - A Piece or parcel of land entirely surrounded by public highways, streets, streams, railroad right-of-way, or parks, etc., or a combination thereof.

**BOARD** - The Windsor Township Board of Supervisors.

**BUFFER** - A landscaped area, or an area of preserved vegetation, intended to be used as a means of limiting the potentially adverse effects created by a use, on adjoining properties, streets and uses.

**BUILDING** - Any structure with a roof intended for shelter or enclosure of persons, animals or property. Refer to the Windsor Township Zoning Ordinance for specific building types.

**BUILDING FOOTPRINT** - The total horizontal area encompassed by a building's outer walls as measured at ground level, including covered decks, covered porches, and attached garages.

**BUILDING HEIGHT** - A building's vertical measurement from the mean level of the ground abutting the building to the highest point of the roof.



**BUILDING PERMIT** - A permit stating that the purpose for which a building or land is to be used is in conformity with the uses permitted and all other requirements under this Ordinance for the zone in which it is to be located.

**CARTWAY** - The improved, traveled portion of a street.

**CHANNEL** - A natural or artificial watercourse with a definite bed and banks which confine and conduct continuously or periodically flowing water.

**CHANNEL FLOW** - That water which is flowing within the limits of a defined channel.

**CLEAR SIGHT TRIANGLE** - An area of unobstructed vision at street intersections defined by lines of sight between points of the center line at a given distance from the intersection of street lines.

**CURB** - The raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic.

**CURB LINE** - The outside edge of the cartway.

**COUNTY** - York County, Pennsylvania.

**DENSITY** - A term used to express the allowable number of dwelling units per net acre of land.

**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** - Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

**DRIVEWAY** - An improved cartway designed and constructed to provide vehicular movement between a street and a tract of land serving one single-family dwelling unit or a farm.

**DWELLING** - Any building or portion thereof designed and used exclusively for residential occupancy, not including hospitals, hotels, boarding, rooming and lodging houses, institutional houses, tourists courts, and the like, offering overnight accommodations for guests or patients. All dwellings must be permanently affixed to a completely enclosed foundation constructed of currently accepted materials that shall be an entire perimeter wall and extend from below the frost line to the first floor of the building. Such foundation shall be constructed to provide sufficient structural integrity to prevent the building from heaving, shifting, or settling unevenly, due to frost action. In addition, all dwellings shall be properly connected to approved and permanently-designed sewer, water, electrical, and other utility systems. Refer to the Windsor Township Zoning Ordinance for specific dwelling types.

**DWELLING UNIT** - One (1) or more rooms used for living and sleeping purposes and having one (1) kitchen with fixed cooking facilities arranged for occupancy by one (1) family.

**EARTHMOVING ACTIVITY** - Any construction or other activity which disturbs the surface of the land including, but not limited to, excavations, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil, rock or earth.

**EASEMENT** - A grant of one (1) or more of the property rights by the property owner to, and/or for, the use by the public, a corporation, or other person in equity, which is subordinate to, but not inconsistent with, the owner's general property rights.

- (1). **Easement, Access:** Any driveway or other entrance from a public or private road. A field road providing access to agriculturally used fields, and not providing access to any residential, commercial or industrial structure is not considered an easement of access.
- (2). **Easement, Conservation:** An easement precluding or limiting future or additional development of a lot or parcel of land.
- (3). **Easement, Drainage:** An easement secured for the preservation of natural drainage ways, watercourse corridors and perennial and/or intermittent watercourses, and for related manmade drainage facilities related thereto.

**ENGINEER** - The Township Engineer or Engineering Consultant of the Township.

**FAMILY** - An individual or individuals related by blood, marriage or adoption that maintain one common household and live as a family unit within one dwelling unit. Additionally, up to three (3) unrelated individuals who maintain a common household and live within one dwelling unit may be considered a family provided that no individual or individuals within the household earns a profit from the living expenses of any other(s). Finally, a family may also be considered any number of unrelated individuals who are developmentally disabled and occupy a group home that is licensed by the appropriate governmental agencies.

**FENCE** - Any artificially constructed barrier of any material or combination of materials erected to enclose or screen an area of land. The height of all fences or portions thereof shall be measured from ground level.

**FILL** - Material placed or deposited so as to form an embankment or raise the surface elevation of the land, including but not limited to levees, bulkheads, dikes, jetties, embankments, and causeways.

**FLOOD** - A general and temporary condition of partial or complete inundation of normally dry land areas from the overland flow of watercourses, or from the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOODPLAIN** - A relatively flat or low land area that is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

See also: "ONE-HUNDRED YEAR FLOOD BOUNDARY"

**FLOODPROOFING** - Any combination of structural and nonstructural additions, changes, adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

**FLOODWAY** - The designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one-hundred (100) year magnitude.

**FLOOD ELEVATION** - The projected heights, in relation to the National Geodetic Vertical Datum of 1929 (NGVD), reached by floods of various magnitudes and frequencies in the floodplain areas.

**FLOOR AREA, GROSS** – The sum of the gross horizontal areas of the several floors of a building, as the case may be, measured from the exterior face of exterior walls or from the center line of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles or any space where the floor-to-ceiling height is less than six feet.

**FRONTAGE** – The front property line that coincides with the street right-of-way contained upon or adjoining the subject property. Required frontage measurements shall occur along such line, even if it is curvilinear.

**GOVERNING BODY** - The Board of Township Supervisors, Windsor Township, York County, Pennsylvania.

**HISTORIC** - Listed as a Historic Resource by the Pennsylvania Historical and Museum Commission or appearing on the National Register of Historic Places.

**IMPROVEMENTS** - Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including, but not limited to, grading, pavement, curb, storm and sanitary sewers, gutter, drains, and betterments to existing water courses, sidewalks, street signs, crosswalks, shade trees, sodding or seeding, street name signs, monuments, lighting, storm water management facilities, and parking.

**INTERSECTION** - The area where two or more streets join or connect. A crossing of two or more streets that creates a condition where a geometric angle is formed between two street lines or where the street centerline radius is less than the minimum radius as required by the most current version of the Windsor Township Subdivision and Land Development Ordinance.

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

- (a) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
  - 1. A group of two or more 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 or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- (b) A subdivision of land.
- (c) The following are excluded from land development:
  - 1. The conversion of an existing single-family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium; or
  - 2. The addition of an accessory building not exceeding two thousand five hundred (2,500) square feet, including farm buildings, on a lot or lots subordinate to an existing principal building. No additional sewer and/or water consumption shall be permitted.



**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 land, shall be deemed to be a landowner for the purposes of this Ordinance.

**LITTER** - Discarded items not naturally occurring on the property such as tires, oil cans, equipment parts, and other rubbish.

**LOT** - A parcel of land separately described by a metes and bounds description which is recorded in the Office of the Recorder of Deeds of York County by deed description or is described by an approved subdivision plan recorded in the Office of the Recorder of Deeds of York County. Refer to the Windsor Township Zoning Ordinance for specific lot types.

**LOT COVERAGE** - A percentage of the lot area which is covered with an impervious surface (including, but not limited to: buildings, driveways, parking area, decks and patios, sidewalks).

**LOT DEPTH** - The horizontal distance measured between the street right-of-way line and the closest rear property line. On corner and reverse frontage lots, the depth shall be measured from the street right-of-way line of the street of address to the directly opposite property line.

**LOT LINE** - A property boundary line of any lot held in single and separate ownership.

**LOT WIDTH** - The horizontal measurement of the width of the lot at the building setback, less the width of any private right-of-way. In the case of single-family detached, duplex and/or townhouse dwelling units developed under condominium or common ownership of land, the lot width requirements shall apply as though each dwelling unit were constructed on a separate lot.

**MOBILE HOME** - Any structure intended for or capable of permanent human habitation, with or without wheels, and capable of being transported or towed from one place to the next, in one or more pieces, by whatsoever name or title it is colloquially or commercially known, but excluding transport trucks or vans equipped with sleeping space for a driver or drivers, and travel trailers. Mobile homes placed in parks shall meet the requirements for mobile home parks listed in Article 6 of this Ordinance. Mobile homes placed on individual lots shall be considered "dwellings," and be bound by the requirements there-imposed.

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

**MOBILE HOME PARK** - A parcel or contiguous parcels of land which have been so designated and improved to contain two or more mobile home lots for the placement thereon of mobile homes.

**NEW CONSTRUCTION** - Structures for which the start of construction commenced on or after the effective date of this Ordinance.

**OBSTRUCTION** - Any wall, dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or flood-prone area, (1) which may impede, retard or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water, or (2) which is placed where the flow of the water might carry the same downstream to the damage of life and property.

OFFICE - A place where the primary use is conducting the affairs of a business, profession, service, or government, including administration, record keeping, clerical work, and similar business functions. An office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair, or storage of materials, goods or products; or the sale or delivery of any materials, goods, or products which are physically located on the premises. Office supplies used in the office may be stored as an incidental use.

OPEN SPACE - A space unoccupied by buildings or paved surface and open to the sky on the same lot with a building.

OWNER - Any individual, firm, association, syndicate, co-partnership, corporation, trust or other legal entity having sufficient proprietary interest in the land sought of be subdivided to commence and maintain proceedings to subdivide the same under these regulation.

PARCEL - A tract or plot of land.

PARENT TRACT - A tract of land located within an A-Agricultural Zone, and held in single or separate ownership, as it exists on the effective date of this Ordinance.

PARKING COMPOUND - Primary business where passenger vehicles may be stored for short-term, daily, or overnight off-street parking, and connected to a street by an access drive.

PARKING LOT - An accessory use in which required and additional parking spaces are provided.

PARKING SPACE - An off-street space available for the parking of one (1) motor vehicle and having usable access to a street or alley.

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

PERSON - An individual, corporation, partnership, incorporator's association, or any other similar entity.

PETROLEUM PRODUCT - Oil or petroleum of any kind and in any form, including crude or synthetic oil and derivatives of crude or synthetic oil. It may be alone, as a sludge, as oil refuse, or mixed with other wastes.

PLAN, FINAL - A complete and exact subdivision or land development plan, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

PLAN, PRELIMINARY - A subdivision or land development plan, in lesser detail than a final plan, showing salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development with proposed street, utility, stormwater, and lot layout as a basis for consideration prior to construction or preparation of a final plan.

PLAN, SKETCH - An informal plan indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development. The pre-application (sketch) plat or plan does not constitute a formal submission of a preliminary or final plat and is voluntarily offered to all applicants for guidance and discussion only.

PLANNING COMMISSION - The Windsor Township Planning Commission.

**PUBLIC** - Owned, operated, or controlled by a governmental agency (Federal, State, or Local, including a corporation created by law for the performance of certain specialized governmental functions, and the Board of Education).

**PUBLIC SEWER** - A municipal sanitary sewer or a comparable common or package sanitary facility approved and permitted by the Pennsylvania Department of Environmental Protection. Such systems are capable of serving multiple users.

**PUBLIC UTILITY** - Any business activity regulated by a government agency in which the business is required by law to:

- (1) Serve all members of the public upon reasonable request;
- (2) Charge just and reasonable rates, subject to review by a regulatory body;
- (3) File tariffs specifying all of its charges;
- (4) Modify or discontinue its service only with the approval of the regulatory agency.

**PUBLIC WATER** - A municipal water supply system, or a comparable common water facility approved and permitted by the Pennsylvania Department of Environmental Protection. Such systems are capable of serving multiple users.

**RIGHT-OF-WAY** - A corridor of publicly owned land for purposes of maintaining primary vehicular and pedestrian access to abutting properties, including but not limited to, roads, streets, highways and sidewalks. Abutting property owners are prohibited from encroaching across the right-of-way line. (See also "Street Line.").

**RIPARIAN BUFFER** - Undisturbed riparian land adjacent to a watercourse and other bodies of water for the purpose of stabilizing banks, filtering pollutants from runoff and for providing habitat for a variety of wildlife.

**SCREENING** - An assemblage of materials that are arranged so as to block the ground level views between grade and a height of six (6) feet. Suitable screening materials include trees, shrubs, hedges, berms, walls, sight-tight (or similar) fences, other similar type materials, or any combination thereof. No wall or fence shall be constructed of plywood, corrugated metal or fiberglass, or sheet metal. Landscape screens must achieve the required visual blockage within two (2) years of installation.

**SECRETARY; TOWNSHIP SECRETARY** - The Secretary of Windsor Township, York County, Pennsylvania.

**SETBACK** - The required horizontal distance between a structure and a street right-of-way or property line. Refer to the Windsor Township Zoning Ordinance for specific setback types.

**SHOPPING CENTER** - One (1) or more commercial establishments with greater than 20,000 square feet of gross floor area, which are designed to function as a unit, with shared vehicular access, off-street parking and signage.

**SIGHT DISTANCE** - The maximum distance of unobstructed vision in a horizontal or vertical plane from within an automobile located at any given point on a street.



SNOW STORAGE AREA - A minimum area reserved for snow storage while plowing. A minimum one hundred (100) square feet of snow storage area shall be provided for every one thousand (1000) square feet of plowed area, along with any stormwater management area.

SOIL SURVEY - The latest published version of the United States Department of Agriculture's soil survey for York County, Pennsylvania.

STEEP SLOPE - A natural geographical area, whether on one or more lots, which has a ratio of vertical distance to horizontal distance of greater than 15% based on two-foot contour intervals and measured over a minimum of three contours (6 feet) and 500 square feet of area.

- (1) Steep Slope, Moderately: Any area defined as Steep Slope, where the slope measures from 15% to less than 25%.
- (2) Steep Slope, Severely: Any area defined as Steep Slope, where the slope measures 25% or greater.

STREET - Includes street, avenue, boulevard, road, highway, freeway, lane, viaduct and any use intended to be used by vehicular traffic and/or pedestrians.

- (1) Street, Public: Any dedicated and/or adopted public right-of-way intended to be used by vehicular traffic and/or pedestrian.
- (2) Street, Private: Any street that is privately held, and not intended for dedication to the public but intended to be used by vehicular traffic and/or pedestrians.

STREET CENTERLINE - The horizontal line paralleling the street that bisects the street right-of-way into two equal widths. In those instances where the street right-of-way cannot be determined, the street centerline shall correspond to the center of the cartway.

STREET LINE (Right-of-Way Line) - A line defining the edge of a street right-of-way and separating the street from abutting property or lots. The street line shall be the same as the legal right-of-way line currently in existence.

STRUCTURE - Any manmade object, including buildings, having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

- (1) Accessory Structure: For other than agricultural uses, a subordinate structure located on the same lot as the principal use, and clearly incidental and subordinate to the principal use; including, but not limited to, private garages, utility buildings, tool sheds, etc. Any portion of the principal building devoted or intended to be devoted to an accessory use is not an accessory building. In the case of a "pre-built" and/or a "pre-fabricated" structure, to be used as an accessory structure, the unit/structure shall not have been a unit/structure "titled" for use under the Pennsylvania Motor Vehicle Code, Commonwealth of Pennsylvania.
- (2) Structure, Principal: A structure associated with a primary use.  
  
Structures shall not include such things as fences, sandboxes, decorative fountains, swing sets, birdhouses, birdfeeders, mailboxes, and any other similar nonpermanent improvements.

**SUBDIVIDER** - Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under these regulations to effect a subdivision or land development of land hereunder for himself or for another. The term may be used interchangeably with "applicant".

**SUBDIVISION** - The division or re-division 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, transfers of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling shall be exempted.

**TOWNSHIP** - Windsor Township, York County, Pennsylvania.

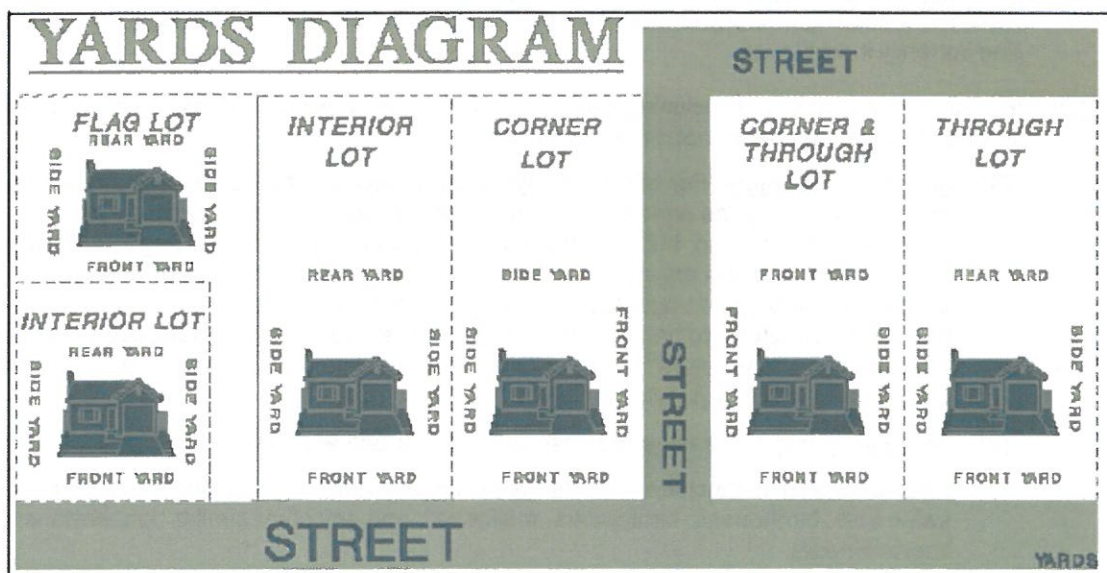
**USE** - The specific purpose for which land or a structure is designed, arranged, intended, occupied or maintained.

**WATERCOURSE** - A channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

**WETLANDS** - Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

**WOODLAND** - Area of trees whose combined canopies cover a minimum of eighty (80) percent of an area of one acre or more.

**YARD** - An unoccupied space, open to the sky, on the same lot with a building or structure. Refer to the Windsor Township Zoning Ordinance for specific yard types.



ZONING - The designation of specified districts within a community or township, reserving them for certain uses together with limitations on lot size, heights of structures and other stipulated requirements.

ZONING OFFICER - The duly constituted municipal official designated to administer and enforce this Ordinance in accordance with its literal terms.

ZONING HEARING BOARD - The Zoning Hearing Board of Windsor Township.



## Article 3

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### Plan Requirements and Processing Procedures

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#### Section 301 Preparation and Filing of Plan

1. Whenever a subdivision of land or land development is desired to be effected in the Windsor Township, York County, Pennsylvania, a plan of the layout shall be prepared, filed and processed with the Township Planning Commission and the Township Board of Supervisors according to the requirements of the Subdivision and Land Development Ordinance.
2. Each applicant shall follow the procedures for the submission and processing of plans and specifications for such plans as set forth in this article.
3. The initial plan submission shall be considered a preliminary plan.

#### Section 302 Pre-application Conference

1. As part of the subdivision and land development process, it is strongly encouraged that the applicant schedules a pre-application conference with the Township Manager, Township Zoning Officer, Township Public Works Director, York County Planning Commission, and/or the Township Engineer prior to submission of any preliminary and/or final subdivision and/or land development plan. The purpose of the pre-application conference is to:
  - A. foster an informal plan review between the applicant and the Township staff;
  - B. reduce the subdivision processing time and costs for the applicant; and
  - C. expedite the Township's review and approval process once the plan is formally submitted.
2. The following shall apply to the Pre-application Conference:
  - A. The pre-application conference shall be scheduled prior to the initial plan submission, and shall be held at the monthly Windsor Township staff meeting. The applicant shall notify the Township a minimum of fourteen (14) days prior to the staff meeting during which a pre-application conference is requested.
  - B. The applicant shall be charged reasonable fees in accordance with Article VII for engineering-related services.
  - C. For any plan proposing an Open Space Development (Option 1 or Option 2, as detailed in the Township Zoning Ordinance), or a plan proposing the creation of five (5) or more residential lots or residential dwelling units, or a non-residential building or buildings measuring five thousand (5,000) square feet or more, a Pre-application Conference shall not be optional, but shall be mandatory.
  - D. The applicant is advised that the quantity and quality of comments that can be provided by the Township staff at the pre-application conference is directly tied to the quantity and quality of information provided by the applicant. As such, the applicant is encouraged to bring any and all available mapping, preliminary layout drawings, research into lot limitations due to factors such as environmentally sensitive areas,

easements, right-of-way areas, and historically significant features, preliminary planning for stormwater management, traffic controls, and water and sewer service, and any other pertinent information.

- E. Due to the informal nature of the pre-application conference, neither the applicant nor the Township shall be bound by any determination of the pre-application conference. Comments provided by Township staff at the pre-application conference are not the result of a thorough plan review and therefore shall not be considered to be formal or comprehensive.

## **Section 303      Sketch Plan Data and Procedures**

1. Prior to the preparation and filing of the preliminary plan, applicants are strongly encouraged to submit to the Planning Commission the following plans and data, and may ascertain from the Planning Commission those elements which should be considered in the design of the subdivision or land development. These shall include any features of the Comprehensive Plan or of any other plans of the Planning Commission, including but not limited to proposed streets, recreation areas, drainage reservations, shopping centers and school sites. Submission of a sketch plan shall not constitute formal filing of the plan with the Township. The applicant is advised that the quantity and quality of comments that can be provided by the Township staff upon receipt of a sketch plan is directly tied to the quantity and quality of information provided by the applicant. As such, the applicant is encouraged to provide as much detail and information in the sketch plan as is possible.
2. The sketch plan shall be submitted by the first business day of the month prior to the month in which the plan will be reviewed by the Township Planning Commission.
3. Sketch Plans may contain the following information:
  - A. General Information. The individual shall provide a narrative describing the proposed subdivision or land development that shall address the following items:
    1. Purpose and scope of the subdivision or land development.
    2. Existing land use patterns and conditions of the subject tract area and other contiguous parcels.
    3. Major features of the proposed subdivision and/or land development.
    4. Provisions for water supply and sewage disposal.
    5. Historical sites, areas of steep slopes, wetlands, or other environmentally sensitive features.
  - B. Location map. Provide a map (minimum scale one inch equals 2,000 feet) showing the proposed subdivision or land development's location with respect to the existing community facilities, local street systems and municipal boundaries.
  - C. Sketch plan. Provide a drawing of the proposed land development with the following features:
    1. Name and address of developer and/or owner, name of municipality, proposed name of the development, North arrow and date.

2. Scale: The sketch plan must be drawn to scale. However, approximate dimensions will be accepted. The plan may be a simple sketch drawn on a topographic map.
3. Tract boundaries.
4. Number of acres in tract, average lot size, approximate number of lots, anticipated type of development.
5. Existing and proposed streets, highways, railroads, rights-of-way, sewers, water mains, fire hydrants and storm sewers.
6. Proposed general lot layout.
7. All public facilities such as schools and parks.
8. Existing natural features such as wooded areas, streams, wetlands, floodplains and others as addressed in the Comprehensive Plan.
9. Topography, showing contours at vertical intervals of ten (10) feet.
10. Any other pertinent information available to the applicant at the time of sketch plan preparation.

## **Section 304 Preliminary Plans**

### **1. Application and Review Procedure**

- A. Preliminary plans shall be submitted to the Township by close of business on the first business day of the month prior to the month in which the plan will be reviewed by the Township Planning Commission. Any Subdivision or Land Development Plan may be submitted as a Preliminary/Final plan at the time of initial application, at the applicant's discretion, provided that the applicable requirements of both Sections 304 and 305 of this Ordinance are satisfied. The applicant is advised that submission of a Preliminary/Final plan may waive certain rights that would be conveyed by the approval of a Preliminary Plan under the Pennsylvania Municipalities Planning Code, section 509. Application requirements.
- B. A preliminary plan application shall include the following:
  1. A minimum of four (4) full sized (22" x 34") copies of the preliminary plan, six (6) half size (11"x17") copies of the preliminary plan. Additional copies of the preliminary plan and reports may be required by the Township.
  2. One copy of the properly completed Subdivision or Land Development Plan Application Form.
  3. Two copies of the properly completed Modification Request Form(s), if modifications or waivers are requested. Separate Modification Request Forms must be submitted for each section of the Ordinance of which a waiver or modification is requested.
  4. Two copies of the Stormwater Management Plan.
  5. Two copies of the Traffic Impact Study and/or trip generation reports to demonstrate that a Traffic Impact Study is not necessary. If access is onto a state road, a copy and applicable fees shall be submitted to the York County Planning Commission.
  6. Two copies of the properly completed Sewage Facilities Planning Module Application Mailer.

- C. Proper completion. Failure to submit all required information may result in a delay of consideration of the plan.
- D. Distribution. A designated Township representative shall distribute the preliminary plan to the Township Zoning Officer, Township Manager, Township Public Works Director, Township Engineer, Township Planning Commission, Board of Supervisors, York County Planning Commission, and, if deemed necessary, other officials. It shall be the responsibility of the developer to distribute plans to outside review and regulatory agencies for required approvals (e.g., adjacent municipalities, PennDOT, York County Conservation District, PA DEP, etc.).
- E. Action by Township. The Township will review and comment concerning the conformance of the submitted plan with Township ordinances governing design standards, improvements and construction requirements; and conformance with Township requirements for installation of individual approved sewage facilities and other applicable regulatory requirements. Where a proposed subdivision or land development is located in more than one municipality, the Board of Supervisors may defer action on the plan until approval from the adjacent municipality is granted. All costs incurred through the conducting of any engineering reviews and tests shall be the responsibility of the developer.
- F. Staff Meeting. One week prior to the Township Planning Commission Meeting, a staff meeting shall be held, unless another agreed upon date is required due to a holiday and/or conflict. Attendance at the staff meeting is mandatory by a representative of the plan. During the staff meeting, draft comments from the Township Zoning Officer, Township Manager, Township Public Works Director, Township Engineer, and a representative of the York County Planning Commission will be presented and discussed with the applicant. Comments presented at the staff meeting are informal in nature and do not represent a formal, or complete review. Following the staff meeting, the applicant may elect to make revisions to the plan prior to consideration by the Township Planning Commission. Any such revisions must be completed, and copies of the revised plan must be submitted by noon (12:00 PM) on the Tuesday immediately preceding the Planning Commission meeting. The applicant shall distribute revised plans as follows:
  - 1. One copy of the revised plan shall be provided to the office of the Township Engineer. Revised plan must be in hard copy format. Electronic copies may be accepted.
  - 2. One full size copy (22" x 34") and seven (7) half size (11" x 17") copies of the revised plan shall be provided to the Windsor Township Office. Revised plans must be in hard copy format. Electronic copies will not be accepted.
  - 3. Failure to distribute the plan in the manner prescribed above, or to distribute the plan prior to deadline described above shall result in the plan being removed from the Planning Commission's agenda for the subject month, and placed instead on the Planning Commission's agenda for the following month.
  - 4. Should the applicant wish to delay consideration of the plan by the Planning Commission to allow for the completion of revisions, the Windsor Township Zoning Officer must be notified by noon (12:00 PM) on the Tuesday immediately preceding the Planning Commission meeting.
  - 5. Should the applicant wish to proceed to the Township Planning Commission meeting without making revisions in response to comments received at the staff meeting, no resubmission of plans is necessary. It should be noted, however, that failure to address staff comments may be grounds for a negative recommendation

by the Planning Commission, or the plan being tabled until such comments are addressed.

- G. Action by Township Planning Commission. The Planning Commission shall review and recommend approval to the Board of Supervisors.
- H. Action by Board of Supervisors. The Board of Supervisors shall approve or disapprove and shall give notice to the developer in accordance with the Pennsylvania Municipalities Planning Code.
  - 1. Approval of the preliminary plan by the Board of Supervisors constitutes conditional approval of the development as to the character and intensity of development, the layout, and the approximate dimensions of streets, lots and other planned features. This approval binds the development to the scheme shown on the preliminary plan.
  - 2. Approval of the preliminary plan shall not constitute approval of the final plan, nor does it authorize recording of the preliminary plan to proceed with the construction of proposed improvements or the sale of any lots. However, such approval does authorize the developer to proceed with the preparation of the final plan.

## 2. Preliminary Plan Specifications

- A. The preliminary plan shall be submitted with an application for consideration of a subdivision and land development plan (see Appendix B).
- B. The preliminary plan shall be drawn at a scale of 10, 20, 30, 40, or 50 feet to one inch. Sheet size shall be 22 inches by 34 inches. The preliminary plan shall show the following information:
  - 1. Proposed land development name or identifying title.
  - 2. The municipality or municipalities in which the land development is located. If the project is located in the vicinity of a municipal boundary, the location of said boundary shall be shown on the plan.
  - 3. North point, scale and date.
  - 4. Name and address of the owner of the property or authorized agent.
  - 5. Name, seal, and signature of the registered engineer and registered surveyor responsible for the plan.
  - 6. In tabular format, the total net and gross acreage of the tract, and any on-site acreage affected by the following:
    - a. Road, utility, or private rights-of-way
    - b. Easements
    - c. Wetlands
    - d. Floodplains and Floodways
    - e. Steep Slopes
    - f. Historical Sites
    - g. All other encumbrances
  - 7. Maximum building height, number of lots, proposed density and lot sizes (net and gross).



8. Signature blocks for approval by the Board of Supervisors.
9. Signature blocks for review by the Planning Commission, Township Engineer, and York County Planning Commission
10. Length and width of new streets proposed.
11. Type and locations of water supply and sewage disposal facilities proposed (i.e., on-lot or public). For on-lot systems, the location of percolation tests and secondary replacement area must be shown.
12. Proposed use of land, existing zoning classification for the property and all surrounding properties and proof of any variances or special exceptions which may have been granted.
13. A location map for the purpose of locating the site in relation to the surrounding neighborhood and community. The location map should be at a scale of not less than 2,000 feet to one inch.
14. Tract boundaries clearly showing bearings and distances. Lot line descriptions shall read in a clockwise direction.
15. Source of title of all existing lots.
16. York County Uniform Parcel Identification (UPI) number for all lots.
17. Proposed contours at one-foot or two-foot vertical intervals or as authorized by the Township Engineer.
18. Datum to which contour elevations refer. Where possible the U.S. Coastal and Geodetic Survey datum shall be used.
19. The names of owners of immediately adjacent land; the names of proposed or existing land developments immediately adjacent, and the locations and dimensions of any easements shown thereon which abut the land to be developed.
20. Soil types as indicated by the Soil Survey of York County, latest edition.
21. All existing watercourses, tree masses and other significant natural features, such as rock outcrops, springs, seeps, steep slopes, wetlands and floodplains.
22. All existing buildings, sewers, water mains, culverts, petroleum lines, telephone and electrical lines, gas lines, fire hydrants and other man-made features, including size, type, location and ownership.
23. All existing streets on, adjacent to, or within 200 feet of any part of the tract, including name, Route number, right-of-way width, and cartway width.
24. All existing property lines, easements and rights-of-way and the purpose for which the easements or rights-of-way have been established, with accurate dimensions, bearings or deflection angles and radii, arcs and central angles of all curves. Transmission line easements for gas, electric and petroleum lines shall be specifically noted as such. Special conditions required by these easements shall be noted on the plan.
25. Location of all proposed buildings, including residential dwellings, and other significant proposed man-made features.

26. Location, dimensions and purpose of all proposed streets, alleys, sidewalks, rights-of-way and easements; proposed lot lines with dimensions; driveway access points on all lots where proposed; proposed minimum building setback line and dimensions for each street; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.
  27. The location of existing lot line markers along the perimeter of the entire existing tract, and proposed markers and monuments.
  28. Design of all proposed sanitary sewer, water, storm sewer, and stormwater management facilities, including accurate plan and profile data, including all on-lot facilities proposed to provide stormwater management for residential dwelling units.
  29. Where the preliminary plan covers only a part of the developer's entire holding, a sketch shall be required of the prospective street and lot layout for the remainder.
  30. The location and configuration of proposed parking facilities and access drives.
  31. A notarized statement to the effect that the applicant is the owner of the land proposed to be developed and that the land development shown on the preliminary plan is made with the applicant's free consent.
  32. Recreation and open space areas.
  33. Plans should include separate drawings to show building elevations, floor plans, exterior lighting and signing.
  34. Location and sight distances of driveway access points for land development plans, including driveways serving residential dwelling units.
  35. When phasing of the development is proposed, plans shall illustrate a phasing plan that includes all plan elements required by this Ordinance.
  36. Where the plan proposes the creation of any new streets, the application shall be accompanied by a listing of proposed street names, which shall be reviewed by appropriate officials of Windsor Township and the United States Postal Service to determine that the same are not identical or deceptively similar to any existing street name.
  37. A statement on the plan indicating any zoning amendment, Special Exception or Variance, if applicable.
  38. A statement on the plan indicating any existing or proposed modifications granted by the Township.
  39. Size, dimensions, and material of all proposed features.
- C. The preliminary plan shall include thereon or be accompanied by:
1. Feasibility study on sewer and water facilities for the tract in accordance with Section 306. For land developments, a revised planning module for land development along with recommendations from the regional office of the Pennsylvania Department of Environmental Protection.
  2. Any and all applicable reports in accordance with Section 306 for subdivisions and land developments, as applicable, unless waived by the Board of Supervisors.

3. Profiles, typical cross sections and specifications for proposed street improvements. Profiles shall be drawn at a horizontal scale of one inch equals 50 feet and at a vertical scale of one inch equals 10 feet or one inch equals five feet.
  4. Profiles and other explanatory data concerning the installation of sanitary and storm sewage systems and water distribution systems. Profiles shall be drawn at a horizontal scale of one inch equals 50 feet and at a vertical scale of one inch equals 10 feet or one inch equals five feet.
  5. Preliminary engineering designs of any new bridges or culverts proposed in the tract.
  6. A drawing of all existing and proposed grades and facilities for stormwater drainage and supporting calculations.
  7. Design of all landscaping complying with the requirements of this Ordinance and the Windsor Township Zoning Ordinance.
  8. Erosion and sedimentation control plans and post construction stormwater management plans, as required by the York County Conservation District and Pennsylvania DEP.
  9. Photometric plans for all proposed exterior lighting.
  10. Wetland delineation report and jurisdictional determination from the U.S. Army Corps of Engineers.
  11. Wetland mitigation plans.
  12. Soil percolation tests shall be performed for all developments where structures at the time of construction will not be connected to any active public sewage disposal systems. Tests will be made in accordance with the procedure required by the Pennsylvania Department of Environmental Protection. The Township Sewage Enforcement Officer and/or a representative of the Department of the Pennsylvania Department of Environmental Protection shall certify that a location is available for the on-lot sewage disposal system for each lot. All lots relying on on-lot sewage disposal systems shall test and designate an alternate absorption area, perpetually protected from disturbance by a permanent easement. Alternate absorption areas shall not be permitted in common areas of the proposed development.
  13. Approval of fire hydrant layout by the authorized fire service.
  14. Approval by the authorized service providers.
- D. Notifications
1. Where the tract described in the application includes any public utility, electric transmission line, gas pipeline, or petroleum product transmission line located within the tract, the applicant or lessee of such right-of-way shall notify the owner of the right-of-way of his intentions. A note stating any conditions regarding the use of the land, minimum building setback, or right-of-way lines shall be included on the plan. This requirement may also be satisfied by submitting a copy of the recorded agreement.
  2. Where the land included in the subject application has an agricultural, woodland, or other natural resource easement located within the tract, the application shall be accompanied by a letter from the party holding the easement stating any conditions on the use of the land. This requirement may also be satisfied by submitting a copy of the recorded easement.

3. Where applicable, the plan shall include a note indicating the absence of streams, wetlands, rock outcrops, soil subsidence, floodplains, contaminated soils, steep slopes, or other environmentally sensitive areas, and the method used to determine their absence.
4. In the case of a plan which requires access to the highway under the jurisdiction of PennDOT, the following statement shall be included:

*"A highway occupancy permit is required pursuant to § 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the 'State Highway Law.' "*

## **Section 305     Final Plans**

1. Application and Review Procedures
  - A. A final plan application is required for all subdivision and land development plans.
  - B. The final plan shall be consistent with the preliminary plan. The final plan may include sections of an approved preliminary plan, provided each section independently conforms to the ordinance, regulations and other standards of the Township, and includes a reasonable portion of the preliminary plan.
  - C. Final plan shall be submitted to the Township by the close of business on the first business day of the month prior to consideration by the Township Planning Commission.
  - D. Any Subdivision or Land Development Plan may be submitted as a Preliminary/Final plan at the time of initial application, at the applicant's discretion, provided that the applicable requirements of both Sections 304 and 305 of this Ordinance are satisfied. The applicant is advised that submission of a Preliminary/Final plan may waive certain rights that would be conveyed by the approval of a Preliminary Plan under the Pennsylvania Municipalities Planning Code, Section 508.
  - E. A Final Plan application shall include the following:
    1. A minimum of four (4) full sized (22" x 34") copies of the final plan, and seven (7) half size (11"x17") copies of the final plan. Additional copies of the final plan and reports may be required by the Township.
    2. One copy of the properly completed Subdivision or Land Development Plan Application Form.
    3. Two copies of the properly completed Modification Request Form(s), if modifications or waivers are requested. Separate Modification Request Forms must be submitted for each section of the Ordinance of which a waiver or modification is requested.
  - F. Proper completion. Failure to submit all required information may result in a delay of consideration of the plan.
  - G. Distribution. A designated Township representative shall distribute the final plan to the Township Zoning Officer, Township Manager, Township Public Works Director, Township Engineer, Township Planning Commission, Board of Supervisors, York County Planning Commission, and, if deemed necessary, other officials. It shall be the responsibility of the developer to distribute plans to outside review and regulatory agencies for required approvals (e.g., adjacent municipalities, PennDOT, York County Conservation District, PA DEP, etc).

- H. Guarantee. Prior to final plan approval, the Board of Supervisors shall be assured by means of a financial guarantee, as provided in Article 4 of this ordinance, that all improvements required by this ordinance will be installed by the developer in strict accordance with the Supervisors' approval and within a specified time after approval of the final plan.
  - I. Earthmoving Activities. All earthmoving activities within the Township shall be conducted in such a way to prevent accelerated erosion and the resulting sedimentation.
  - J. Stormwater Management. Prior to final plan approval, all fees and agreements, as required by the Windsor Township Stormwater Management Ordinance, shall be furnished to the Township.
  - K. Any plan which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall not be finally approved unless the highway occupancy permit has been acquired pursuant to § 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law."
  - L. The Board of Supervisors shall determine whether final plans shall be approved or disapproved and shall give notice to the developer in accordance with the Pennsylvania Municipalities Planning Code.
  - M. The Board of Supervisors in its final approval of a plan may condition such approval on the developer entering into a development agreement with the Township detailing the plan elements, specifications and improvements agreed upon. Such agreement shall be prepared by the Township, at the developer's expense, and shall be duly executed and acknowledged by the developer and the Township and shall be binding upon the developer and upon the developer's heirs or successors and assigns. The failure or refusal of the developer to sign the development agreement within 10 calendar days of its presentation for signature shall result in a deemed denial of the plan.
  - N. Upon approval of the final plan, the Township shall record such plat in the Office of the Recorder of Deeds of York County, in accordance with the Pennsylvania Municipalities Planning Code. Windsor Township shall not sign plans or authorize them for recording until such time as all review fees and any other fees incurred prior to the request for plan recording are paid in full.
2. Final Plan Specifications
- A. The final plan shall be submitted with an application for consideration of a subdivision and land development plan.
  - B. The final plan shall be drawn at a scale of 10, 20, 30, 40, or 50 feet to one inch. Sheet size shall be 22 inches by 34 inches. The final plan shall show all of the information required for preliminary plans in accordance with Section 304 of this ordinance, and the following:
    - 1. Certification of title showing that the applicant is the owner of the land.
    - 2. Name, seal, and signature of the registered engineer and registered surveyor responsible for the plan.
    - 3. A complete street layout on a single sheet shall be provided.
    - 4. Primary control points, approved by the Township Engineer, or description and "ties" to such control points, to which all dimensions, angles, bearings and similar data on the plan shall be referred.



5. Sufficient data to determine readily the location, bearing and length of every street, lot and boundary line and to reproduce such lines upon the ground. Such data to be tied into monuments as required.
  6. All dimensions and angles or bearings of the lines of each lot, easement, right of way, and area proposed to be dedicated to public use and the purpose for such areas.
  7. All dimensions shall be shown in feet and hundredths of a foot.
  8. The location and materials for permanent reference monuments shall be shown on the plan.
  9. Statement of owner dedicating streets, rights-of-way, and any sites for public use which are to be dedicated.
  10. The final grading plan shall include finish floor elevations for proposed structures and spot elevations as needed to clarify proposed grades, slopes, and drainage paths.
  11. Landscaping plan meeting the requirements of this ordinance and the Windsor Township Zoning Ordinance.
  12. Plans must be prepared in permanent black opaque ink on clean, opaque white paper.
  13. Plans must contain original signatures signed in permanent black opaque ink.
  14. Plans shall be legible in all details.
  15. When phasing of the development is proposed, plans shall illustrate a phasing plan that includes all plan elements required by this Ordinance.
  16. Location of percolation tests, probes and wells. Wells must maintain the minimum separation distances, as required by DEP, from both the primary and alternate absorption areas.
  17. Plans must include the Pennsylvania One Call System, Inc. contact number as the contact prior to any excavation activities.
  18. Clear sight triangles and stopping sight distances, as required by Article 5 of this Ordinance.
- C. The plan shall be accompanied by the following data:
1. All requirements of Section 304.
  2. Proposed protective covenants running with the land, if any, or a note stating none are proposed.
  3. A cost estimate of public improvements for establishment of the financial security, in accordance with Article 4 of this Ordinance.
- D. Notifications.
1. All notifications required under the preliminary plan specifications shall be included on the final plans.
  2. A statement must be included on the plan to indicate any modifications granted by the Board of Supervisors and the date of said action.

3. Notification from DEP that approval of the sewer facility plan revision module for land development or supplement has been granted or notice from DEP that such approval is not required.
4. Notification from the appropriate state and federal agencies that permits have been issued or are not required for any proposed activities within streams, wetlands, or any other state or federally regulated body of water. These permits include, but are not limited to, floodplain encroachment permits, dam permits, earth disturbance permits, stream encroachment permits and general permits.
5. When the final plan is submitted in phases, the above notifications for all applicable activities on the entire site shown on the approved preliminary plan shall be provided upon submittal of the first final phase of the project.

## **Section 306      Reports and Supplementary Information**

1. Sanitary sewer. A sewer facilities plan revision module for land development, or supplement, when required by the Pennsylvania Sewage Facilities Act 537 of 1966, as amended.
2. Hydrogeologic/water facilities study.
  - A. A hydrogeologic/water facilities study, describing the availability and/or adaptability of water facilities in or near a proposed subdivision or land development, shall be prepared and submitted to the Township for any proposed subdivision and/or land development project for which a water utility cannot provide a letter of intent to provide water service with existing mains, or as directed by the Township Engineer.
  - B. The hydrogeologic/water facilities study shall be prepared by a registered professional engineer or hydrogeologist experienced in the field and procedures involved. The report shall be submitted in conjunction with preliminary and final plans for review by the Township Engineer.
  - C. The hydrogeologic/water facilities study shall be prepared as a written report and shall include the following basic data in textual and tabular form:
    1. A project narrative describing the overall project.
    2. A narrative describing the development site and a buffer area of one-fourth-mile surrounding the site.
    3. The study shall consist of an examination of the possible use of on-site water supply systems and the impact of such systems on groundwater supply, extension of an existing water supply system or the construction of a central community system.
    4. The study shall include a complete geologic profile and plan and a discussion of the effect of the proposed development and construction activity on the groundwater supply.
    5. The study shall also include a statement and justifiable analysis by the registered professional engineer or licensed geologist as to the sufficiency of the subsurface aquifers to support on-lot water systems for the proposed development, verified by well testing and other appropriate means, as well as analyzing the impact on existing sources.
    6. The study shall describe the distance from the nearest public water supply system and the capacity of the system to accommodate the proposed subdivision or land development.

7. Where a central community water system is proposed, the report shall provide evidence that the system will have an adequate supply of potable water for domestic or other proposed use and that each unit or building will have adequate supply for the purpose of fire protection.
3. Hydrogeologic/sewer facilities study.
  - A. A hydrogeologic/sewer facilities study describing the availability and/or adaptability of sewer facilities in or near a proposed subdivision or land development shall be prepared and submitted to the Township for all subdivision and/or land development projects not to be served by existing sewer mains, or as directed by the Township Engineer.
  - B. The hydrogeologic/sewer facilities study shall be prepared by a registered professional engineer or licensed geologist experienced in the field and procedures involved. The report shall be submitted in conjunction with preliminary and final plans for review by the Township Engineer.
  - C. The hydrogeologic/sewer facilities study shall be prepared as a written report and shall include the following basic data in textual and tabular form:
    1. A project narrative describing the overall project and the proposed method of sewage disposal for each lot.
    2. A narrative describing and focusing on the development site and an area of one-fourth-mile buffer surrounding the site.
    3. The study shall describe the distance from the nearest public sewer system and the capacity of the system to accommodate the proposed subdivision or land development. The feasibility of utilizing said systems for sewage disposal shall be included where on-site sewage facilities are proposed.
    4. Soil test results, certified as accurate by the Township Sewage Enforcement Officer, to assess the ability of the soil to absorb waste from any proposed subsurface sewage disposal facilities. Primary and alternate absorption areas must be identified and tested.
    5. Calculations and a narrative describing how the proposed on-site sewage facilities will adequately and properly dispose of the anticipated quantities of waste. Standards for installation of on-site sewage disposal systems shall be as required by DEP at the time of construction.
4. Stormwater. A stormwater management report shall be submitted in accordance with the requirements of the Windsor Township Stormwater Management Ordinance.
5. Steep slope. A steep slope report for all applications involving construction on lands that possess slopes exceeding 15%. The steep slope report shall include the following:
  - A. A topographic map of the site which highlights those areas that possess slopes between 15% and 25%, labeled as "moderately steep slopes," and those areas that possess slopes greater than 25%, labeled as "severely steep slopes." Also reflected on this map shall be all existing and proposed site alterations and improvements (e.g., buildings, streets, access drives, driveways, parking compounds, utilities, etc.) that are located within the steep slope area.
  - B. In those instances where construction and/or modifications is proposed to the existing topography and vegetative cover within areas of 15% or greater slope, the applicant shall provide a detailed description of the methods that are being used to:

1. Protect and stabilize areas that have a high potential for soil erosion.
  2. Accommodate stormwater runoff.
  3. Assure structural safety and minimize harm to the environment associated with construction on steep slopes.
  4. Protect and preserve on-site and off-site valuable natural wildlife, plant habitats and water quality.
  5. Protection of steep slopes on adjoining properties.
  6. Assure adequate foundations for buildings and/or structures.
- C. In those instances where construction and/or modifications to the existing topography and vegetative cover in areas of 25% or greater slopes, the applicant shall provide a soils engineering report. A soils engineering report shall be prepared by a registered professional engineer or licensed geologist with expertise in soil, geology and construction. The report shall include:
1. The nature, types, distribution and stability of the surface and subsurface soils for load bearing, stability and compaction.
  2. Extent, description and location of exposed rock and bedrock.
  3. Erodability of surface soil.
  4. Depth to seasonal high water table.
6. Traffic Impact Study
- A. Purpose: The purpose of the Traffic Impact Study is to provide the Township Planning Commission and the Township Board of Supervisors with an opportunity to:
1. Identify the existing traffic network and facilities relative to the project.
  2. Identify the existing traffic and transportation problems.
  3. Ensure safe accessibility to the site.
  4. Determine the effects of the development on the existing transportation facilities.
  5. Delineate solutions to future traffic and transportation problems or facilities, including the prescription of improvements to be provided by or at the expense of the applicant/developer.
- B. Requirement: A Traffic Impact Study shall be submitted with the Preliminary Plan for subdivisions and land developments which meet any of the following criteria:
1. Residential – Involving five (5) or more dwelling units.
  2. Non-Residential – Involving greater than ten (10) parking spaces, whether separately or cumulatively.
  3. A new driveway or roadway connection involving either (1) or (2), above.
  4. Other – At the discretion of the Windsor Township Planning Commission and/or The Windsor Township Board of Supervisors.
- C. Qualifications: The study shall be prepared by a qualified consultant (transportation engineer or transportation planner). The study preparer shall have sufficient documented prior traffic study experience to qualify him or her to perform the study and render any opinions and recommendations set forth therein. The cost to prepare the study will be

borne entirely by the applicant/developer. The Traffic Impact Study shall be certified by statement and signature as correct by the preparer.

- D. Pre-Study Meeting: A pre-study meeting shall be held between the applicant/developer, Township Zoning Officer, Township Public Works Director, and the Township Engineer to determine the following:
  - 1. Study Limits.
  - 2. Scope of the study, including other formally submitted developments within the study limits.
  - 3. For developments to be completed over a period of more than one (1) year, a growth rate per year and the horizon year of the study (normally ten (10) years beyond completion of the project).
  - 4. Project completion date.
- E. Contents: The study shall contain information, analyses, and conclusions regarding the following:
  - 1. General Site Description. The site description shall include:
    - a. The property size, location and proposed land uses.
    - b. The construction phasing and completion rate of the proposed land development.
    - c. The types of dwelling units and number of bedrooms, if the development is residential; or the number of employees, shift schedule, and type of development, if the development is non-residential.
    - d. A brief description of other major existing and proposed land developments within the study area.
    - e. The probable socio-economic characteristics of potential site uses to the extent that they may affect transportation needs of the site (e.g. number of senior citizens, number of school-aged children, etc.).
  - 2. Transportation Facilities Description.
    - a. Proposed Transportation System. This description shall include:
      - i. Proposed vehicular, bicycle, and pedestrian circulation.
      - ii. All proposed ingress and egress locations.
      - iii. All existing or proposed internal roadways including the widths of paved cartways and right-of-ways, parking conditions, traffic channelizations, and any other traffic signals or other intersection control devices, within or near the site of the subdivision or land development.
    - b. External Transportation System. This description shall include:
      - i. The entire external roadway system within the study area of the proposed subdivision or land development.
      - ii. The identification and location of major intersections in the study area.
      - iii. All existing and proposed public and private transportation services and facilities within a one-mile radius of the site.



- iv. All future highway improvements, including proposed construction and traffic signalization. This information shall be obtained from the Pennsylvania Department of Transportation and the Township.
- v. Any proposed roadway improvements resulting from the proposed surrounding developments.
- c. Existing Traffic Conditions. This description shall include:
  - i. Existing traffic conditions for all roadways and intersections in the study area.
  - ii. Existing traffic volumes for average daily traffic, peak highway hour(s) traffic, the peak development generated hour(s) traffic, and the source of these counts.
  - iii. Documentation of manual traffic counts at major intersections, encompassing the peak highway and development generated hour(s).
  - iv. A volume capacity analysis based upon existing volumes. The analysis shall be performed during the peak highway hour(s) and the peak development generated hour(s) for all roadways and major intersections in the study area. Levels of service shall be determined for each location. This analysis will determine the current traffic demand. The analysis shall be conducted utilizing the most recent edition of the *Highway Capacity Manual* (Special Report 209) software or a similar method.
  - v. An inventory of accidents in the existing road network shall be conducted for both intersections and mid-block locations of all roadways within the study area.
  - vi. Listing of improvements already programmed for either funding or implementation in the study area on PennDOT's Twelve Year Transportation Program, the Township's program, etc.
- d. Transportation Impact. This description shall include:
  - i. An estimation of vehicular trips during the average daily peak highway hour(s) and peak development generated hour(s) resulting from the proposal using trip generation rates for new developments obtained from the Trip Generation Rate Tables found in the latest edition of the Institute of Transportation Engineers *Trip Generation Manual*. These development generated traffic volumes shall be provided for the in-bound and out-bound traffic movements as estimated.
  - ii. The assignment and distribution of all volumes generated throughout the study area that identifies the percentage split of turning movements established by existing developments in the surrounding area as designated by the Township.
  - iii. Consideration of traffic generated from approved subdivision and land developments not constructed, but within the study area. The cumulative impact of new and existing uses shall be determined.
  - iv. For developments with a completion time greater than one year, a growth rate calculation for background traffic is required for the specified horizon year for the study (normally ten (10) years beyond completion of the project).

- v. For areas that have a history of five or more reported crashes over a twelve (12) month period, of types correctable by a traffic control signal, and where each crash involved personal injury or property damage, an accident rate analysis shall be conducted to compare the rate of accidents for a roadway relative to the statewide average for corridors of similar type. The analysis shall be expressed in the number of accidents per million vehicles or million vehicle miles.
  - vi. The analysis of future transportation impact shall include a comparison of “no-build” and “build” scenarios for the specified horizon year for the study (normally ten (10) years beyond completion of the project).
  - vii. For proposed commercial developments, “pass-by” trips shall be calculated utilizing the Institute of Transportation Engineers *Trip Generation Manual*.
  - viii. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to individual access points.
  - ix. 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.
  - x. Levels of service for all roadways and intersections.
- e. Conclusions and Recommended Improvements. The description shall include:
- i. Recommendations for elimination of the problems causing a level of service below D for signalized intersections and below E for unsignalized intersections. The 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 including the addition of turn lanes, traffic signal installation and operation, including signal timing, and transit design improvements. All physical roadway improvements shall be shown on the preliminary plan.
  - ii. The recommended improvement with build-out of the development shall operate at a level of service no worse than future conditions without the development conditions (mitigate).
  - iii. Where applicable, demand management and traffic reduction programs shall be considered.
  - iv. The Windsor Township Board of Supervisors must approve the recommendations of the Traffic Impact Study prior to preliminary plan approval.
  - v. The study shall state when a study intersection will fail.
3. Traffic Impact Fee. A fee shall be provided in accordance with the Windsor Township Traffic Impact Fee Ordinance.
4. Modified Study. Whenever a study is required in accordance with the requirements of Section 306.6.B, or if the Board of Supervisors elects to waive some of the above requirements, a study scope shall be approved by the Board.

The scope and contents of the study shall be delineated so as to include only those matters it deems appropriate to aid in the identification and solution to the problems envisioned.

7. Park and recreation.

- A. A park and recreation report for residential developments of 25 or more units. This report shall be prepared by a registered landscape architect (RLA), with the following minimum considerations:
  - 1. A description of the total projected number of residents in their respective age groups.
  - 2. A description of those existing public recreation facilities located within a one-half-mile radius of the site.
  - 3. A description of the adequacy of existing recreation facilities to serve the proposed residents, taking into consideration current usage.
  - 4. A discussion of potential for any recreation facilities to be provided by the developer to accommodate new residents and/or compensate for any anticipated deficiencies of the Township's recreational facilities.
  - 5. A description of any recreation facilities to be provided by the developer.
  - 6. A discussion on the relationship of the proposed subdivision or land development to other parks and recreation facilities located within the Township.
  - 7. A description of responsibility for maintenance of any recreational facilities to be provided by the developer.
  - 8. A description of accessibility of the proposed facilities to general Township residents.
  - 9. Source of standards used in the data presented.
- B. The park and recreation report will be transmitted to the Township Planning Commission for review.

8. Historical features.

- A. A historic features narrative shall be required for all applications involving structures or lands that are listed on the National Register of Historic Places; have received a determination of eligibility from the National Register from the National Park Service; or are identified by the Pennsylvania Historical Museum Commission (PHMC).
- B. The development shall be designed to preserve, adaptively reuse, or otherwise provide for the historic features. Modifications and exterior alterations to historic features or sites, or new construction adjacent to historic features, shall be consistent with the Secretary of the Interior's Standards for Rehabilitation of Historic Properties, as published by the National Park Service.
- C. Subdivisions and land developments shall also be designed so that new structures do not block historic views, or obstruct the view of historic properties, and new construction shall be consistent with the Secretary of the Interior's Guidelines. If, because of size, construction material or type of use, a proposed land development or subdivision would jeopardize the historic value of a site or structure, the Board of Supervisors may require that such new construction be screened or otherwise visually buffered. The Board of Supervisors may also require that mitigation measures recommended by the PHMC be incorporated into the proposed development to preserve the value of the historic site or structure.

9. Important Natural Habitats. All applications for lands that possess an important natural habitat, as defined herein, shall plot the location or report the presence of the natural resources. Important natural habitat is defined as follows:
  - A. Wetlands, as defined by criteria of the U.S. Army Corps of Engineers;
  - B. Pennsylvania Natural Diversity Inventory (PNDI) confirmed extant plant and animal species and communities that are listed as "Pennsylvania Threatened" or "Pennsylvania Endangered;" or
  - C. PNDI confirmed extant plant and animal species and communities that have a state rank of S1 or S2, which are defined as follows:
    1. CRITICALLY IMPERILED Critically imperiled in the state because of extreme rarity or because of some factor(s) making it especially vulnerable to extirpation (local extinction) from the state; typically, five or fewer occurrences or very few remaining individuals or acres.
    2. IMPERILED Imperiled in the state because of rarity or because of some factor(s) making it very vulnerable to extirpation from the state; typically, six to 20 occurrences or fewer remaining individuals or acres.

## Article 4

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### Improvement Construction Assurances

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#### Section 401 General

1. All improvements required by this Ordinance which are subject to public use shall be installed in accordance with the design standards of this Ordinance and the Township Construction and Material Specifications adopted June 6, 1996, as amended.

#### Section 402 Performance Requirements

1. No final plan shall be approved by the Board of Supervisors unless the installation of all monuments and markers, streets, roadways, walkways, sidewalks, curbs, gutters, streetlights, fire hydrants, water mains, sanitary sewers, storm drains, stormwater detention basins, stormwater retention basins, or related drainage facilities, recreational facilities, open space improvements, landscaping and buffer yards, or other improvements required by this Ordinance, any other ordinance of the Township, or as specified by the Board, has been guaranteed in writing by the developer with financial security as hereinafter provided.
  - A. Upon making application for approval of a final subdivision or land development plan, the developer shall notify the Township in writing that the developer elects, subject to the approval of the Board of Supervisors, which will not be unreasonably withheld, one of the following:
    1. Guarantee of future performance. To file with the Township a written guarantee with financial security as hereinafter provided assuring the installation and completion of all improvements required or specified on or for the approved plan in a manner satisfactory to the Board of Supervisors. Such written guarantee shall be secured to the Township by one of the following forms of financial security in an amount equal to 110% of the cost of the required improvements. Cost shall be determined in accordance with the PA Municipalities Planning Code.
      - a. Surety bond. The developer shall obtain and file with the Township a corporate surety bond from a bonding company authorized to do business in the Commonwealth of Pennsylvania payable to the Township, conditioned upon the developer installing and completing all required improvements.
      - b. Escrow account. The developer shall deposit with the Township or with a federal or commonwealth-chartered banking institution authorized to do business in Pennsylvania cash or acceptable obligation instruments readily convertible into cash at face value to be held in escrow conditioned upon the developer installing and completing all required improvements. The Township, the developer and the escrow agent, if any, shall enter into a written agreement restricting and conditioning the escrow account in such a manner as the Township shall reasonably require to secure the installation and completion improvements.



- c. Letter of credit. The developer shall provide and deposit with the Township an automatic renewal/evergreen irrevocable letter of credit from a federal or commonwealth-chartered lending institution authorized to do business in Pennsylvania payable to the Township, conditioned upon the developer installing and completing all required improvements.
- 2. Long-term projects
  - a. In the event that a developer providing financial security for the installation and completion of required improvements requires more than one year to complete the same, the municipality may adjust the amount of the financial security annually for inflation by applying a published construction cost index or by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements. Alternatively, the financial security can be increased by 10% per year, starting one year after it is posted. Subsequent to said adjustment, the municipality may require the developer to post additional security in order to assure that the financial security equals 110% of the cost of remaining improvements. Any additional security shall be posted by the developer in accordance with this subsection.
  - b. In the event that a developer, through no lack of diligence or good faith, shall have failed to complete required improvements within a one-year period, the Board of Supervisors may, in its discretion, permit the continuation of the original financial security in an amount not exceeding 110% of the cost of completing the required improvements remaining uninstalled on or about the expiration of the initial one-year period.
  - c. Where a subdivision or land development is of such size as to justify the development of the same over a period of years, nothing contained in this section shall, after approval of a preliminary plan for the entire development, preclude or prevent the developer from installing and completing required improvements in sections or stages with financial security posted therefor.
  - d. When roadway paving is not initially constructed to its full depth and an intermediate or "binder" paving course is exposed to vehicular traffic for a period of more than five years, the developer shall provide for the application of a sealer or microsurfacing coating acceptable to the Township to prevent the paving layers from deteriorating and forming an unsuitable base for the finished paving course.
- B. Release or reduction of financial security. When the developer has completed all of the required improvements and desires a release of the financial security, or has completed a part of the required improvements and desires a partial release, written notice of the requested release shall be filed with the Township Secretary, in accordance with the Pennsylvania Municipalities Planning Code. In the case of a partial release of financial security, a contingency will be maintained in the amount of 10% of the value of the initial financial security.

C. Dedication and Maintenance

1. Dedication: Upon the installation and completion of all required improvements and upon submittal of as-built plans, electronic drawing files, and legal descriptions for all improvements, in a manner satisfactory to the Township evidenced by the Township's approval in writing or by inaction of the Board of Supervisors upon the developer's request for release of financial security, the developer shall make a written offer of dedication to the Township of all improvements intended for public use. The Board of Supervisors shall thereupon accept all or such portions of the improvements offered for dedication as the Board shall determine, provided the developer shall have filed with the Township financial security for the maintenance of the accepted improvements, as hereinafter set forth. The Township may refuse dedication of any roadways that are constructed outside of the time period or temperature range specified by PennDOT as being acceptable for the use of liquid fuels funding.
  2. As-built plans: The sub-divider or developer shall furnish the Township with reproducible paper and electronic data files of all drawings showing the water system, sanitary sewer system, storm sewer system, roadway network, and other associated infrastructure, modified as necessary to show the facilities as constructed. All drawings must be 22 inches by 34 inches and must be signed and sealed by a professional engineer or professional land surveyor attesting to the correctness of the facility information shown. Where necessary, the developer must conduct field surveys to accurately locate facilities as constructed. Electronic data files shall be in a format designated by the Township at the time that as-built drawings are prepared. The Township intends to use prints of the as-built drawings to provide information to designers and contractors, as required by the Commonwealth of Pennsylvania Act 287, as amended, and to maintain municipal records. The developer shall be responsible for bearing all costs associated with filing as-built record data, data conversion, and data storage into the Township's record system. Fees shall be paid in accordance with Article 8 of this Ordinance.
  3. Financial Security for Maintenance: Before the Board of Supervisors shall accept an offer of dedication for all or any portion of the public improvements installed and completed by the developer, the Board shall require the developer to file with the Township a written guarantee of the structural integrity of the offered improvements and the functioning of the same in accordance with the design and specifications of the approved plan for a period of 18 months. Such written guarantee shall be secured to the Township by one of the forms of financial security specified in § 402.1.A.1 of this Ordinance in an amount not exceeding 15% of the actual cost of the dedicated improvements.
- D. Public Utilities, municipal authorities and homeowners' associations. Where water mains and/or sanitary sewers and such apparatus and facilities as related thereto are to be installed and completed by the developer as a requirement of an approved plan, such improvements shall be installed under the jurisdiction and pursuant to the rules and regulations of the public utility, municipal authority or homeowners' association to which such improvements are intended to be assigned or dedicated, and the financial security therefor shall be filed in accordance with the rules and regulations of the controlling public utility, municipal authority or homeowners' association, and no financial security therefor shall be required by the Township as provided in this Ordinance.

- E. Building Permits: Where a developer has filed financial security as provided in the foregoing § 402.1.A of this Ordinance, the issuance of building, grading, occupancy or other permits for or within the development shall not be withheld or conditioned upon the installation of the required improvements; provided, however, that occupancy permits for any buildings erected may be withheld until the improvement of the streets providing access to and from existing public streets and such buildings shall be mud-free or otherwise in a permanently passable condition and all other required improvements necessary for reasonable use or occupancy of such buildings have been installed. Roads must be maintained by the developer prior to dedication and before issuance of building or occupancy permits.
- F. Default by Developer:
1. In the event that a developer shall default on an agreement guaranteeing the installation and completion of any required improvements or shall default on an agreement guaranteeing the maintenance of any such improvements after acceptance of dedication by the Township, the Township shall cause any required improvements to be installed and completed, or maintenance performed, and enforce against the financial security recovery of the cost of the same by any appropriate legal or equitable remedy.
  2. Where the financial security shall be a corporate surety bond, reasonable opportunity shall be given to the surety company to install and complete the required improvements or perform any required maintenance, but absent such performance by the surety company, the Township shall by its own personnel and equipment or by contract with a responsible contractor install and complete the improvements or perform the maintenance and collect all necessary cost thereof from the surety company.
  3. Where the financial security shall be an escrow account or a letter of credit, the Township shall by its own personnel and equipment or by contract with a responsible contractor install and complete the improvements or perform the maintenance and collect all cost thereof from the escrow account or by presentation of the letter of credit.

## Article 5

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### Design Standards

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#### Section 501 General

1. The standards and requirements contained in this article are intended as the minimum for the promotion of the public health, safety and general welfare and shall be applied as minimum design standards for subdivision and/or land developments. Land subject to hazards to life, health or property, such as may arise from fire, flood, diseases or other causes, shall not be subdivided for building purposes unless the hazards have been eliminated or unless the plans show adequate safeguard against them. Land included as having unsuitable characteristics for development would be the following:
  - A. Land subject to flooding or which has a seasonal high groundwater table which will interfere with the construction of basements or habitable areas below grade.
  - B. Land which, if developed, will create or aggravate a flooding condition upon other land.
  - C. Land subject to subsidence.
  - D. Land subject to underground fires.
  - E. Land which, because of topography or means of access, is considered hazardous by the Township Board of Supervisors.
  - F. Land which is subject to ground pollution or contamination.
2. All improvements shall be in conformance with Township engineering standards and specifications, as contained herein, and the Township Construction and Material Specifications adopted June 6, 1996, as amended.
3. Inspection fees shall be required for all phases of public improvement construction; the Developer shall be responsible for all inspection fees.

#### Section 502 Streets and Roadways

1. Design Standards: The general arrangement, character, extent and location of all streets proposed shall conform to the Township's Comprehensive Plan and Zoning Ordinance, and shall be considered in their relation to existing or proposed streets, topographical conditions, the public convenience and safety, and in the appropriate relation to the proposed uses of land to be served by such streets. The arrangement, width, grade and other design standards of streets shall conform to the provisions found herein.
2. Design and Arrangement.
  - A. In general, all streets shall be continuous and in alignment with existing streets and shall comprise a convenient system to ensure circulation of vehicular and pedestrian traffic.

- B. Where a subdivision abuts or contains an existing or proposed street, the newly proposed streets shall be planned and designed in order to protect residential areas from heavy traffic and also to provide separation between local and through traffic.
- C. Streets shall be logically related to the topography so as to produce usable lots and reasonable grades.
- D. Half or partial streets shall not be permitted.
- E. Dead-end streets shall be prohibited except as stubs utilizing cul-de-sacs to permit future street extension into adjoining tracts of ground or when designed as a permanent cul-de-sac of less than or equal to 500 feet in length.
  - 1. Cul-de-sacs shall be a minimum of 250 feet in length, measured from the center line of the intersecting street to the center of the cul-de-sac.
  - 2. Cul-de-sacs shall have a minimum radius of 50 feet to the outside edge of the cartway and 75 feet to the outside edge of the right-of-way and tangent.
  - 3. The closed end of all proposed cul-de-sacs must be provided with a snow storage area. A minimum one hundred (100) square feet of snow storage area shall be provided for every one thousand (1000) square feet of plowed area, along with any stormwater management area. The area shall be provided as an easement outside of the right-of-way, located at the discretion of the Township, to be used to stockpile snow for winter road maintenance. The easement shall be extended into the right-of-way to the edge of the cartway to provide proper restrictions.
  - 4. Cul-de-sacs shall not exceed 500 feet in length or serve more than 10 dwelling units.
- F. Drainage of cul-de-sac streets shall preferably be toward the open end. If drainage is toward the closed end, water shall be conveyed away from private property via underground storm sewer or by other means approved by the Township. Where drainage is proposed towards the closed end of a cul-de-sac, provisions must be made for the safe conveyance of the 25-year storm flow away from the road and private property. The minimum grade of the stormwater pipe on cul-de-sacs shall be designed to ensure a minimum slope of 1% and a maximum slope of 5% along the curb line to the designed low points.
- G. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets. Where a new subdivision adjoins un-subdivided land capable of future subdivision, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided.
- H. The vacation of any street or part of a street dedicated for public use shall not be approved if such vacation interferes with the uniformity of the existing street pattern or any future street plans prepared for the area.
- I. A design speed of 35 miles per hour shall be utilized unless traffic patterns and volumes dictate a variation from said design speed. Said variations shall be as approved by the Board of Supervisors.
- J. Improvement of existing streets and intersections: Where a subdivision or land development abuts an existing Township and/or state street, or shall have a traffic impact on an existing Township and/or state street, as indicated by a traffic study required to be performed in accordance with this Ordinance, the developer shall be required to make the following improvements:

1. In cases where a subdivision or land development abuts an existing Township or state street, the street shall be reconstructed to the widths specified in this Ordinance.
  2. In cases where the development is situated only on one side of an existing street, the Township may require that only that side of the street be reconstructed.
  3. Where the developer of the subdivision or land development is required to provide a traffic study and report and the traffic study and report indicates that improvements are required, the developer shall install the improvements, including but limited to traffic signals, traffic control devices, additional traffic lanes, traffic dividers, and highway markings.
  4. When the Township determines that the required improvements are not feasible at the time of development of the use, the developer shall deposit funds with the Township in the amount of 110% of the cost of the improvements, computed in accordance with Article 4 of this Ordinance. The amount of the deposit shall be submitted for approval by the Township Engineer.
- K. The extension of existing streets which are presently constructed with a cartway different from current Township standards shall be provided with a transition area, the design of which is subject to Township approval.
- L. Dedication of additional right-of-way: If a subdivision or land development abuts an existing Township and/or state street which has a right-of-way width of less than the widths as set forth in this Ordinance, the developer should dedicate to the Township or Commonwealth, as applicable, that amount of land necessary so that the distance from the center line of the street to the edge of the right-of-way abutting the proposed development is 1/2 the ultimate right-of-way width set forth in this Ordinance. Additional right-of-way dedicated to the Township shall be used to improve safety, drainage and future maintenance of Township roads.
- M. When the proposed development requires construction within an existing street right-of-way, such as sewer, water or stormwater lines, the Township may require construction of a new full-cartway-width wearing course along the entire frontage and/or disturbed area.
- N. If lots resulting from original subdivision are large enough to permit re-subdivision, or if a portion of the tract is not subdivided, adequate rights-of-way for streets and other required improvements shall be provided as necessary to permit further subdivision.
3. Street Grades.
- A. The minimum grade on all streets shall be 1%. The maximum grade on arterial and collector streets shall be 7% and 10% on local streets.
- B. The through street at intersections shall be approached by intersecting streets in accordance with the following standards: Where the grade of the intersecting street exceeds 5%, there shall be a leveling area on the intersecting street with a minimum length of 100 feet (measured from the intersection of the center lines), within which no grade shall exceed a maximum of 4%.
4. Design. Horizontal and vertical curve design.
- A. Horizontal Curves.
1. Horizontal curves shall be used at all horizontal alignment deflections in excess of 2 degrees.



2. The minimum radius at the center line for the horizontal curves on arterial streets shall be 600 feet; for the collector streets, 300 feet; and for local streets, 150 feet. Proper super elevation shall be provided for curves on all arterial streets and all collector or local streets where the design speed exceeds 35 miles per hour.
3. There shall be a tangent of at least 100 feet between reverse curves for all collector and arterial streets.
4. Proper sight distance shall be provided with respect to both horizontal and vertical alignment. Measured along the center line, a sight distance of 400 feet for arterial streets, 275 feet for collector streets, and 200 feet for local streets shall be provided.

**B. Vertical Curves.**

1. Vertical curves shall be used in changes of grade exceeding 1%.
2. The length of vertical curve shall be based on the formula  $L = KA$ ; where "L" is the minimum length of curve in feet, "K" is the length of vertical curve per percent change in "A," and "A" is the algebraic difference in grade (in percent). Values for "K" shall be based on the following criteria:

<b>Design Speed (in miles per hour)</b>	<b>"K" Crest Vertical Curves</b>	<b>"K" Sag Vertical Curves</b>
20	10	20
25	20	30
30	30	40
35	45	50
40	70	70
45	100	90
50	150	110
55	220	130

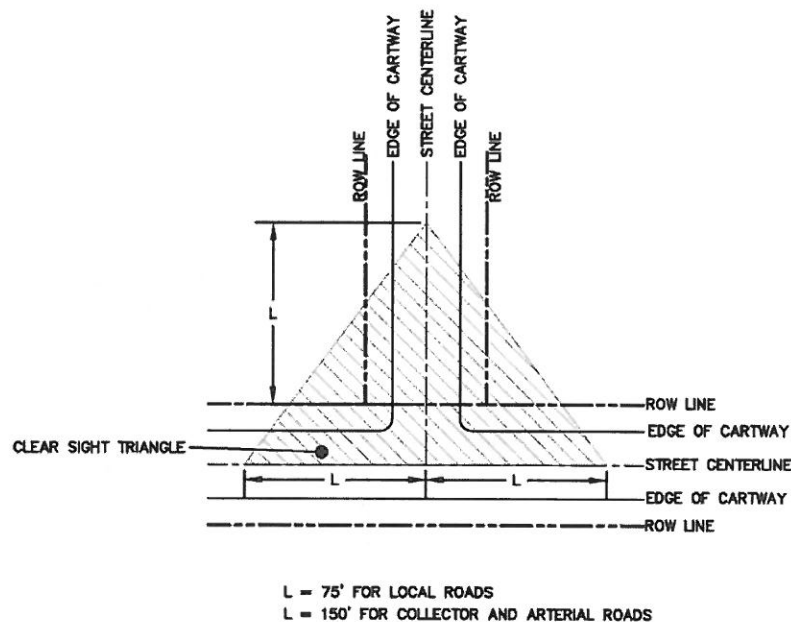
3. Notwithstanding the length of vertical curve calculated using the above formula, the minimum length of a vertical curve shall be 100 feet.

**5. Intersections.**

- A. Streets shall be laid out to intersect as nearly as possible at right angles; in any event, no street shall intersect another at an angle of less than 75 degrees. Streets entering opposite sides of another street shall be laid out directly opposite one another.
- B. No more than two streets shall intersect at the same point.
- C. Local street centerline intersections shall be offset by a minimum of 400 feet on the same or opposite side of the street, as measured from centerline to centerline of the intersecting streets.

- D. Intersections with arterial streets shall not be located less than 1,000 feet apart on the same or opposite side of the arterial street, as measured from centerline to centerline of the intersecting streets.
- E. Intersections with collector streets shall not be located less than 800 feet apart on the same or opposite side of the street, as measured from centerline to centerline of the intersecting streets.
- F. A seventy-five-foot clear sight triangle (150 feet for collector and arterial streets) shall be provided and maintained at all street intersections. The triangle shall be provided and maintained at all street intersections. No building, planting or other obstruction above the height of three feet and below the height of 10 feet that would obscure the vision of a motorist shall be permitted within the area. The height shall be measured from the center line grade of the intersecting streets. This requirement shall not apply to traffic signals, traffic signs, street name signs, public utility poles and similar-type structures.

**INTERSECTION CLEAR SIGHT TRIANGLE**



- G. The cartway edge at street intersections shall be rounded by a tangential arc with a minimum radius of 25 feet for local streets and 40 feet for intersections involving collector or arterial streets. The right-of-way radii at intersections shall be substantially concentric with the edge of the cartway.
- H. At least two street name signs shall be placed at each four-way street intersection, and one street name sign shall be placed at each "T" intersection. Additional street signs shall be installed at the direction of the Township Board of Supervisors where necessary to protect public safety and welfare, and to maintain the safe and efficient flow of traffic. Signs shall be installed in a location and manner where they will be clearly visible at all hours, in accordance with the Federal Highway Administration publication entitled Manual on Uniform Traffic Control Devices

(MUTCD), current edition. The design of street name signs shall be approved by the Windsor Township Board of Supervisors. Any and all signs required by this section shall be installed at the expense of the developer, sub divider, applicant, or other party proposing a new intersection.

- I. All streets intersecting a state highway shall be subject to the approval of the Pennsylvania Department of Transportation.
- J. Clear sight distances: In addition to the other requirements of this article, there shall be required unobstructed clear sight distance at all intersections as specified below.
  1. Required clear sight distances shall be at least as large as the minimum safe stopping sight distance, SSSD, calculated as follows:

$SSSD = 1.47 Vt + V^2/30 (f+G)$	
WHERE:	
SSSD =	Minimum safe stopping sight distance (feet)
V =	Speed of vehicle in miles per hour
T =	2.5 seconds (perception/response time of driver)
f =	0.3 (wet pavement friction)
G =	Roadway grade in percent divided by 100 (positive for upgrade, negative for downgrade)

2. Required sight distances shall be measured between a driver approaching along the through street from either allowed direction and:
  - a. A driver awaiting egress onto a through street and whose eyes are 10 feet back from the nearest cartway edge of the through street.
  - b. A driver stopped on through street waiting to make a left turn into the cross street.
  - c. A driver having just completed a left or right turn from the stop street onto the through street.
  - d. For purposes of measuring clear sight distances, the height of the driver's eye and the observed vehicle (or object) shall be assumed to be 3.5 feet above their respective road surfaces.
3. Inadequate sight distance remedies: If it is impossible to achieve required clear sight distance in both directions, the Township may:
  - a. Prohibit left turns by entering or exiting vehicles;
  - b. Require alteration of the horizontal or vertical geometry of the roadway or access. All such work shall be at the expense of the applicant;

- c. Require removal of physical obstruction from the line of sight, at the expense of the applicant;
  - d. Require installation of a separate left turn standby lane; or
  - e. Deny access to the roadway.
6. Street Width and Types.
- A. Functional classifications are established for all streets and roads in the Windsor Township Zoning Ordinance.
  - B. Minimum street right-of-way and cartway widths shall be in accordance with the following table:

Street Types and Widths			
	Minimum Widths		
Functional Classification	Right-of-Way	Cartway	Shoulders*
Arterials	As determined by Board of Supervisors after consultation with the Township Engineer and the Pennsylvania Department of Transportation		
Collectors	60 feet	32 feet (with shoulders)* 32 feet (curbed)	4 feet* (2 feet per side)
Local (public and private)	50 feet	28 feet (shoulder)* 28 feet (curbed)	4 feet* (2 feet per side)
Turnaround of cul-de-sac	150 feet diameter (75 feet radius)	100 feet diameter (50 feet radius) (to the edge of pavement or face of curb)	-

## NOTE:

- \* Width provisions for shoulders shall only apply where curbs are not required by this Ordinance or where the Board of Supervisors elects to waive requirements for curb.

7. Bridges and Culverts.

- A. All bridges or similar structures to be constructed on any Township roads or any road which is to be dedicated to the Township for acceptance must be designed in accordance with the requirements of the Pennsylvania Department of Transportation's Design Manual and Part 4, as amended, entitled "Structures," as well as the requirements of the American Association of State and Highway Transportation Officials (AASHTO) "Standard Specifications for Highway Bridges."
  - B. Plans and design calculations meeting the foregoing requirements shall be submitted for review and approval by the Township Engineer.
  - C. All materials and workmanship for construction must be in compliance with the Pennsylvania Department of Transportation Specifications Publication 408, as amended.
  - D. All bridges to be constructed in accordance with the terms hereof shall be constructed in accordance with PennDOT specifications, and shall make use only of PennDOT approved products and materials.
8. Crown: All proposed Township roads shall be crowned with a minimum cross slope of 2% across the cartway. Curves on collector and arterial streets, or any streets having a design speed greater than 35 miles per hour shall be designed with super elevated cross slopes, in accordance with PennDOT Design Manual 2, as amended.
9. Calendar and weather limitations: Road construction work, such as filling, berming, subgrade, fine-grade construction, base construction, surface construction or paving, shall be completed in accordance with the limitations established in PennDOT Publication 408.
10. As-built drawings: Within 30 calendar days of the completion of the street, roadway and/or drainage system, the Township Engineer shall be supplied one detailed drawing of said streets, roadways and/or drainage systems as the same have been completed. Said drawings must include a certification by a Pennsylvania-registered professional engineer that all elements of the approved plan have been constructed as designed and approved.

## **Section 503      Curbs, Sidewalks, and Vehicular Parking Facilities**

1. Curbs.

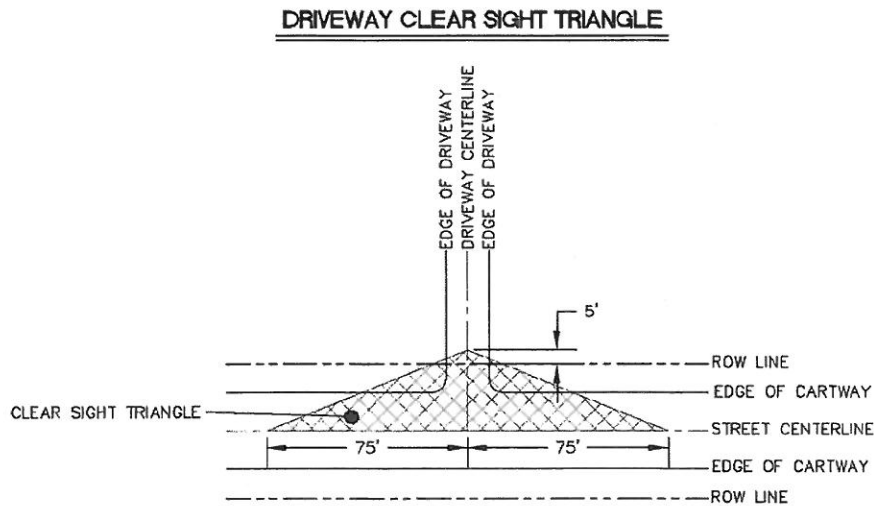
- A. Curbs shall be required on both sides of all streets designed to serve developments in the residential, industrial, and commercial zones and other areas where the proposed gross lot area is one half acre (21,780 square feet) or less.
- B. Curbs shall be installed to the dimensions and construction standards of the Township when installed along Township roadways or roadways to be dedicated to the Township. For curbs along Township roadways in residential areas, slant curbs in accordance with the Windsor Township Construction and Materials Specifications shall be provided. Along state roads, or roads to be dedicated to the state, curbs shall be installed in accordance with the standards of PennDOT Publication 408, as amended.
- C. Curb depressions, accessible ramps or drainage shall not be saw-cut after the curb has been installed but shall be formed and poured as depressed curb sections. Curb sections installed between sections of existing curb shall be anchored to the existing curb sections with two No. 4 rebar dowels at each end.

2. Sidewalks.
  - A. Sidewalks shall be required on both sides of all streets.
  - B. All public areas shall be designed "barrier free" in accordance with applicable federal and state standards, including but not limited to the Rehabilitation Act and Americans with Disabilities Act. Appropriate details shall be provided on the plans.
  - C. Sidewalks shall be constructed in accordance with the Windsor Township Construction and Material Specification.
3. Vehicular Parking Facilities
  - A. Off-street vehicular parking facilities shall be provided in accordance with the Windsor Township Zoning Ordinance.
  - B. Landscape screening and interior landscaping shall be provided in accordance with the requirements of the Windsor Township Zoning Ordinance. Landscape screening and interior landscaping shall not restrict sight distances or clear sight triangles.
  - C. Not less than five-foot radius of curvature shall be permitted for horizontal curves in parking areas.
  - D. All dead-end parking lots shall be designed to provide sufficient back-up area for all end stalls.
  - E. Painted lines, arrows and dividers shall be provided and maintained to control parking when necessary to direct vehicular circulation.
  - F. All parking compounds shall provide a pavement design for the anticipated use for all parking facilities and provide a detail on the plans. All parking compounds shall be constructed in accordance with the Windsor Township Construction and Material Specification.

## **Section 504      Driveways and Access Drives**

1. Driveways. Driveways shall only be used to provide vehicular access between a parking area for a single residential unit of occupancy or agricultural use and a street, service or access drive. Driveways shall conform to the Windsor Township Zoning Ordinance, as amended, and to the following standards:
  - A. Only one driveway connection per 100 feet of lot frontage and no more than two driveway connections per lot are permitted.
  - B. Driveways shall be laid out to intersect the street as nearly as possible at right angles; in any event no driveway shall intersect the street at less than 75°.
  - C. Driveways shall not connect with a public street within 40 feet of the right-of-way lines of any intersecting streets, within 300 feet of the center line of a signalized intersection, nor within 5 feet of a fire hydrant.
  - D. Driveways shall be located and constructed so clear sight triangles are provided in accordance with the Windsor Township Zoning Ordinance, as amended, and in accordance with the following diagram:





- E. Driveway grades shall be in accordance with the Windsor Township Zoning Ordinance, as amended. Driveway intersections with streets shall be constructed to allow the flow of stormwater parallel to the street and shall comply with the requirements of the Windsor Township Stormwater Management Ordinance, as amended. Driveways shall be designed to intercept runoff, preventing it from entering the road or street. Detailed grading must be provided where driveways cross existing or proposed drainage swales.
- F. Driveway access shall be provided to the street of lesser classification when there is more than one street classification involved.
- G. Driveways which intersect collector or arterial streets shall provide adequate turnaround within the lot so egress to the street is in a forward direction.
- H. All intersections with a state route shall be subject to the approval of the Pennsylvania Department of Transportation. Any driveway intersecting with a state route shall obtain a highway occupancy permit from PennDOT prior to receipt of a building permit.
- I. Driveways shall be paved with bituminous concrete or an equivalent stabilized material from the edge of the cartway a minimum distance of 15 feet toward the interior of the lot and shall be provided in a manner consistent with the design, construction, and stormwater drainage of the street to prohibit runoff onto Township roadways.
  - 1. Where existing or proposed sidewalks cross a driveway, a concrete apron shall be provided from the edge of the street cartway to the far edge of the sidewalk. Concrete driveway aprons shall be constructed in accordance with the Windsor Township Construction and Material Specification.

- J. All driveways shall also comply with the site distance requirements outlined in this Ordinance.
- 2. Access drives. Access drives shall conform to the following:
  - A. The vertical alignments of access drives shall conform to the specifications for local streets, as stated in this Ordinance.
  - B. Horizontal alignments of access drives shall conform to the specifications for local streets, as stated in this Ordinance.
  - C. All access drive intersections shall be:
    - 1. Subject to approval of the Pennsylvania Department of Transportation when intersecting a state route. Copies of highway occupancy permits from the Pennsylvania Department of Transportation shall be submitted for all proposed intersections with a state route prior to final plan approval.
    - 2. Setback 300 feet from the center line of a signalized intersection, and setback from the right-of-way lines of intersecting streets in accordance with the requirements contained in the Windsor Township Zoning Ordinance, as amended.
    - 3. Setback from any side and/or rear property lines per requirements contained in the Windsor Township Zoning Ordinance, as amended.
    - 4. Located in relationship to access drive intersections on adjacent properties to provide safe and efficient movement of vehicles. Access drives shall have a minimum separation distance of 60 feet from other access drives on the same or opposite sides of the street, as measured from centerline to centerline of the access drives. To the greatest extent possible, interconnectivity between access drives on adjacent parcels is encouraged to limit the number of access drives to public streets.
    - 5. Located directly across from any intersecting street, driveway or access drive on the opposite side of the street, where applicable.
    - 6. Designed with right-angle intersections whenever possible. No access drive intersection shall utilize an angle less than 75°, unless turning movement restrictions are imposed.
    - 7. Rounded by a tangential arc with a minimum radius of 25 feet. The Township may require a larger radius where large vehicle turning movements are anticipated.
    - 8. Provided with a clear sight triangle, in accordance with this Ordinance.
    - 9. Compliant with the site distance requirements outlined in this Ordinance.
  - D. Access drives which form a cul-de-sac shall not exceed 500 feet in length, measured from the center line of the intersecting street or access drive. Access drive cul-de-sacs which do not terminate in a parking compound shall be provided at the terminus with a fully paved turnaround with a minimum diameter of 100 feet.
  - E. Where access drives intersect public streets, their maximum grades within the vicinity of the intersection shall not exceed those specified for street intersections in this Ordinance.

- F. The paving section of all access drives shall be, at a minimum, equal to the paving section required for local roads in the Windsor Township Construction and Material Specifications. Heavier paving sections may be required by the Board of Supervisors if, in their sole opinion, the access drive may be subject to an unusually high loading of truck or heavy vehicle traffic.
- G. The maximum slopes of banks located within 20 feet of the cartway shall not exceed 3:1 for fills and 2:1 for cuts.
- H. The following table specifies width requirements for access drives:

Access Drive Width Requirements	
Function	Required Cartway Width (feet)
Two lanes of traffic*	28
One lane of traffic**	14

\* Off-street parking lots must be provided in accordance with Section 311 of the Windsor Township Zoning Ordinance, and the prohibition of on-street parking must be identified along the cartway.

\*\*The one-way direction of traffic must be identified along the cartway through a combination of signs and pavement markings.

- 3. Recreation or nonlicensed vehicle crossings of streets, alleys, access drives and driveways. The following standards shall apply for all recreation or non-licensed vehicle trail crossings (e.g., equestrian, golf carts, off-road vehicles, snowmobiles):
  - A. Crossings shall be provided in a manner consistent with the design, construction and stormwater drainage of the street, alley, access drive or driveway.
  - B. Crossings shall be easily identifiable. Signs warning motorists of the crossing shall be provided along both directions of the crossed roadway, set back a distance from the crossing equal to or greater than the Safe Sight Stopping Distance (SSSD) as specified in this Ordinance. The surface of the crossing shall be painted with diagonal yellow stripes.
  - C. Crossings shall be perpendicular to the vehicular traffic movements.
  - D. No crossing shall be located less than 100 feet from the cartway edge of a street, alley, and access drive or driveway intersection.
  - E. Crossings shall be provided with a clear sight triangle of 75 feet measured along the center line of the street, access drive or driveway and five feet from the edge of the roadway at the center line of the recreation vehicular crossing. No obstructions, grading and/or planting greater than three feet above the cartway grade are permitted in the clear sight triangle. A public right-of-way shall be reserved for the purpose of removing any object, material or other obstruction to the clear sight.
  - F. Crossings shall not exceed a slope of 8% within 25 feet of the cartway being crossed.

- G. Crossing of arterial streets shall consist of a tunnel, bridging or other suitable measures to assure safe crossing.
- H. Crossings shall also comply with the intersection site distance requirements outlined in this Ordinance.

## **Section 505      Blocks and Lots**

- 1. General. The configuration of blocks and lots shall be consistent with the lot area requirements, traffic circulation, natural features, existing man-made features, and proposed land use. Lot configurations should provide for flexibility in building locations, while providing safe vehicular and pedestrian circulation.
- 2. Residential blocks. All blocks in a residential subdivision shall have a maximum length along any side of 1,500 feet and shall be of sufficient depth to permit two tiers of lots, except as otherwise provided for herein.
- 3. Nonresidential blocks. Block configurations in nonresidential areas shall be based primarily upon safe and efficient traffic circulation and salient natural features.
- 4. Lot configuration.
  - A. To the greatest extent practicable, side lot lines shall be perpendicular to street right of way lines along straight sections of street, and radial street right of way lines on curved sections of street.
  - B. In order to avoid jurisdictional problems, lot lines shall follow municipal boundaries rather than cross them. Where a lot is divided by a municipal boundary, the minimum standards of both municipalities shall apply.
  - C. Lots with areas that are two or more times the minimum area requirements shall be designed with configurations that allow for additional subdivision. The Township may require a sketch plan of such large lots that indicates the potential future subdivision is generally in conformance with the design standards.
  - D. No more than four lots shall be created from any parcel existing as of December 31, 1980, that front onto a public street existing since the effective date of December 31, 1980. This number shall be calculated in a cumulative manner and shall not vary if the existing parcel is subdivided by more than one subdivision plan.
  - E. All lots shall front on a public street. No residential lots shall be created which front upon a limited access highway. Furthermore, no lots in a subdivision and/or land development shall be created which front upon a collector or arterial street. The only exception is reverse frontage lots.
  - F. Reverse frontage lots (through lots) front upon two parallel streets or upon two streets which do not intersect, and vehicular access is provided to only one of the streets. All residential reverse frontage lots shall designate one frontage as the rear yard with a minimum depth in accordance with the applicable requirements of the Windsor Township Zoning Ordinance. Vehicular access shall be prohibited from the rear of reverse frontage lots. All reverse frontage lots shall include an identification of the frontage for use as a road access. The street designated for frontage must be consistent with contiguous lots. Reverse frontage lots must meet the required lot width along the street of lesser classification.
  - G. Proposed lot lines shall be configured such that when one area of a lot is connected to another area of the lot via a strip of land, the width of said strip of land shall have a

minimum width of fifty (50) feet. The width of the connecting strip of land shall be measured along the shortest path between lot lines.

- H. Flag lots. Flag lots shall only be permitted where specifically provided for within the Windsor Township Zoning Ordinance, and then only in compliance with the following:
1. A maximum of one new flag lot shall be allowed to be subdivided from any parcel existing at the time of adoption of this ordinance. This number shall be calculated in a cumulative manner and shall not vary if the existing parcel is subdivided by more than one subdivision plan.
  2. For the purposes of this section, a flag lot shall be described as containing two parts: 1) the "flag" shall include that portion of the lot that is the location of the principal and accessory buildings; 2) the "pole" shall be considered that portion of the site that is used for vehicular access between the site and its adjoining road.
  3. Requirements for the flag.
    - a. The flag shall meet the minimum width, area, and lot coverage requirements of the Township Zoning Ordinance, without including area contained in the pole.
    - b. The flag lot shall contain adequate driveway dimension for vehicular backup so that ingress to and egress from the lot is in the forward direction.
    - c. For purposes of determining required yards and setbacks, the following shall apply:
      - i. Front yard. The area between the principal structure and that lot line of the flag which is most parallel to the street providing vehicular access to the site. Additionally, all areas of the pole shall be considered to be within the front yard setback;
      - ii. Rear yard. The area between the principal structure and that lot line of the flag that is directly opposite the front yard, as described above; and
      - iii. Side yards. The area between the principal structure and that one outermost lot line which forms the flag and pole, plus the area on the opposite side of the principal structure.
  4. Requirements for the pole.
    - a. The pole shall maintain a width of 50 feet.
    - b. The pole shall not exceed 500 feet in length.
    - c. No part of the pole shall be used for any portion of an on-lot sewage disposal system or on-lot water supply system, nor any other improvement except a driveway and other permitted improvements such as landscaping, fencing, stormwater management facilities, utility connections to off-site facilities, mailboxes and signs.
    - d. The cartway contained on the pole shall be located at least six feet from any adjoining property line.
  - I. Level area requirements. No new lot shall be created for a residential use unless the following level areas are provided:
    1. All lots shall be graded to provide a 20 foot area from the dwelling unit into the front and back yards that maintains a maximum slope of 10 percent.

2. All lots shall be graded to provide a 5 foot area from the dwelling unit into the side yards that maintains a maximum slope of ten percent. Dwelling units proposing walk-out access to different levels of the building in the front and rear shall not be subject to this requirement.
3. The minimum slope in all yards shall be 3 percent and shall ensure positive drainage away from the dwelling unit.

## **Section 506      Sewage Disposal**

1. As required by this Ordinance, all plan submissions must be accompanied by the appropriate sewage facilities planning module for land development required by the PA Department of Environmental Protection. All planning module reviews shall conform to the Pennsylvania Sewage Facilities Act of 1965, P.L. 1935, No. 537, as amended; DEP Chapter 71 Regulations, Administration of Sewage Facilities; the Windsor Township Act 537 Plan; and this and any other Township ordinances.
2. Areas of high nitrates, as described in the Windsor Township Act 537 plan, shall be subject to special and/or additional requirements. Where the Windsor Township Act 537 plan prescribes different, or more stringent requirements than those presented in this section, the requirements of the Windsor Township Act 537 plan shall supersede those presented herein.
3. Each new dwelling or other use created in the Township shall be self-sufficient for sewage disposal and the sewage disposal system shall be public, community, or individually owned, maintained or operated. The proposed sewer design must be based upon the results of the sanitary sewer feasibility report required by this Ordinance.
4. Measures to mitigate the impact of the proposed development upon archaeological and historic resources, agreed to with the Pennsylvania Historic and Museum Commission, shall be reviewed by the Township during the planning process, shall meet the requirements of any Township ordinance, and shall be subject to review and approval by the Board of Supervisors.
5. Public sewage facilities.
  - A. In all zones where a public sanitary sewer system is located within 1,000 feet of a proposed subdivision or land development, or where plans approved by the municipality provide for the installation of such public sanitary sewer facilities to within 1,000 feet of proposed subdivision or land development within five (5) years, the subdivider shall provide, at his or her sole expense, for the installation of adequately sized sanitary sewer collection and conveyance facilities to connect the subdivision or land development to the existing or proposed public sanitary sewer in accordance with the following:
    1. Collection mains shall be installed in the street or approved rights-of-way or within sewer easement right-of-way lines.
    2. Sewer laterals shall be installed in the right-of-way lines of streets, lot or parcel property lines, or sewer easement right-of-way lines, whichever pertains to the individual situation.
    3. When public sanitary sewer facilities are not available within 1,000 feet of the proposed subdivision, but will be installed within this distance within 5-years, the subdivision's collection and conveyance system shall be connected to an



approved community on-lot system or a temporary package treatment plant until connection to a public sanitary sewer system is made.

4. All termini shall be capped in a manner that will insure that all collector mains, laterals and house line connections shall be watertight pending connection with the public sanitary sewer system.
- B. Design and construction.
1. The construction of the sanitary sewer system, including all service connections, pumping stations and interceptors, shall be constructed at the developer's expense and shall not commence until application has been made to and written authorization to proceed with construction has been obtained from the Township.
  2. The system shall be designed by a registered professional engineer and approved by the Township Engineer.
  3. Sanitary sewers and sewage disposal systems shall not be combined with stormwater sewers and shall not be constructed to receive effluent from any stormwater collection system.
  4. Pipe sizes for sanitary sewer mains and sewer laterals and locations for manholes shall meet the Township's specifications. The Township Engineer or his/her representative shall inspect the sewer system before it is backfilled, at the developer's expense.
6. Central community sanitary sewage facilities.
- A. A central community sanitary sewage facility shall be permitted if it can be shown that such an approach would provide more reliable and effective treatment of waste than individual on-lot systems.
  - B. The design and installation of a central community sanitary sewage facility shall be subject to the approval of the Board of Supervisors and the PA DEP.
  - C. The system shall be designed by a registered professional engineer and approved by the Township Engineer. The construction of the system, including all pumping stations, interceptors, drainage fields and treatment plants, shall be at the developer's own expense.
  - D. All suitable agreements, including financial guarantees shall be established for the ownership and maintenance of the system. Ownership and maintenance of the central community sanitary sewer system shall be the responsibility of an organization formed and operated in accordance with requirements of this Ordinance.
  - E. Central community sanitary sewage facilities shall be located on a separate lot under the ownership of an organization approved by the Township. The lot shall be used solely for the community sanitary sewage facility. The area of the lot shall be of sufficient size to accommodate the system, the required area for a complete alternate or replacement system, and all required setbacks.
  - F. The Township shall have the right to inspect and test community sanitary sewage facilities at any time. The Township may require the owner to provide the results of regular professional testing of the system when the Township deems necessary. The cost of inspections and testing shall be the responsibility of the owner.

7. On-lot sewage disposal.
  - A. Where public sanitary sewers are not feasible, the use of on-lot sewage disposal systems shall be permitted. The use of such on-lot systems is governed by regulations of the PA DEP and enforced by the Township Sewage Enforcement Officer (SEO). A PA DEP Component 2 planning module with a preliminary hydrogeologic study is required for all new subdivisions and land development projects proposing on-lot sewage disposal systems.
  - B. Prior to approval of any plan depicting on-lot sewage disposal systems, the developer shall have soils testing performed on each lot to determine the suitability for such systems and shall have secured the approval of the Township SEO and/or PA DEP through the use of planning module for land development. The Township SEO and PA DEP must approve each on-lot sewage disposal system including the primary and alternate absorption areas. Any lot proposing on-lot sewage disposal shall provide an easement which encompasses the entirety of the alternate absorption area.
  - C. An individual sewage disposal system shall be located on the lot it serves or within an easement on adjacent open space that is specifically designated and restricted for that purpose.

## **Section 507      Water Supply**

1. Each new dwelling or use created in Windsor Township shall be individually self-sufficient for water supply and the water supply system. The applicant shall provide an adequate and potable water supply and distribution system to service the proposed subdivision and land development which shall be: 1) public; 2) central community; or 3) individual, and maintained and operated in accordance with applicable PA Department of Environmental Protection requirements. The purpose of these provisions is to ensure that each dwelling unit and each commercial and industrial building in all subdivisions and land developments hereafter granted approval shall have an adequate supply of potable water for domestic use and, where feasible, for fire protection.
2. Public. In all zones except for the Agricultural Zone and the Rural Residential Zone, where there is an existing public water supply system within 1,000 feet from a proposed subdivision or land development, and such system has adequate planned capacity and is willing to serve that subdivision or land development, a complete water supply system connection to the existing water supply system must be provided, and fire hydrants shall be installed in accordance with the applicable requirements of this Ordinance.
  - A. Where plans approved by a public water supplier provide for the installation of such public water supply system within 5 years, the developer shall provide a complete water system for connection to the planned water main supply system.
  - B. Where connection to a public water supply is required, the plan for the installation of such water supply must be prepared for the development with cooperation of the appropriate water utility company and approved by the Township Engineer. Upon completion of the water supply system, a reproducible as-built plan of the system shall be filed with the Township.
  - C. Where a public water supply system is not feasible for the proposed development as evidenced in the hydrogeological/water facilities study, the developer shall provide

information related to the construction and installation of a central community water supply system, in accordance with the applicable requirements of this Ordinance.

3. Central community. The design and installation of a central community water supply system shall be subject to the approval of the Board of Supervisors and the PA Department of Environmental Protection.
  - A. Standards and materials for the construction of any central community water supply system shall meet or exceed those requirements described in the Public Water Supply Manual of the PA DEP and shall be subject to approval by the Township Engineer. Where a permit is required by PA DEP, it shall be presented as evidence of such review and approval before construction of the system will commence.
  - B. Where the central community water supply system occurs under the jurisdiction of the Pennsylvania Public Utilities Commission (PUC), the water supply study shall also incorporate those items of information required by the Public Utilities Commission.
  - C. The central community water supply system shall be designed to furnish an adequate supply of water to each lot, with adequate water main sizes and fire hydrant locations. A technical study shall be submitted to the Township for review by the Township Engineer and Fire Company representatives.
  - D. All suitable agreements, including financial guarantees, shall be established for the ownership and maintenance of the system. Ownership and maintenance of the central community water system shall be the responsibility of an organization formed and operated in accordance with applicable requirements of this Ordinance. Such a system shall be designed and constructed in a manner that would permit adequate connection to a public water supply system in the future.
  - E. All water systems located in flood-prone areas, whether public or private, shall be flood proofed to an elevation 1 1/2 feet above the one-hundred-year-flood elevation.
  - F. Groundwater control for central community water systems: Groundwater for central community water systems must conform to the PA DEP requirements and standards. A minimum of two sources of groundwater must be provided for each community water system. Each should be capable of supplying the average daily demand of the proposed dwelling units.
4. Individual.
  - A. Where there is no existing public water supply and the hydrogeologic/water facilities study indicates that connection to a public water supply system or central community system is not feasible, each lot in the development must be provided with an individual on-lot water supply system. The Board of Supervisors shall approve the use of individual on-lot water supply systems when:
    1. The hydrogeologic/water facilities study indicates that justification of the project necessitates the use of this type of water supply.
    2. The anticipated water supply yield is adequate for the type of development proposed.
      - a. Test requirements:
        - i. Residential development shall drill and test the wells for all lots.
        - ii. Principal non-residential development shall drill and test the wells.
      - b. Minimum supply yield:

- i. Minimum Residential Requirement. The proposed well(s) is (are) capable of supplying potable water at the minimum rate of 1 gallon per minute (gpm) for six (6) hours.
    - ii. Minimum Principal Nonresidential Requirement. The well(s) is (are) capable of supplying potable water at the minimum rate of 1 gallon per minute (gpm) for six (6) hours.
  3. The installation of an on-lot system(s) will not endanger or decrease the groundwater supplies to adjacent properties.
5. Flood proofing. All water systems located in flood-prone areas, whether public or private, shall be flood proofed to an elevation one and one half (1 ½) feet above the one-hundred-year-flood elevation and shall meet any other requirements of the Floodplain Zone provisions in the Zoning Ordinance.

## **Section 508 Fire Hydrants**

1. Where public or central community water systems are provided for subdivision and land development, fire hydrants suitable for coupling with fire equipment serving the Township shall be installed at the sole expense of the developer. The fire protection system shall be designed by a registered professional engineer and approved by the Township Engineer.
2. Fire hydrants shall meet the following standards and shall be approved by the Windsor Township Board of Supervisors upon review and recommendation by the Township Engineer and the Windsor Township Fire and Rescue Association.
  - A. All fire hydrants will be located on an eight-inch line or a looped six-inch line. Where a dead-end line is required to contain a fire hydrant, the portion of the line between the main loop and the hydrant shall have a minimum diameter of eight inches.
  - B. Fire hydrants shall be spaced in a subdivision or land development so that all proposed buildings will be no more than 600 feet from the hydrant, measured along traveled cartways. Where existing fire hydrants are inadequate to meet this requirement, additional hydrants shall be provided at the developer's expense.
  - C. All central community water systems must provide a minimum of 500 gallons per minute (GPM) at a residual pressure of 20 psi for a two-hour period.
  - D. All fire hydrants shall be equipped with a flexible whip marker device. The device shall extend a minimum of 36 inches above the highest part of the fire hydrant and shall be provided with a high visibility and/or reflective surface that is visible from all directions. The device shall be equipped with a hinge device that permits deflection of the marker in any direction without breaking, and returns the device to an upright position when the deflecting force is relieved.

## **Section 509 Easements**

1. Utilities.
  - A. Easements shall be provided for poles, wires, conduits, storm and sanitary sewer lines, gas, and water mains, and other utilities intended to serve the abutting lots and for access to facilities. Wherever possible such easements shall be centered on the side or rear lot lines. The minimum width of utility easements shall be as follows:
    1. Sanitary sewer and storm drainage facilities: 30 feet.

2. Underground and overhead public utilities: 20 feet.
  - B. Nothing shall be placed, planted, set or put within the area of an easement that would adversely affect the function of the easement or conflict with the easement agreement. This requirement shall be noted on the final plan.
  - C. Where any natural gas, petroleum or high-tension electric transmission line traverses a subdivision or land development, the applicant shall consult with the applicable transmission or distribution company to determine the minimum easement requirements for the transmission line. Additionally, the Township will require, with the final plan application, a statement from the owner of the transmission line stating any conditions on the use of the tract which shall contain the above.
  - D. The applicant shall provide the Township with copies of easement agreements or statements from public utility providers, as applicable, to confirm the adequacy of proposed easements.
2. Stormwater and sanitary sewer collection systems: Where a subdivision and/or land development is traversed by stormwater or sanitary sewer collection system facilities, a utility easement shall be provided. In no case shall the easement be less than 30 feet in width. Additional width may be required by the Windsor Township Board of Supervisors depending on the purpose and use of the easements.
3. Conservation.
  - A. Where floodplains, severely steep slopes, riparian buffers, as described by the Windsor Township Zoning Ordinance exist, a conservation easement shall be depicted on the plan encompassing the affected area.
  - B. Where wetlands, as described by the Windsor Township Zoning Ordinance exist, a conservation easement shall be depicted on the plan encompassing the wetland area and an area fifteen (15) feet outside of the wetlands area.
  - C. An access easement shall be provided to the drainage easement. The width of such access easement shall not be less than 30 feet.
4. Pedestrian.
  - A. Pedestrian easements may be required by the Township to facilitate pedestrian circulation or to give access to community facilities. Pedestrian easements shall be a minimum of 10 feet wide with suitable improvements, in the sole opinion of the Township, to serve their intended purpose. A pedestrian walkway, constructed in accordance with the Windsor Township Construction and Material Specifications, shall be provided, centered within the easement.
  - B. When a subdivision proposes townhouses, the plans shall include an access easement for the purposes of property maintenance along the property lines of all units and side property lines of the end units, to allow all lot owners within the unit access to front and rear yards. The access easement shall have a minimum width of 10 feet. This requirement shall be noted on the final plan and shall be included in all deeds for lots which contain the easement. This easement is intended only for pedestrian access or for small and nonlicensed motorized maintenance equipment.

## **Section 510      Monuments and Markers**

1. Monuments must be so placed that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.
2. Location of monuments. Monuments are required to be set in the following locations:
  - A. At a minimum of two points of intersection of lines forming angles in the boundaries of the subdivision parent tract. Unless demonstrated to be unfeasible, the monumented points shall be the locations where the parent tract boundary lines intersect the adjacent roadway right-of-way line.
  - B. At the intersection of street right-of-way lines for intersecting streets.
  - C. At such intermediate points as may be required by the Township Engineer.
3. Markers shall be set at the beginning and ending of all curves along street property lines; at all points where lot lines intersect curves, either front or rear; at all angles in property lines of lots; and at all other lot corners.
4. Monuments and markers shall be made of the following size and material:
  - A. Monuments shall be six inches square or four inches in diameter and shall be 30 inches long. Monuments shall be made of concrete, stone or by setting four-inch cast iron or steel pipe filled with concrete. Monuments must be marked on top with a copper or brass dowel.
  - B. Markers shall be 3/4 of an inch square or 3/4 of an inch in diameter and 15 inches long. Markers shall be made of iron pipes or iron or steel bars.
5. All monuments shall be placed by a registered engineer or surveyor so that the center of the monument shall coincide exactly with the point of intersection of the lines being monumented.
6. Removal. Any monuments that are removed must be replaced by a registered engineer or surveyor at the expense of the person removing them.

## **Section 511      Street Names and Street Signs**

1. Names of new streets shall not duplicate or approximate existing or platted street names, or approximate such names by use of suffixes such as "lane," "way," "drive," "court," and "avenue." In approving the names of new streets, cognizance shall be given to existing or platted street names within the Township and postal district. New street names shall bear the same name or number of any continuation or alignment with an existing or platted street. All proposed street names must be approved by the Township, the United States Postal Service, and York County Emergency Services.
2. The developer shall install street name signs at each street intersection. All traffic control signs and devices are to be installed prior to any certificates of occupancy being issued.
3. Street sign specifications: Street signs shall conform to the Federal Highway Administration publication entitled Manual on Uniform Traffic Control Devices (MUTCD), current edition, and the Windsor Township Construction and Material Specifications.



## **Section 512      Landscaping and Screening**

1. General Landscaping and screening regulations:
  - A. Landscaping and screening shall be installed in accordance with the Windsor Township Zoning Ordinance.
  - B. All planting shall be performed in conformance with good nursery and landscape practice. Plant materials shall conform to the standards recommended by the American Association of Nurseryman, Inc., in the American Standard of Nursery Stock, ANSI60, current edition.

## **Section 513      Erosion and Sediment Pollution Control Plan**

1. General requirements and standards:
  - A. In conjunction with the submission of a subdivision and land development plan, an erosion and sediment pollution control (E&SPC) plan must be submitted to the York County Conservation District for its review and approval in accordance with the requirements of Title 25 PA Code, subsection 102.1 et seq., Erosion and Sediment Control Regulations of the Department of Environmental Protection (DEP). A copy of the E&SPC plan must be provided to the Township. In accordance with these regulations, construction and land development activity involving earth disturbances of one acre or more require a National Pollution Discharge Elimination System (NPDES) general permit for discharges of stormwater associated with construction activities (PAG-2) from the Department of Environmental Protection. Earth disturbance activities of one acre or more which are not eligible for coverage under the NPDES general permit will require a NPDES individual permit for discharges of stormwater associated with construction activities from the PA DEP.
  - B. The applicant shall be responsible for preparing and forwarding all applicable E&SPC plan information and other data to the appropriate county and state agencies.
  - C. The Township shall not issue a building permit to those engaged in earthmoving activities requiring an E&SPC permit or other NPDES permits, until the York County Conservation District and/or PA DEP has reviewed and issued all applicable permits.
  - D. In the preparation of erosion and sediment control plans, the person preparing such plans shall consult with the York County Conservation District to determine the measures needed to control erosion and sedimentation. The most recent version of the Erosion and Sediment Pollution Control Program Manual, prepared by the PA DEP in accordance with Chapter 102, shall be used in the preparation of such plan. Copies are available from the York County Conservation District Office.

## **Section 514      Park, Recreation, and Open Space Requirements**

1. The purpose of this Section is to insure that adequate park and open space areas are provided to meet the needs of residents as those needs are generated by new subdivision and land development activity, where identified in the Windsor Township Open Space and Recreation Plan.
2. The provisions of this Section shall apply to all residential developments of both single and multiple family dwellings, upon agreement with the applicant or developer.

3. The provisions shall not apply to: (a) a Planned Residential Development; (b) developments having been finally approved prior to June 14, 1986; (c) any plan application pending at the time of adoption of this Ordinance.
4. The amount of land to be dedicated in each development shall be determined by setting aside 0.02 acre per lot/dwelling unit as determined on the final subdivision plan.
5. The Supervisors shall determine if the land proposed is acceptable for dedication based on the following and any other relevant criteria:
  - A. The dedicated land must be readily accessible to all development residents. For the larger pieces of dedicated land, this should be by virtue of at least one side of the sites abutting a public street for a minimum of 50 feet. If public easements are the sole access, they shall be wide enough to accommodate two way traffic of maintenance equipment.
  - B. The park and open space land shall be located, to the extent possible, so that it equally serves all residents of the development.
  - C. The slope shall be suitable to accommodate those park and open space activities appropriate to the location and needs of the residents.
  - D. Soils should be suitable for the intended park and open space uses.
  - E. Park and open areas are to be accessible to telephone, power, fuel, water and sewer lines. Sixty (60) percent of the land must be relatively flat, dry ground not exceeding the average percent of slope of the development and suitable to the intended purposes.
6. If it is determined that the land proposed for dedication is acceptable, the Township of Windsor Township shall officially accept the land at the time of final approval of the development plot. At such time, a deed shall be recorded for the dedicated land and it shall contain the following restrictive clause:

"This land was acquired for perpetual public park and open space purposes through the implementation of Windsor Township Subdivision and Land Development Regulations."
7. Windsor Township shall be responsible for maintaining all dedicated and accepted areas.
8. If it is determined by the Township that there is no land suitable for dedication or that it is not practical to dedicate land, a fee in lieu shall be required. The fee in lieu of shall be established at One Thousand Five Hundred Dollars (\$1,500) as determined by the Board of Supervisors as an appropriate valuation of the equitable land required.
9. The fee shall be paid prior to the issuance of each building permit. Fees in lieu shall be used to meet the recreational needs of the development, and shall only be utilized for areas and equipment accessible to the development.
10. Should there be some but not enough land to meet the park and open space needs for a development as herein provided, in those cases it may be possible to dedicate some land and pay a fee for the balance, as approved by the Township Board of Supervisors.
11. All land dedication and fees in lieu shall be administered in accordance with Section 503(11) of the Pennsylvania Municipalities Planning Code Act 170 of 1988 as amended.

## **Section 515      Emergency Access Requirements**

1. All subdivisions or land developments containing more than 10 dwelling units or building(s) containing a total aggregate gross floor area of 20,000 square feet or greater shall be provided with at least two separate and distinct public streets or access drives as a means of access to the subdivision or land development.
2. Any public streets or access drives intended to serve as points of access shall meet all the applicable requirements of this ordinance concerning their design and construction.
3. Any public street or access drive intended to serve as points of access shall meet the applicable requirements of this ordinance concerning their minimum separation from other features.
4. For non-residential subdivisions and land developments containing a total aggregate gross floor area between 5,000 square feet and 20,000 square feet, a minimum of one emergency access shall be provided in addition to the access drives. Points of emergency access shall meet the following requirements:
  - A. The emergency access shall be improved so that emergency vehicles may safely traverse it and shall be indicated on the plans.
  - B. The emergency access shall be acceptable to the providers of emergency services within the Township and approved by the Township. Applicants proposing to provide emergency access shall submit evidence of such approval.
  - C. The emergency access may be located so that access to the subdivision or land development is gained from a public street at a location unsuitable for regular access with an existing public street.
  - D. The emergency access may be located so that access is gained from an adjacent tract. For example, a subdivision or land development adjoining a parking lot of another use may provide emergency access through a point with a break chain. Applicants with plans indicating emergency access through an adjoining private tract shall provide evidence that the adjoining property owner has consented to said emergency access location and that the applicant has entered into an easement agreement with the adjoining property.
  - E. Vehicle turning exhibits, profiles, or other details may be required to demonstrate that the proposed emergency vehicle access is adequate to accommodate the largest emergency vehicle that may utilize it. Any such exhibits shall be reviewed by the Township Engineer and approved by the Windsor Township Board of Supervisors.

## **Section 516      Refuse Collection Stations**

1. Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided. Refuse collection stations shall comply with all applicable provisions of the Windsor Township Zoning Ordinance, as amended.
2. Collection stations shall be located so as to be separated adequately from habitable buildings to avoid being offensive, but at the same time be convenient for both collectors and residents, and shall be screened and landscaped adequately, generally in accordance with the requirements of this Ordinance and the Windsor Township Zoning Ordinance.

3. Collection stations shall be so constructed as to prevent the escape of refuse by wind, water or other natural elements and prevent animals, rodents, etc., from entering.

## **Section 517 Storm Drainage and Stormwater Management**

1. All storm drainage and stormwater management facilities shall be provided in accordance with the Windsor Township Stormwater Management Ordinance, as amended.

## **Section 518 Lighting**

1. Lighting shall be provided in accordance with the applicable provisions of the Windsor Township Zoning Ordinance. Any developer proposing lighting facilities, excluding individual residential post lights equal to or less than 100 watts, in association with a subdivision or land development shall provide photometric plans and lighting details for review by the Township Engineer.

## **Section 519 Utilities**

1. Telephone, electric, TV cable and other such utilities shall be installed underground and shall be provided with easements to be dedicated for such utilities in accordance with plans approved by the Windsor Township Board of Supervisors and the applicable utility company.
2. Lots which abut existing easements or public rights-of-way where aboveground utility lines have been previously installed may be supplied with electric and telephone service from those overhead lines, but service connections from the utilities' overhead lines shall be installed underground.
3. Where road widening and other conditions resulting from subdivision and land development necessitate replacement or relocation of overhead utility lines, new facilities shall be installed underground. Costs of any relocation of public utilities shall be the responsibility of the developer.
4. Underground installation of the utility distribution and service lines shall meet the prevailing standards and practices of the company providing the service and shall be completed prior to street paving and gutter, curbing and sidewalk installation.
5. Underground utility notifications. In accordance with the provisions of PA Act 38, as amended, the applicant shall contact all applicable utilities and accurately determine and show the location and depths of all underground utilities within the boundaries of the tract proposed for development and in the vicinity of any proposed off-site improvement, prior to excavation.

## **Section 520 Floodplain Area Standards**

1. No subdivision plan or land development plan shall be approved by the Board of Supervisors in the areas within the one-hundred-year-flood boundary unless and until compliance with the following requirements, in addition to all the other requirements of this Ordinance, have been established.

- A. The floodplain zone, as specified by the Windsor Township Zoning Ordinance and Building Permit Ordinance shall be delineated on the preliminary and final subdivision or land development plan.
- B. No alteration or relocation of a watercourse, except as part of an overall drainage basin plan having secured the appropriate state and federal permits, may be undertaken by a developer or sub-divider.
- C. In addition to the requirements described in the Windsor Township Zoning Ordinance, setbacks shall take into consideration and be placed beyond the floodway.
- D. Any subdivision or land development plan for a riverine area shall further contain a statement indicating that the subdivision or land development has been planned in such a manner as to avoid exposure to mudslide or mudflow hazards. All such measures to avoid exposure to, or mitigate the danger presented by mudslide and mudflow hazards shall be submitted for review by the Township Engineer.
- E. All public and private utilities and facilities such as sewer, gas, electrical, and water systems shall be located, elevated and constructed to minimize or eliminate the potential for flood damage.

## Article 6

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### Manufactured / Mobile Home Parks

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#### Section 601 Purpose

1. Windsor Township recognizes the importance of providing a variety of housing types, designs and layouts to meet the housing needs of its residents. In accordance with the requirements of Article V, § 501 of the Pennsylvania Municipalities Planning Code, Act 247, as reenacted and amended, this Article is established to provide reasonable standards for the development of manufactured/mobile home parks which will be coordinated with the design and improvements requirements of this Ordinance, as a whole, and will encourage well-coordinated, convenient and safe environments for manufactured/mobile home residents.

#### Section 602 Plan Requirements and Processing Procedures

1. The plan requirements and processing for a manufactured/mobile home park as a land development shall be in accordance with the requirements contained in Article 3 of this ordinance.

#### Section 603 Design Standards and Other Requirements

1. The arrangement and other design standards of streets, easements, blocks, lots, stormwater management, and erosion and sedimentation control shall be in accordance with the requirements of this ordinance, except as otherwise specified in this article and/or the Windsor Township Zoning Ordinance.
  - A. Site location and design standards.
    1. Layout of Lots.
      - a. All manufactured/mobile home lots shall abut a street. Side lots shall be laid out in rectangular blocks and shall be diagonal to the street at an angle no greater than 30° from perpendicular. Front and rear lot lines in rectangular blocks shall be straight and continuous.
      - b. In cul-de-sac arrangements, the side lot lines shall be radial to the street lines.
    2. Corner lots for manufactured/mobile home use shall have the manufactured/mobile home situated to permit appropriate building setback from both streets and allow proper sight distance.
    3. Building setback lines. All mobile homes and associated accessory structures shall be located at least 50 feet from any park property boundary line abutting upon a public street or highway right-of-way, 25 feet from any property line, and at least 25 feet from rear park property boundary lines.



4. Screening shall be provided in accordance with Section 317 of the Windsor Township Zoning Ordinance.
  5. All mobile homes shall be separated from other mobile homes by a minimum distance of 25' in all directions. All covered porches, decks, and accessory structures shall be separated from other mobile homes, other covered porches, decks, and accessory structures by a minimum distance of 15' in all directions.
  6. An enclosure of compatible design and materials shall be erected around the base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
  7. The area of the mobile home spaces shall be improved to provide an adequate foundation for the placement of the mobile home. The mobile home space shall be designed so as not to heave, shift, or settle unevenly under the weight of the mobile home and frost action, inadequate drainage, vibration, or other forces acting on the structure.
  8. Each space shall have adequate anchoring and/or tie-downs to prevent the mobile home from being upset or shifted on the space by high winds or earthquake.
- B. Mobile Home Park Street System.
1. A safe and convenient vehicular access shall be provided from abutting public streets or roads. Unless accepted by the Township, streets within the manufactured/mobile home park shall be privately owned.
  2. Location principles. The streets or roads in a manufactured/mobile home park shall be located and built with regard to:
    - a. Provide for convenient access to each manufactured/mobile home lot and other important facilities in the park.
    - b. Recognizing and preserving existing easements.
    - c. Permitting connection to existing facilities where necessary for the proper functioning of drainage and utility systems.
  3. Circulation. The street system should provide convenient circulation by means of minor streets and properly located collector streets. The following standards should also be applied to manufactured/mobile home park street systems:
    - a. Dead end streets shall be constructed as cul-de-sac streets in accordance with the requirements of this ordinance.
    - b. Interior streets shall so be laid out in a manner, which will reduce or eliminate through use by through traffic.
    - c. The manufactured/mobile home park shall be provided with a minimum of two means of ingress and egress. Each entrance shall be provided with adequate sight distance and clear sight triangles in accordance with the requirements of this ordinance and the Windsor Township Zoning ordinance.
    - d. Where a manufactured/mobile home park abuts or contains an existing or proposed arterial street, the Board of Supervisors may require marginal access streets, reverse frontage with screen planting along the rear property line, or such other treatment as may be necessary to afford separation of through and local traffic.

4. All aspects of street and right-of-way (where applicable) design, layout, grading, construction, and surfacing shall be in accordance with the public street standards set forth in Article 5 of this ordinance.
- C. Blocks. The size and shape of blocks shall be determined with regard to:
1. Need for convenient access, automotive and pedestrian movement.
  2. Providing desirable lot depths for interior walkways and easements for utilities to be located within the block.
  3. Providing desirable lot depths for interior walkways and easements for utilities to be located within the block.
  4. Pedestrian paths should be designed within blocks to permit convenient access to other areas of the manufactured/mobile home park.
- D. Sidewalks.
1. As mobile home parks constitute residential developments, sidewalks shall be provided in accordance with the requirements of Article 5 of this ordinance to assist in the safe and convenient circulation of pedestrian traffic. For all such required sidewalks, the sidewalk shall have a width of five feet, and shall be separated from the street by a grass strip having a width of four feet.
- E. Easements.
1. Easements shall be provided for all utilities not located in a street and for well-defined watercourses as required by Article 5 of this Ordinance.
  2. Utility, conservation, stormwater, drainage, pedestrian and other easements shall be provided in accordance with Article 5 of this Ordinance.
  3. Easements shall be centered on the utility or watercourse alignment.
  4. Where necessary for access to public or common lands, a pedestrian easement shall be provided with a width of no less than 10 feet. Additional width may be required by the Board of Supervisors, depending on the purpose and use of the easement.
- F. Mailboxes. The owner shall provide and maintain a central location(s) for mailboxes for persons living within the park.
- G. Off-street parking requirements.
1. Each mobile home/manufactured home shall have paved off-street parking areas. Parking shall be provided at the rate of at least two vehicular parking spaces for each mobile home/manufactured home lot.
  2. In addition to the above, visitor parking shall be provided at the rate of one parking space per mobile home unit. Visitor parking shall be provided within the same parcel as the mobile home park, and shall be arranged, constructed, and served by access drives in accordance with the requirements of the Windsor Township Zoning Ordinance.
  3. Each off-street parking space shall be of a size and arrangement consistent with the requirements of Section 311 of the Windsor Township Zoning Ordinance.

## **Section 604     Solid Waste Disposal**

1. The applicant shall provide information to the Township regarding the treatment and disposal of solid waste and garbage related to the manufactured/mobile home park.
2. All solid waste storage facilities shall be located in areas conveniently located to park residents.
3. Collection stations shall be constructed, screened, and landscaped adequately, in accordance with the applicable requirements of the Windsor Township Zoning Ordinance.
4. Collection stations shall be so constructed as to prevent the escape of refuse by wind, water or other natural elements and prevent animals, rodents, etc. from entering.

## **Section 605     Park and Recreation Facilities**

1. General. All manufactured/mobile home park land development plans submitted after the effective date of this Ordinance shall provide for suitable and adequate recreation for children and residents of the manufactured/mobile home park in order to: 1) ensure adequate recreational areas and facilities to serve the future residents of the Township; 2) reduce increasing usage pressure on existing recreational facilities and areas; and 3) ensure that all present and future residents have the opportunity to engage in many and varied recreational pursuits.
2. Required open space area.
  - A. All mobile home parks shall provide suitable areas for open space in an amount equal to or greater than 20 percent of the total land area of the mobile home park. A minimum of one half of this area shall be contiguous, and located in one place. The remainder may be used to provide small open areas and/or pedestrian corridors linking open space areas to one another and to streets and sidewalks.
  - B. The Board of Supervisors shall consider the following criteria in determining whether to approve the proposed location of recreation areas in the applicant's subdivision or land development plans:
    1. Sites should be easily and safely accessible from all areas of the manufactured/mobile home park, have good ingress and egress and have access to the park road system.
    2. Site or sites should have suitable topography and soil conditions for use and development as a recreation area.
    3. Site or sites should meet minimum size requirements for useable acreage with respect to the National Recreation and Parks Association standards, with 75% of such area having a maximum slope of 7%.
3. Fee in lieu of private reservation of recreation land. A fee in lieu of may be furnished in accordance with Section 515 of this Ordinance.

## **Section 606      Improvement and Construction Standards**

1. General. All improvements, construction requirements, and engineering specifications for the improvements required shall be provided in accordance with Article 5 of this ordinance.
2. Streetlights. Street or on-site lights shall be provided to illuminate streets, driveways and walkways for the safe movement of vehicles and pedestrians at night. Their type and location shall be in conformance with the Windsor Township Zoning Ordinance and shall be shown on the lighting plan submitted with the final subdivision or land development plan.
3. Underground utilities. Electric, telephone and all other utilities shall be installed underground.

## **Section 607      Responsibilities of Park Management**

1. The person to whom a permit for a manufactured/mobile home park is issued shall operate the park in compliance with all municipal ordinances and this ordinance 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 manufactured/mobile home stand, which includes securing its stability and installing all utility connections.
3. The park management shall give the Zoning Officer free access to all manufactured/mobile home lots, service buildings and other community service facilities for the purpose of inspection.
4. The management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park.

## **Section 608      Manufactured / Mobile Home Placement and Removal**

1. A building permit is required prior to the installation or removal of a manufactured/mobile home within the park.
2. It shall be unlawful for the owner, tenant or custodian of a manufactured/mobile home to remove or attempt to remove from Windsor Township a manufactured/mobile home without first obtaining a removal permit from the Windsor Township Tax Collector.

## Article 7

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### Administration

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#### Section 701 Enforcement

1. It shall be the duty of the Board of Supervisors or a duly appointed officer to enforce the provisions of this Ordinance. The duly appointed officer shall require that the application for a building permit contain all information necessary to enable him/her to ascertain whether the proposed building, alteration or use is located in an approved subdivision or land development. No building permit shall be issued until the duly appointed officer has certified that the site for the proposed building, alteration or use complies with all the provisions of this Ordinance and conforms to the site description as indicated on the approval and recorded final plan.
2. No lot in a subdivision shall be sold, rented, leased or conveyed in any manner; no permit to erect, alter or repair any building upon land in a subdivision or land development shall be issued; and no building shall be erected in a subdivision or land development until a final plan of such subdivision or land development has been approved and properly recorded and until public improvements have been either constructed or guaranteed.
3. Any person, co-partnership or corporation who shall subdivide any lot, tract, or parcel of land; layout, construct, open or dedicate any street, sanitary sewer, storm sewer or water mains for public use or travel or for the common use of occupants of buildings abutting thereon; sell, rent, lease or convey in any manner any lot; or erect any building in a subdivision without first having complied with the provisions of this Ordinance shall be subject to proceedings in accordance with this section.

#### Section 702 Time Limitations and Ordinance Changes

1. When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five years from such approval.
2. Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.

## **Section 703      Modifications**

1. The provisions of this Ordinance are intended as minimum standards for the protection of the public health, safety and welfare of the citizens of the Township. The Township Planning Commission shall have the right to recommend to the Board of Supervisors modifications to the regulations in the individual cases as may be necessary in the public interest; provided, however, that such variations shall not have the effect of nullifying the intent and purpose of these regulations. The list of suggested modifications and the specific reasons for such change shall be entered in the minutes of the Planning Commission and a copy of this entry shall be transmitted to the Board of Supervisors together with the approved plans for review and approval by the Township Supervisors. The Board of Supervisors may then alter any subdivision plans and specify changes or modifications therein which it deems necessary and may make its approvals subject to such alterations, changes or modifications. Upon approval by the Board of Supervisors, said modifications shall be clearly defined and entered on the final plan and signed by the Chairman of the Board of Supervisors.

## **Section 704      Penalties**

1. Any person, partnership or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney's 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 the ordinance to have believed that there was no such violation; in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice, and thereafter each day that a violation continues shall constitute a separate violation.
2. The Court of Common Pleas, upon petition, may grant an order to 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.

## **Section 705      Appeals**

1. The procedures for securing review of any ordinance, decision, or determination is set forth in Article X of the Pennsylvania Municipalities Planning Code (Act of 1968, P.L. 805, No. 247), as reenacted and amended.



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## Section 706 Repealer

1. All Subdivision and Land Development Ordinances or parts of ordinances inconsistent herewith are hereby repealed.

## Section 707 Severability

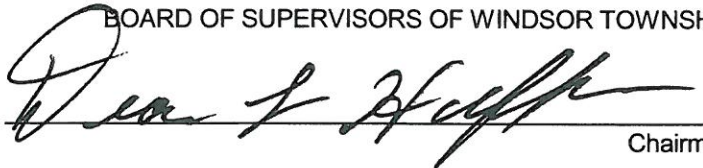
1. If any section, clause, provision, or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

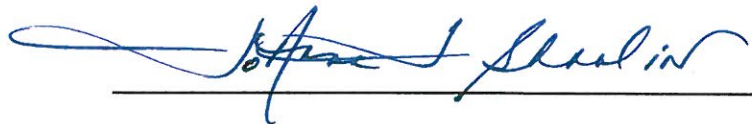
## Section 708 Effective Date


This Subdivision and Land Development Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of Windsor Township, County of York, Commonwealth of Pennsylvania.

This Ordinance, ordained and enacted this 21st day of September, 2015.

BOARD OF SUPERVISORS OF WINDSOR TOWNSHIP

By:  Chairman

 Member

 Member

ATTEST:

  
Secretary

(SEAL)