

WINDSOR TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
1989 REVISION

Board of Supervisors

Melvin E. Rittenhouse, Chairman
H. Burnell Sprenkle
Rodney L. Sechrist

Marlene F. Workinger, Manager

Planning Commission

Milton K. McCarthy, Chairman
Carroll Wineka
George S. McCallum
Walter Shue
William Miller

Marlene F. Workinger, Secretary

Technical Assistance by C.S. Davidson, Inc., Township Engineer

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ORDINANCE NO. _____

ORDINANCE TO ESTABLISH PROCEDURES AND STANDARDS FOR THE SUBDIVISION OR DEVELOPMENT OF LAND, STREETS, AND IMPROVEMENTS FOR THE TOWNSHIP OF WINDSOR, YORK COUNTY, PENNSYLVANIA.

Article I

GENERAL PROVISIONS

Section 101. Short Title

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

Section 102. Purpose

The purpose is to assure sites suitable for building purposes and human habitation; to provide for the harmonious development of the Township; to coordinate existing streets with proposed streets, parks or other features of the Comprehensive Plan of the Township; to insure adequate open spaces for traffic, recreation, light and air, and to provide the proper distribution of population; and thereby to create conditions favorable to the health, safety, and general welfare of the citizens; to establish land subdivision regulations, including definitions, design standards, plan requirements, plan processing procedures, improvements and construction requirements, and conditions of acceptance of public improvements by the Township.

Section 103. Jurisdiction and Approval

s.103.1 The provisions of these regulations will apply to the area within the municipal boundaries of Windsor Township, York County, Pennsylvania.

s.103.2 No subdivision or 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 therein shall be laid out, constructed, opened, or dedicated for public use or travel, or for the common use of occupants of building abutting thereon, except in strict accordance with the provisions of these regulation.

Section 104 Authority and Administration

s.104.1 The Board of Supervisors of Windsor Township by virtue of the provisions of the Pennsylvania Municipalities Planning Code, Act 170 of 1988, as amended, is authorized to adopt rules and regulations covering plans for subdivisions or development of land, and to approve, conditionally approve, or disapprove plans of subdivisions of land falling within their jurisdiction.

s.104.2 The Windsor Township Planning Commission is hereby designated as the reviewing authority of and for the Board of Supervisors of Windsor Township, and is charged with the duty of making investigations, reports and recommendations on the design and improvement of proposed subdivisions; and shall submit such reports and recommendations to the Board.

s.104.3 Plans of subdivision or land development shall be reviewed by the Windsor Township Planning Commission and given approval or rejection by the Windsor Township Board of Supervisors. Any party aggrieved by the decision of the Board of Supervisors may appeal to the Court of Common Pleas of the County, as hereinafter provided.

s.104.4 The York County Planning Commission shall review all plans for Subdivision or Land Development. In accordance with the Municipalities Planning Code, Act 170 of 1988, as amended, the York County Planning Commission shall have thirty (30) days in which to review and report on the plan to the Township. Windsor Township Board of Supervisors shall not approve any said plans until the report of the York County Planning Commission has been received, or until the expiration of thirty (30) days from the date the plan was submitted to the County Planning Commission.

Article II

PROCEDURE

Section 201 Pre-Application Sketch Plan

s.201.1 Prior to the preparation of a preliminary plan, the subdivider may submit to the Township sketches and data as specified. This does not require a formal application or fee.

s.201.2 The purpose of the sketch plan is to allow the applicant the opportunity to discuss the basic concept of his proposal with the Planning Commission before any major effort in detailed design is made. At a meeting of the Planning Commission, the Commission shall inform the subdivider that the plans and data as submitted or as modified do or do not meet the objectives of the subdivision and zoning regulations and the Comprehensive Plan and if the sketch plan should be reviewed by the Board of Supervisors. When the Planning Commission finds the proposed development does not meet the objectives of the above, it shall express its reasons therefor. Discussion of the sketch plan is informational only, with no approval or disapproval involved.

Section 202 Preliminary Plan

s.202.1 General Formal application for approval of a subdivision or land development is initiated by submission of a preliminary plan. The applicant shall prepare a preliminary plan together with such supplementary data as is required by these regulations. The preliminary plan shall be designed and signed by an engineer, land surveyor, architect, or landscape architect, registered in Pennsylvania, and shall be prepared in accordance with the standards and requirements set forth in these regulations.

s.202.2 Minor Subdivisions Applications for subdivision approval which involve only the straightening of lot lines, redivision of not more than three existing lots or the subdivision of not more than four new lots where no utilities, public improvements, streets or easements of access are required or created may be processed as minor subdivisions. These applications may be submitted as final plan applications.

Section 203 Final Plan

s.203.1 General The final plan shall have incorporated all changes or modifications required by the governing body, otherwise it shall conform to the preliminary plan, and it may constitute only that portion of the preliminary plan which the subdivider proposed to record and develop at the time, provided that such portion conforms with all the requirements of these regulations. The final plan shall be prepared in accordance with the requirements set forth in these regulations.

s.203.2 Preparation The final plan shall be prepared by a registered surveyor or registered professional engineer who shall not be the Township Engineer or an associate of the Township Engineer.

Certification of the survey and approval of the plan shall be in accordance with the Professional Engineers Registration Law (as amended).

Section 204 Submission of Plans

s.204.1 Preliminary Plans The subdivider shall file an application for approval with the Township Secretary with seven (7) copies of the preliminary plan and three (3) copies of all required supplemental information. The preliminary plan shall be considered officially filed after it is received by the Planning Commission during the next meeting after receipt and is found to contain all the information required in these regulations.

s.204.2 Final Plan

(a) The final plan shall be filed not later than five years after the date of approval of the preliminary plan; otherwise, it will be considered void unless an extension is requested in writing by the subdivider and for good cause approved by the governing body.

(b) The subdivider shall file seven (7) copies of the final plan with an application for approval with the Township Secretary. The final plan shall be considered officially filed after it is received by the Planning Commission during the next meeting after receipt and is found to contain all the information required in these regulations.

s.204.3 Fees At the time of filing of the Plan, whether Preliminary or Final, as specified in this Ordinance, the developer shall pay to the Township the required Plan fee as listed in the current Fee Resolution of Windsor Township.

All fees shall be payable at the time of filing in the form of a check or money order payable to Windsor Township.

No final plan shall be recorded until all fees and charges are paid in full.

Section 205 Referral of Plans

The Township Secretary shall transmit copies of the preliminary plan to the Board of Supervisors, the Planning Commission, the County Planning Commission, the Township Engineer, and to such other officials, bodies, companies and/or agencies as the Township or Planning Commission may from time to time designate, or whose approval may be necessary for a particular plan application.

Section 206 Review of Plans

s.206.1 Planning Commission Action The Planning Commission, after carefully studying the proposed plan, shall recommend to the Board of Supervisors that the proposed plan be approved, approved with modifications, or disapproved. If approval is recommended, the Commission members shall affix their signatures to the plan. If recommended for approval with modifications, the Commission may indicate such modifications on a copy of the preliminary plan and shall submit in writing a description of the desired modifications. If disapproval is recommended, the Commission shall submit in writing its reasons for such disapproval citing the specific provisions of this Ordinance or other laws or regulations relied upon.

s.206.2 Board of Supervisors Action The Board of Supervisors shall determine whether the plan shall be approved, approved with modifications, or disapproved, taking into account comments received from the Township Planning Commission, York County Planning Commission, Township Engineer, and others, and shall give notice thereof to the subdivider. If approved, the members of the Board shall sign a copy of the plan indicating that it has received approval and return it to the subdivider. Signing the plan shall constitute written notification of approval. If approved with modifications or disapproved, the Board shall attach to the plan a statement of the reasons for such action and return it to the subdivider. In any event, a notation of the action taken, and reasons therefor shall be entered into the records of the Township; and the Planning Commission and Township Engineer shall be notified in writing of such action. The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him not later than 15 days following the decision. When a plan has been disapproved, the notification to the applicant shall include specific references to the provisions of this Ordinance or other applicable laws and regulations which were the basis for the disapproval. A copy of the disapproved plan shall be kept by the Township.

s.206.3 Duration of Approval Approval of a preliminary plan shall be deemed to have lapsed unless an application for approval of the Final Plan for at least a part of the tract covered by the preliminary plan is filed within five (5) years of the date of approval of the preliminary plan or an extension is requested in writing by the subdivider and, for good cause, granted by the governing body.

Section 207 Public Hearings

Prior to action on any plan submitted for approval, the Board of Supervisors may hold a public hearing, pursuant to public notice, to gather information and comments relative to the plan.

Section 208 Effect of Preliminary Plan Approval

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 general layout, and the approximate dimensions of streets, lots, and other planned features. This approval binds the developer to the general scheme shown on the Preliminary Plan.

Approval of the Preliminary Plan shall not constitute approval of the Final Plan, nor does it authorize recording of the Preliminary Plan or the sale of any lots. However, such approval does authorize the developer to proceed with the preparation of the Final Plan, installation and construction of improvements and/or the posting of a bond guarantee as specified in this Ordinance.

Section 209 Effect of Final Plan Approval

Approval of the Final Plan by the Board of Supervisors constitutes final approval of the land development as to the character and intensity of development, the layout, and the dimensions of streets, lots and other planned features. This approval binds the developer to the scheme shown on the Final Plan.

Final Plan approval authorizes the developer to proceed with the recording of the Final Plan which must be accomplished before the developer can proceed with the sale of any lots or the construction of buildings or structures.

Section 210 Recording of Final Plan

s.210.1 The Township shall record the approved final plan in the office of the York County Recorder of Deeds within ninety (90) days after approval by the Board of Supervisors; otherwise, it shall be considered void.

s.210.2 Immediately following recordation of the final plan, the Township shall have a photostatic copy of the recorded plan prepared at the expense of the developer.

s.210.3 After a final plan has been duly recorded, the streets, parks and other public improvements shown thereon shall be considered to be a part of the official plan of the Township.

SECTION III

PLAN REQUIREMENTS

Section 301 Sketch Plan Requirements

s.301.1 Form The sketch plan shall show, in simple sketch form, the proposed layout of the development, and the relationship of the development to the area facilities.

s.301.2 Coverage The sketch plan should show all of the land intended for ultimate development, even though only a portion of the tract is to be initially developed.

s.301.3 Content of the Sketch Plan

- (a) Location map
- (b) Names of adjacent landowners or developments
- (c) Road names
- (d) North arrow
- (e) Date
- (f) Proposed lots with approximate lot dimensions
- (g) Number of lots
- (h) Intended use of lots

Section 302 Preliminary Plan Requirements

s.302.1 Form The preliminary plan shall be clearly and legibly drawn on linen or mylar. The plan shall be prepared on one or more sheets uniformly measuring 22" x 36". Plans for subdivisions of ten acres or less shall be drawn at a scale of one inch equals 50 feet or less. Plans for subdivision of over 10 acres may be drawn to a scale of one inch equals 50 feet or at a scale of one inch equals 100 feet. Substitute plan sizes or scales only as approved by the Township Engineer.

s.302.2 Coverage The preliminary plan shall show all of the land intended for ultimate development even though only a portion of the tract is to be initially developed and recorded.

s.302.3 Content of the Preliminary Plan

- (a) Proposed name of the subdivision. The name shall be easily distinguishable from other subdivisions.
- (b) Location by tax map parcel, municipality, county and state.

- (c) North point, date, and graphic scale.
- (d) A location map at a legible scale to show relationship of the subdivision to its general surroundings.
- (e) Boundaries of the subdivision indicated by a heavy line and the approximate acreage.
- (f) Location, widths, right-of-way and names of all existing or recorded streets and roads adjacent to the subdivision (unimproved roads shall be shown with dashed lines; existing utility rights-of-way, parks and public open spaces, easements and permanent buildings within or adjacent to the tract or within such close proximity of the tract as to affect the design of the subdivision, and other similar essential features of the tract.
- (g) Approximate locations of existing sanitary sewers, water mains, wells, storm drains, electric power, transmission structures, gas distribution mains, or other underground items within the tracts or immediately adjacent thereto, with directions of flow and pressure indicated.
- (h) The location of all soils testing performed, and any existing or proposed wells.
- (i) Notarized statement of ownership by the applicant or that the application is made with the owner's consent.
- (j) Names of abutting subdivision (and location of recorded plan) and owners of contiguous property together with all boundaries thereof which intersect the boundaries of the subdivision.
- (k) Existing contours at intervals of 10 feet where the average slope is greater than 10%; intervals of 5 feet where the average slope is less than 10% but more than 5%; and intervals of 1 foot where the average slope is less than 5%. Elevations are to be based on sea level datum. Reference bench marks used shall be indicated.
- (l) Layout of streets, including proposed names, rights-of-way and widths of proposed streets, crosswalks and easements. Names of streets which are not the continuation of existing streets shall not duplicate or closely approximate phonetically, the names of other streets located in the same postal district as the proposed subdivision.
- (m) The proposed layout, numbering and scaled dimensions and approximate minimum and maximum areas of lots. When lots are located on a curve or when side lot lines are not parallel, the width of the lot at the building line shall be shown. Lots shall terminate in the centerline of streets; however, lot areas are measured from the right-of-way line and not the center of the road for zoning purposes.
- (n) Parcels of land intended to be dedicated or reserved for public use or to be reserved by covenant for residents inhabiting the subdivision.

(o) Building setback lines, measured from property lines and the right-of-way line.

(p) Where the plan includes only part of the tract owned by the subdivider, the remainder or as much thereof as the Planning Commission may consider necessary to insure a satisfactory layout for the portion to be subdivided, shall be shown with a tentative street layout indicated by dashed lines.

(q) The engineer's or surveyor's name and seal or registration number.

(r) The location of all alluvial soils or flood plains designated on the official flood plain map of the Township, and any mapped or field located wetlands.

(s) A table of development data, including:

- (1) Zoning classification
- (2) Proposed use of the lots
- (3) Number of lots
- (4) Proposed covenants or restrictions
- (5) Type of water supply and wastewater disposal
- (6) Deed of Record location
- (7) Total tract area

(t) Signature provisions for indication of:

- (1) Recommendation for approval by Township Planning Commission
- 5 lines
- (2) Recommendation for approval by Township Engineer - 1 line
- (3) Approval by Township Board of Supervisors - 3 lines
- (4) Reviewed by the York County Planning Commission

Section 303 Final Plan Requirements

In the case where a final plan is preceded by a preliminary plan, the final plan shall conform in all important details with the previously approved preliminary plan. Where no preliminary plan was submitted, the final plan shall reflect all requirements of Section 302 and 303.

s.303.1 Form The final plan shall be clearly and legibly drawn on linen or mylar. The plan shall be prepared on one or more sheets uniformly measuring 22" x 36". Plans for subdivisions of ten acres or less shall be drawn at a scale of one inch equals 50 feet or less. Plans for subdivisions of over 10 acres may be drawn to a scale of one inch equals 50 feet or at a scale of one inch equals 100 feet. Substitute plan sizes or scales only as approved by the Township Engineer.

s.303.2 Contents of the Final Plan

(a) Proposed name of the subdivision. The name shall be easily distinguishable from other subdivisions.

(b) Location by tax map parcel, municipality, county, and state.

(c) North point, date, and graphic scale.

(d) A location map at a legible scale to show the relationship of the subdivision to its general surroundings.

(e) Names and addresses of the subdivider and the registered surveyor or registered engineer who prepared the plan.

(f) Boundary of subdivision shown in a heavy line with length of courses in feet and hundredths and bearings to not more than half minutes.

(g) Bearings and distances to the nearest established street lines, section corners or other recognized permanent monuments, which shall be accurately described on the plan. Subdivisions abutting state highways shall be referenced to right-of-way lines of such highways.

(h) Exact locations, widths, rights-of-way and names of all streets and all crosswalks within the subdivision.

(i) Complete curve data for all curves included in the plan.

(j) All easements being provided for services or utilities in the subdivision and any limitations placed on the use of such easements.

(k) Accurate outlines of any lot or areas to be reserved or dedicated for common use by residents of the subdivision, or for general public use, with the purpose indicated thereon.

(l) Building setback lines, shown graphically with dimensions measured from the right-of-way line or property lines.

(m) Lot numbers and lines, with accurate bearings and dimensions thereof, including lengths of arcs and radii, and including the bearings and dimensions of ties to adjacent blocks or property.

(n) Accurate location, size, type, and material of all monuments and lot markers, and an indication as to whether they have been placed in the field.

(o) A table of development data, including:

- (1) Zoning classification
- (2) Proposed use of the lots
- (3) Number of lots
- (4) Proposed covenants or restrictions
- (5) Type of water supply and wastewater disposal
- (6) Deed of record location

(p) Signature provisions for indication of:

- (1) Recommendation for approval by Township Planning Commission
- 5 lines
- (2) Recommendation for approval by Township Engineer - 1 line
- (3) Approval by Township Board of Supervisors - 3 lines
- (4) Reviewed by York County Planning Commission

Section 304 Supplementary Information (As Applicable for Both Preliminary and Final Plans)

(a) Complete final construction plans, profile and typical cross sections for all installed or proposed new streets.

(b) Complete final construction plans and profiles of installed or proposed public sanitary sewage disposal systems and storm drains, with grades and pipe sizes.

(c) Complete final construction plans of installed or proposed public water distribution systems showing pipe sizes and locations of valves and fire hydrants, if any, unless private wells are to be used.

(d) In cases where bond is to be provided in lieu of completed improvements, the subdivider shall be required to submit an itemized estimate of the cost of all improvements required to be installed.

(e) Evidence in the form required by the Township of arrangements that have been made with private utility companies or other agencies for supplying every lot in the subdivision with gas, electricity, water and sewage disposal.

(f) A properly executed application on a form provided by the Township.

(g) A list of all restrictions and covenants, if any, the developer intends to place in the deeds to the lots in the subdivision. If no such restrictions or covenants are to be imposed, a statement to that effect shall be included.

(h) If any zoning change, variance, or special exception is involved, certification from the Zoning Officer shall be required indicating that the change has been approved and is in effect.

(i) Planning modules for Land Development for approval by the Township Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Resources.

(j) Stormwater Management Report and Soil Erosion and Sedimentation Control.

Section 305 Offers of Dedication

The final responsibility for the installation of the improvements required by this Ordinance lie with the Subdivider. Upon installation of these improvements by the Subdivider, and subsequent inspection by the Township Engineer, the Subdivider shall take final steps to dedicate these improvements and have them accepted by Windsor Township.

No dedication shall be deemed to have been accepted by the Township until formally accepted by resolution of the governing body and the deed of dedication is recorded in the County Recorder's Office.

Article IV

DESIGN STANDARDS

Section 401 Application of Standards

The following land development principles, standards and requirements will be applied by Windsor Township in evaluating plans for proposed land development.

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

Section 402 Location of Site

All land development plans must reflect a location which has given consideration to the following factors:

(a) Land subject to hazards of life, health, or property as may arise from fire, floods, disease, excessive noise, falling aircraft, hazardous waste, or considered uninhabitable for other reasons may not be developed unless the hazards have been removed or the plans show adequate safeguards against them.

(b) A land development must be coordinated with existing land development in the neighborhood so that entire area may be developed harmoniously.

(c) All streets shown on plans shall be of sufficient width and proper grade and shall be so located as to accommodate the probable volume of traffic thereon, facilitate fire protection, and provide a coordinated system of streets conforming to the Township Comprehensive Plan.

Section 403 General Design Standards

In the layout of any land development, attention must be focused on conditions which can affect development. These can include the following:

(a) In all land developments, developers shall preserve trees, groves, waterways, scenic points, historic spots and other community assets and landmarks on the basis of Township determination.

(b) Land subject to flooding or other hazards to life, health, or property and land deemed to be topographically unsuitable shall not be planned for residential occupancy or for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the land development plans. Such land within the development shall be set aside on the plan for uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

All development within areas mapped on the basis of Flood Insurance Study prepared by the Federal Emergency Management Agency, latest revision, shall be only developed in strict accordance with the Flood Plain Ordinance requirements of the Township Building Permit Ordinance.

Section 404 Lots and Lot Sizes

(a) Lots and lot sizes shall be in accordance with the Windsor Township Zoning Ordinance, latest revision.

(b) All side lines of lots shall be at approximate right angles to straight street lines and radial to curved street lines except where a variation to this rule will provide a better street and lot layout. Lots with double frontage shall be avoided except where required due to access prohibitions on to arterial roadways.

(c) Every lot shall abut on a street, except that one residential lot may be provided direct access to a public street by a fifty (50') foot wide private roadway.

(d) In no case shall a subdivision, whether done individually or in a single application, be permitted to have more than four (4) lots fronting directly on any Township road or State roads.

(e) Lot lines shall extend to the centerline of abutting streets. Lot area shall be exclusive of street right-of-way areas.

Section 405 Roadway Design and Traffic Impact

(a) In general, all streets shall be continuous and in alignment with existing streets and shall compose a convenient system to insure circulation of vehicular and pedestrian traffic, with the exception that minor streets shall be laid out including the use of loop streets, so that their use by through traffic will be discouraged. A minimum of two (2) points of ingress and egress to existing public streets shall be provided, except for cul-de-sac streets. Dead end streets are prohibited unless constructed in accordance with Section 405(c).

(b) Streets shall be logically related to the topography so as to produce useable lots and reasonable grades. Wherever possible, streets should be laid out with a general east-west orientation to provide all lots with a southbound exposure and encourage energy conserving building designs.

(c) Where adjoining tracts are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets. Where a new subdivision adjoins unsubdivided land susceptible of being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided with a temporary cul-de-sac constructed in conformance to S.502.2(b) and S.502.5(b).

(d) Streets shall be laid out to intersect as nearly as possible at right angles; in any event, no street shall intersect another at less than 60 degrees. Intersections of more than two streets shall be avoided. Where this proves impossible, such intersections shall be designed with care for safety and suitable curbs, barriers, signs and other devices may be required. Streets entering opposite sides of another street shall be laid out directly opposite one another.

(e) Clear sight triangles shall measure a minimum distance of 75 feet along street centerlines from their point of junction at all intersections; no structure or other obstructions to vision shall be permitted. On intersections with arterial streets, the minimum distance shall be 150 feet along any arterial street centerline and 75 feet along centerlines of lesser streets.

(f) Driveways.

(1) The number of access drives may not exceed two per lot on a street frontage.

(2) An access drive may not cross a street right-of-way line:

a. Within 40 feet of the right-of-way line of an intersecting street on the same side of the street;

b. Within five feet of a fire hydrant;

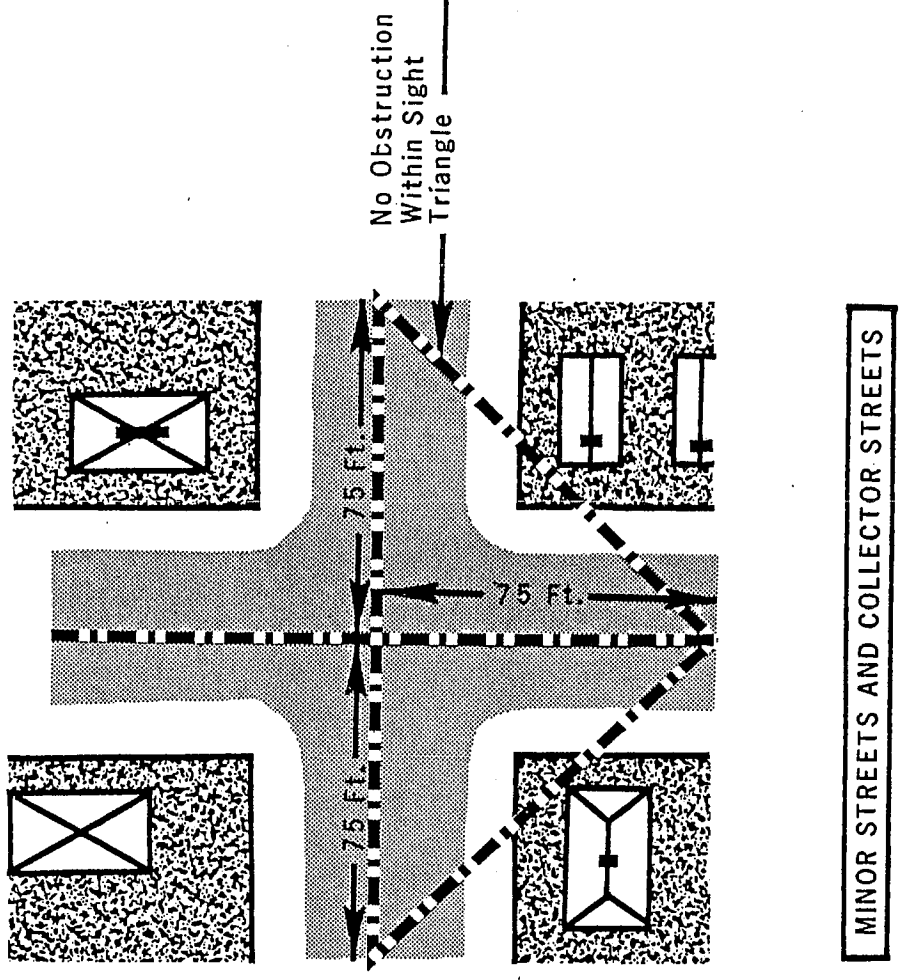
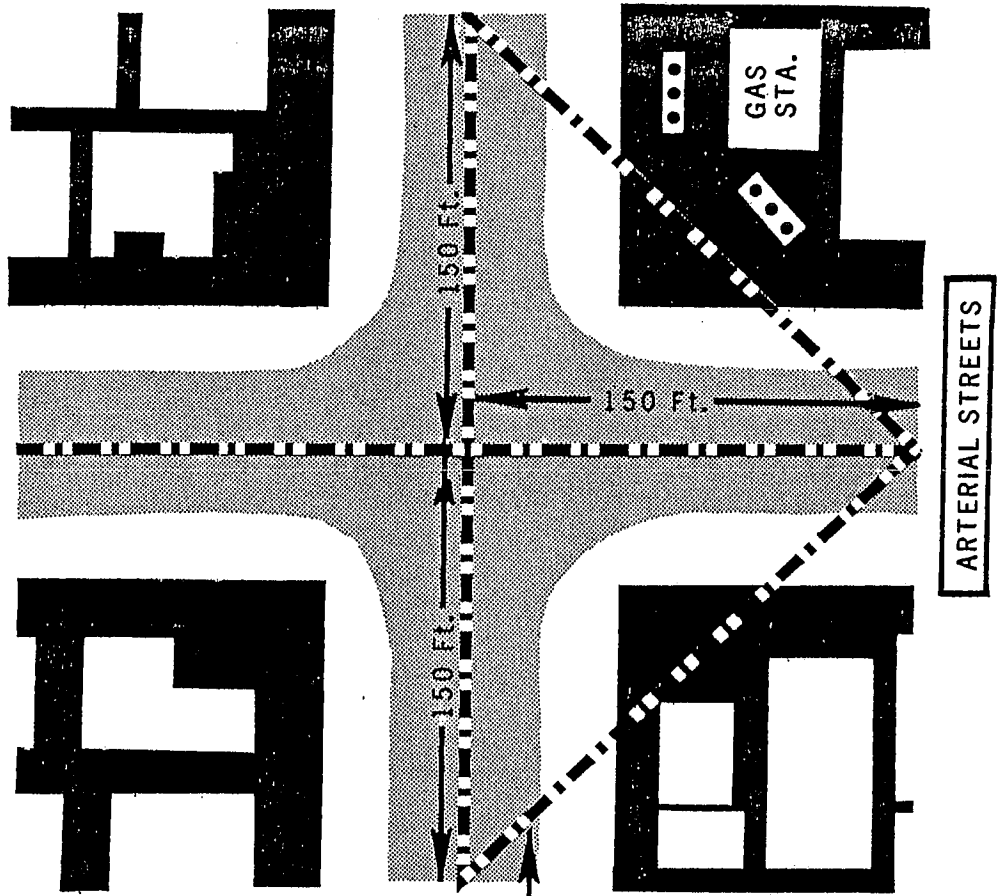
c. Within 20 feet of another access drive on the same property;

d. Within 2 feet of the property line;

e. Driveways accessing a State Highway are allowed only by virtue of a permit issued by the Pennsylvania Department of Transportation, and no development plan will be approved without such permit, or a note on the plan to that effect.

(3) An access drive must be located in safe relationship to sight distance and barriers to vision. The drive may not exceed a slope of seven percent within 15 feet of the street right-of-way line. Where a drive enters a bank through a cut, the shoulders of the cut may not exceed 50 percent in slope within 25 feet of the point the drive intersects the right-of-way.

(4) A clear sight triangle in conformance with Section 405(e) shall be provided for driveways, and reflected on the plan.



INTERSECTION SIGHT DISTANCE

Proper sight lines must be maintained at all Street Intersections. Measured along the center line, there must be a clear sight triangle of seventy-five (75) feet (150 feet for Arterial Streets) from the point of intersection; no building or obstruction is permitted in this area.

Section 406 Wastewater Disposal

s.406.1 Public Sanitary Sewers When a person proposes to develop and/or subdivide any land within the Township and such land or any portion of it lies within a distance of 1000 feet from an existing sewage collection line, and/or such collection line is proposed by the Township to be constructed within six (6) years, such person shall install such public sanitary sewer facilities at his own expense with his own forces or under separate contract provided that he first applies for and obtains written authorization from the Township to proceed with such construction, all in conformity with approved plans and specifications, and all other conditions, ordinances, and provisions of this Township and the necessary permits from the Pennsylvania Department of Environmental Resources.

s.406.2 On-Lot Sewage Disposal System The use of on-lot sewage disposal systems is governed by regulations of the Pennsylvania Department of Environmental Resources (PennDER), enforced by the Township Sewage Enforcement Officer (SEO).

Prior to the approval of any plan showing on-lot sewage disposal system, the developer shall have tested soils on each lot to determine the suitability for such systems, and shall have secured the approval of the Township SEO and/or PennDER, through the use of Planning Modules for Land Development.

s.406.3 All proposals for wastewater disposal are subject to PennDER approval of Planning Modules for Land Development.

s.406.4 All wastewater disposal shall be in accordance with the Township Act 537 Plan, latest revision.

Section 407 Water Supply

s.407.1 Public Water Supply When a person proposes to develop and/or subdivide any land within the Township and such land or any portion of it lies within a distance of 1,000 feet from an existing water service line, such person shall install, connect and service with public water, in accord with the regulations of the public water system, all the lots situate in the said subdivision, at the sole expense of the person proposing the subdivision.

The distance as set forth above requiring connection shall be measured from the terminus of the existing water main in and along the right-of-way of the public road or street which passes the nearest point of the proposed lot or tract to be subdivided.

s.407.2 Fire Hydrants In all subdivisions where public water is provided, fire hydrants shall be installed. Every lot in the subdivision shall be within 600 feet of a fire hydrant.

s.407.3 Individual Water Supply

(a) Individual private wells shall be located at least 25 feet from property lines; 50 feet from all septic tanks; 100 feet from all sewage disposal fields and other sewage disposal facilities; 10 feet from all sewer lines; and shall not be located within any flood plain.

(b) As a precaution against seepage, a watertight seal shall be provided around the pump mounting.

(c) All abandoned wells shall be sealed in a manner that will render them watertight.

(d) In all cases where it has been determined that individual water supplied from private wells is not feasible, a public water distribution system will be required.

Section 408 Stormwater Management

All land development proposals shall conform to the Windsor Township Stormwater Management Ordinance, latest revision.

Section 409 Floodplain Management

All land development proposals shall conform to floodplain regulations contained in the Windsor Township Building Permit Ordinance, latest revision.

Section 410 Other Utilities and Required Improvements

s.410.1 Every lot in a subdivision shall be capable of being served by utilities, and easements acceptable to the utility companies shall be provided.

s.410.2 Electric, gas, and other utility distribution lines shall be installed underground within public rights-of-way or within properly designated easements, in accordance with PUC regulations.

s.410.3 Whenever possible, underground utility lines located within street rights-of-way shall not be installed beneath existing or proposed paved areas.

s.410.4 Trees shall be planted along proposed streets, minimum one (1) per lot. Care should be taken not to interfere with underground and overhead utility lines. The species of trees shall be subject to the approval of the Township.

s.410.5 Street lights shall be provided, high-pressure sodium type, with plug in photocell, on 14' aluminum poles, at spacing approved by the Board of Supervisors. Where approved by the Board, individual driveway post lights located midway between the street line and house front may be substituted for street lights.

Section 411 Recreation

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 Recreation Plan.

s.411.02 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.

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.

s.411.03 The amount of land to be dedicated in each development shall be determined by setting aside .02 acre per lot/dwelling unit as determined on the final subdivision plan.

s.411.04 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.

s.411.05 If it is determined that the land proposed for dedication is acceptable, the Township of Windsor 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."

s.411.06 The Township of Windsor shall be responsible for maintaining all dedicated and accepted areas.

s.411.07 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. If a fee is required, it shall be as determined by the Board of Supervisors in an appropriate resolution based upon the valuation of the equitable land area required in S.411.03.

The fee shall be paid prior to the granting of final approval for the subdivision. 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.

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.

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 412 Easements

Easements of appropriate width shall be provided on each side of all rear lot lines and long side lot lines, for poles, wires, conduits, and mains. Easements may also be required along or across lots where engineering design or special conditions may necessitate the installation of utility lines outside public rights-of-way. The width of such easements shall conform to requirements as determined by the authorities having jurisdiction, minimum 20 feet for public utilities.

Section 413 Permits

The developer of the land development proposal is responsible to secure all necessary permits and approvals required for his development. These may include:

(a) Township Permits

- (1) Building permits
- (2) Sewer Connection Permit

(b) State Permits

- (1) Department of Environmental Resources
- (2) Department of Transportation
- (3) Department of Labor and Industry

(c) Federal Permits

- (1) U.S. Army Corps of Engineers

Article V

IMPROVEMENTS, STANDARDS

Section 501 General

Prior to the granting of final approval, the subdivider shall have installed or shall have furnished adequate bond to cover the cost of installing the improvements listed and described in the sections of this Ordinance. All of the required improvements shall be made in full compliance with the specifications for each of the various units of work, as required by the governmental authority having jurisdiction. Specifications of this Article shall be met whether or not the applicant intends to offer the streets for dedication to the Township. Further, all requirements pertaining to materials and placement shall be met regardless of the intended disposition of the street.

When requested by the developer, in order to facilitate financing, the Board shall furnish the developer with an adopted resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days unless a written extension is granted by the Board. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

Section 502 Roadway

s.502.1 Grading

- (a) The entire width of the right-of-way of each street in a proposed subdivision shall be graded and suitably prepared for the installation of paving, drainage structures, curbs, gutters and sidewalks in accordance with the appropriate standards for the class of street.
- (b) The subgrade shall be free of sod, vegetative matter, or other similar material. Where poor subsurface drainage conditions exist, adequate drainage shall be installed.

s.502.2 Cartway

- (a) The width of pavement will vary, depending upon the character of the development served and the amount of traffic expected to utilize the street. The following are the minimum street pavement widths:

<u>Type of Street</u>	<u>Minimum Pavement Width</u>
Arterial Highways and Major Streets, Four Lanes	48'
Arterial Highways, Two Lanes	36'
Collector Streets	32'
Minor Streets and Roads	28'

(b) The roadway shall be constructed in accordance with the following specifications and standards:

Subbase: Existing material if approved by Township Engineer; if not approvable, 6" No. 2A crushed aggregate.

Base: Minimum 8" thick when compacted PA DOT #1 screened in place.

Binder: Minimum 1-1/2" thick where compacted ID-2 binder material.

Wearing: Minimum 1" thick where compacted ID-2 wearing material.

s.502.3 Street Grades

(a) Profiles. No street grade shall be less than one (1) percent and shall not exceed the following with due allowance for reasonable vertical curves:

Collector Streets	7%
Minor Streets and Alleys	10%

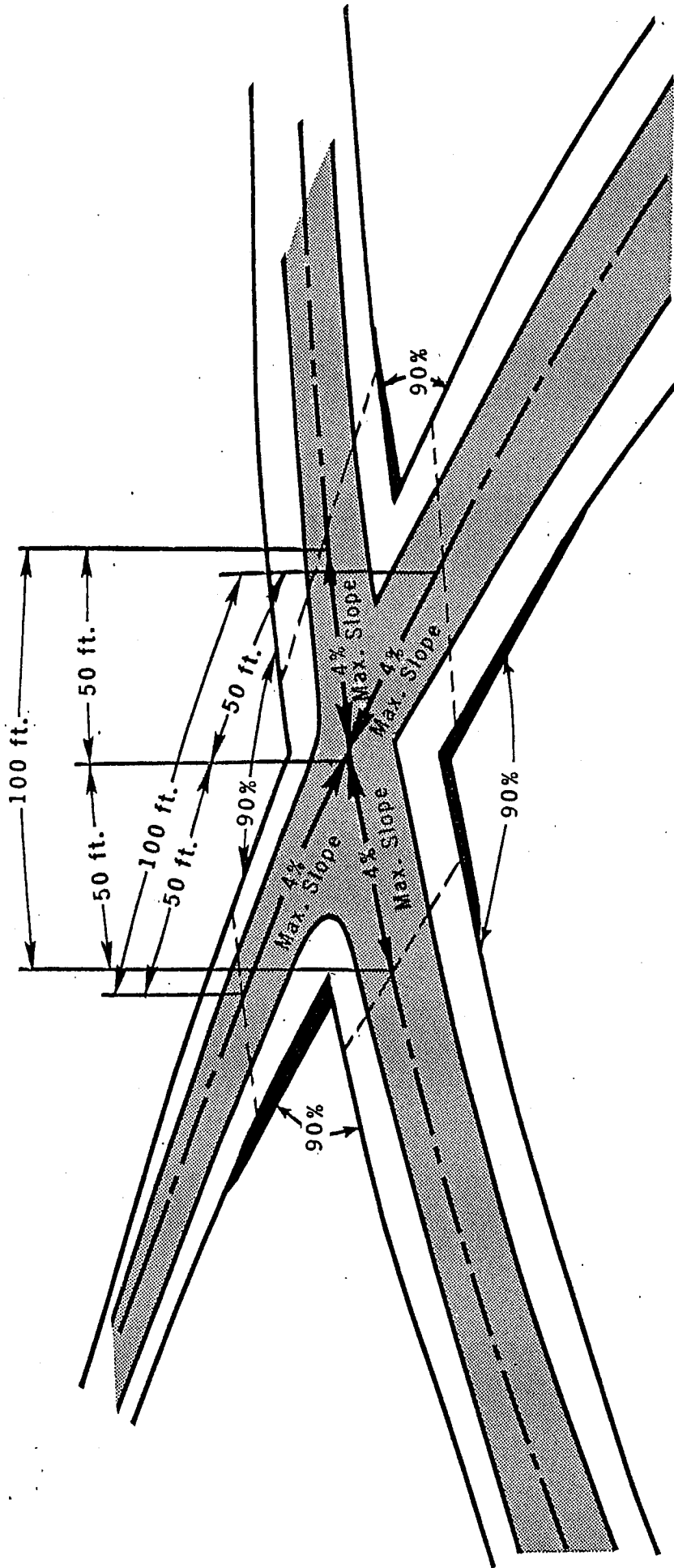
Minor streets may have a grade not to exceed 12 percent for a distance of not more than 500 feet.

No street shall have a grade exceeding four (4) percent within 50 feet of the street centerline of any intersecting street.

(b) Cross Section. The cross gradients of streets shall be not less than 2.0 percent (1/4"/ft.) from the crown (centerline) to gutter line.

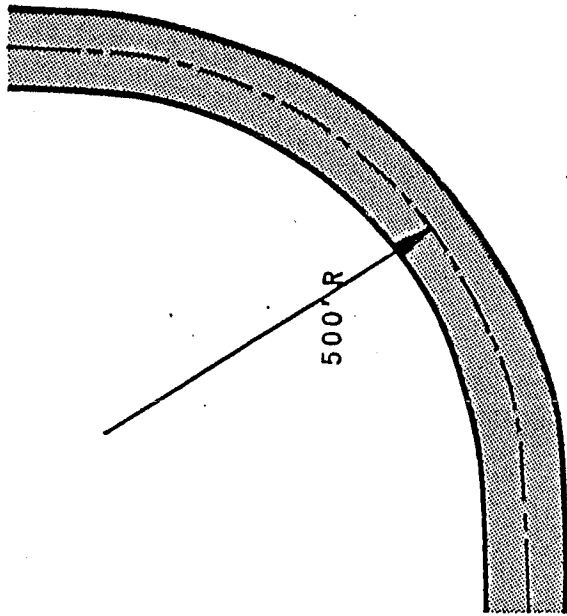
s.502.4 Horizontal and Vertical Curve Design

(a) Vertical Curves in Profile Design. For arterial streets, profile grades shall be connected by vertical curves of a minimum length equivalent to 20 times the algebraic difference between the rates of grade, expressed in feet per hundred. Collectors, minor streets, and alleys shall have profile grades connected by vertical curves equal in length to 15 times the stated algebraic difference.

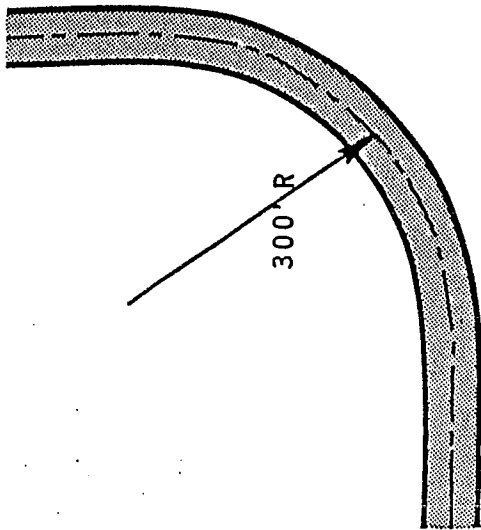


INTERSECTION GRADES

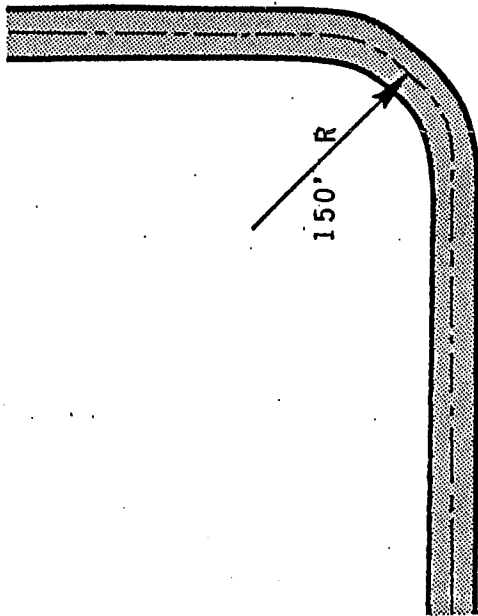
Intersections must be approached on all sides by level area. These level areas must have a minimum length of fifty (50) feet (measured from the intersection of the center lines) within which no grade shall exceed a maximum of four percent (4%).



ARTERIAL
STREETS



COLLECTOR
STREETS



LOCAL
STREETS

CURVES -- MINIMUM RADII

The minimum radius at the centerline for curves must be as follows:

Type of Street	Minimum Radius
Arterial	500 Feet
Collector	300 Feet
Local	150 Feet

(b) Horizontal curvatures shall conform to the following centerline radii:

Arterial Highways and Major Streets	500'
Collector Streets	300'
Minor Streets	150'

A minimum 100' tangent shall be introduced between reverse curves on all streets.

(c) Visibility Requirements.

(1) Minimum vertical visibility (measured 4-1/2 feet eye level to tail-lights 18" above ground level).

Arterial Highways and Major Streets	400'
Collectors and Minor Streets	200'
Streets Shorter than 500 Feet	100'

(2) Minimum horizontal visibility, measured on centerline, shall be:

Arterial Highways and Major Streets	400'
Collector Streets	200'
All Other Streets	100'

s.502.5 Street Widths

(a) The minimum right-of-way widths for streets and alleys are as follows:

<u>Type of Street or Way</u>	<u>Minimum Right-of-Way Width</u>
Arterial Highways and Major Streets	80' - 120'*
Collector Streets	60'
Minor Streets	50'

*As specified by the Comprehensive Plan or as determined by the Township.

(b) Cul-de-Sacs. Each cul-de-sac shall be provided with a turnaround having a minimum right-of-way radius of 75 feet. The outside of the road surface within the turnaround right-of-way shall have a minimum radius of 50 feet. The maximum length of any cul-de-sac shall be 500 feet, from centerline of turnaround to intersection of street rights-of-way when constructed as cul-de-sacs.

s.502.6 Shoulders and Embankments

(a) Street shoulders shall be constructed to the width specified by the Township Engineer.

- (b) Street shoulders shall be constructed with suitable materials from roadway or structure excavation supplemented by additional suitable material, if directed, from borrow excavation. The entire shoulder area shall be uniformly and thoroughly compacted by rolling and must be level with the tops of curbs as directed by the Township Engineer.
- (c) Embankments at the sides of streets and cross sections of drainage ditches shall not exceed a maximum slope of one foot horizontally to one foot vertically in a cut section and one and one-half feet horizontally to one foot vertically in a fill section; in special cases, the Township Engineer may require more rigid standards.
- (d) Fills along or changes to embankments, dams, drainageways, channels, streams or water bodies, shall be in accordance with the regulations of the Pennsylvania Department of Environmental Resources and applicable permits required.
- (e) Where bridges, dams and/or other structures are proposed to be placed on streams or other natural waterways and the flow of water will be diverted or impeded in any manner, approval for such actions and/or structures shall be obtained from DER, Division of Dams and Encroachments, prior to construction.

s.502.7 Curbs and Gutters

- (a) Concrete curbs shall be required on all streets designed to serve developments in the residential and commercial zones and other areas where the proposed average lot area is 15,000 square feet or less.
- (b) Minimum curb or pavement edge radii at street intersections shall be 30 feet.
- (c) Where curbs are not required, adequate gutters shall be graded and protected by seeding or appropriate surfacing.
- (d) Curbs may be of the straight type, slant type, or may be combined with gutters built of concrete. Curbs, combined curbs and gutters, and graded gutters shall be constructed in accordance with the specifications and standards as adopted by the Township.

s.502.8 Walls, Slopes, and Traffic Guards

- (a) Where the grade of the street is above or below the grade of the adjacent land, walls or slopes shall be constructed in a manner satisfactory to the Engineer and shall be sufficient to support the street or the adjacent land, as the case may be.
- (b) Where the grade of the street is three feet or more above the grade of the adjacent land, guards shall be built to protect travel if required by the Engineer.

s.502.9 Street Name Signs Four-way street name signs of a design approved by the governing body shall be installed at each street intersection by the subdivider at his own expense. The developer shall be responsible for the installation of all traffic control signs identified by the Township at the time of final plan approval.

s.502.10 Sidewalks Concrete sidewalks having a minimum width of four feet and having minimum thickness of four inches shall be installed along both sides of streets in the residential and commercial zones. In other instances, the Township may require such sidewalks as it deems necessary to provide for the safety of pedestrians.

Section 503 Lot Markers

s.503.1 Specifications Monuments and markers must be constructed as follows:

	<u>Material</u>	<u>Minimum Size</u>
Monument	concrete or stone	6" x 6" x 30"
Marker	iron pipes or iron or steel bars	1/2" x 15"

s.503.2 Placement and Marking Monuments and markers must be placed by a Registered engineer or Surveyor so 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.

s.503.3 Location of Monuments Monuments must be set:

At the intersection of lines forming angles in the boundaries of the development.

s.503.4 Location of Markers Markers must be set:

At the beginning and ending of curves along street property lines.
At points where lot lines intersect curves either front or rear.
At angles in property lines of lots.
At all other lot corners.

s.503.5 Removal Any monuments or markers that are removed must be replaced by a Registered Engineer or Surveyor at the expense of the person removing them.

Section 504 Wastewater Disposal

s.504.1 On-lot Disposal All on-site wastewater disposal facilities, that were approved by the Township Board of Supervisors, shall be constructed in accordance with the current rules and regulations of the Department of Environmental Resources, appropriate chapters. Construction of an on-lot system may only be initiated upon receipt of a valid approval by the Township Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Resources, and only after issuance of a permit to construct the system by the Township Sewage Enforcement Officer.

s.504.2 Community/Public Wastewater Disposal All community wastewater conveyance and treatment systems or public facilities shall be constructed in accordance with the applicable rules and regulations of the Pennsylvania Department of Environmental Resources and the Construction Materials Standards of the Windsor Township Municipal Authority. Approval of the wastewater design by the Windsor Township Municipal Authority shall be secured prior to final approval of the subdivision plan by the Board of Supervisors.

Section 505 Water Supply

s.505.1 On-Lot - Water Supply by on-site wells, where approved by the Township Supervisors, shall be in accordance with appropriate regulations of the Pennsylvania Department of Environmental Resources.

s.505.2 Public Water Supply Any proposal to utilize existing public water supply to serve the proposed development shall require the approval by the owner of the public utility being extended prior to final approval of the subdivision plan by the Board of Supervisors.

Section 506 Stormwater Management

Stormwater management and soil erosion and sedimentation control facilities required under Section 408 of this ordinance shall be constructed in accordance with the appropriate design standards of the U.S. Department of Agriculture, Soil Conservation Service. Approval of the Soil Erosion and Sedimentation Control Plan by the York County Conservation District is required prior to construction of any improvements.

Article VI

MOBILEHOME PARK REGULATIONS

Section 601 Permits Required

It shall be unlawful for any person to maintain, construct, alter, or extend any mobilehome park within the limits of the Township, unless he holds a valid certificate of registration, if applicable, issued by the Pennsylvania Department of Environmental Resources in the name of such person and also a permit issued by the Township.

Section 602 Application for Initial Mobilehome Park Permit

Application for a mobilehome park permit shall follow the requirements and procedures as established in Article II of this Ordinance.

Section 603 Renewal Permits

Renewal permits shall be issued annually by the Board of Supervisors upon the furnishing of proof by the applicant that his park continues to meet the standards prescribed by the Pennsylvania Department of Environmental Resources, if applicable, and this Ordinance.

s.603.1 A building inspector or other Township officer may inspect a mobilehome park at reasonable intervals and at reasonable times to determine compliance with this Ordinance.

s.603.2 The permit shall be conspicuously posted in the office or on the premises of the mobilehome park at all times.

Section 604 Compliance of Existing Mobilehome Parks

Mobilehome parks in existence at the date of adoption of this Ordinance and being duly authorized to operate as same by the Department of Environmental Resources may be continued so long as they otherwise remain lawful.

s.604.1 Existing mobilehome parks shall be required to submit an existing lot plan, drawn to scale, when applying for a mobilehome park permit as required under this Ordinance.

s.604.2 Any subsequent new construction, alteration or extension of an existing mobilehome park shall comply with the provisions of this Ordinance.

s.604.3 Any existing mobilehome park which in the opinion of the Board of Supervisors creates a fire, safety or health hazard shall be required to comply with the provisions of this Ordinance within a reasonable period of time as determined by the Board.

Section 605 Individual Mobilehomes

Individual mobilehomes not located in a mobilehome park shall not be required to obtain a mobilehome permit; however, they shall be required to obtain a building permit. Individual mobilehomes shall comply with all other applicable Township ordinances and regulations that govern single-family homes.

Section 606 Fees

The initial permit fee for each mobilehome park and the annual renewal permit fee for each mobilehome park shall be established by resolution by the Board of Supervisors.

Section 607 Site Requirements

s.607.1 Proposed site locations shall be subject to approval or disapproval on the basis of the impact of the proposed park on existing neighboring uses, public utilities and transportation facilities.

s.607.2 The minimum size requirement for mobilehome parks shall be 10 acres.

Section 608 Areas for Non-Residential Use

No part of any park shall be used for non-residential purposes except such uses that are required for direct servicing and recreation for the residents of the park and for the management and maintenance of the park.

Section 609 Mobilehome Spaces

s.609.1 Mobilehome spaces within the park shall have a minimum gross area of five thousand (5,000) square feet.

s.609.2 The area of the mobilehome spaces shall be improved to provide an adequate foundation for the placement of the mobilehome. The mobilehome space shall be designed so as not to heave, shift or settle unevenly under the weight of the mobilehome because of frost action, inadequate drainage, vibration, or other forces acting on the superstructure. Each space shall have adequate anchorings for tie-downs to prevent mobilehomes being upset or shifted on the space by high winds.

Section 610 Required Setbacks, Buffer Strips and Screening

s.610.1 All mobilehomes 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.

s.610.2 There shall be a minimum distance of 15 feet between an individual mobilehome (including accessory structures attached thereto) and adjoining pavement of a park street, or common parking area or other common areas.

s.610.3 All mobilehome parks shall be required to provide an attractive visual screen along the boundary of the mobilehome park.

Section 611 Erection and Placement of Mobilehomes

s.611.1 Mobilehomes shall be separated from each other and from service buildings and other structures by at least 30 feet.

s.611.2 An accessory structure, which has a horizontal area exceeding 25 square feet, is attached to a mobilehome and/or located within 10 feet of its window and has an opaque or translucent top or roof that is higher than such window shall, for the purpose of this separation requirement, be considered to be part of the mobilehome.

s.611.3 An enclosure of compatible design and materials shall be erected around the base of each mobilehome. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

Section 612 Proposed Street System

s.612.1 All streets to be offered for public dedication will conform to laws of the Commonwealth, Article V of this Ordinance, and any applicable Township Ordinances and specifications.

s.612.2 All streets within mobilehome parks whether offered for public dedication or not shall conform to the following standards:

(a) General Requirements: A minimum of two (2) safe convenient vehicular access points shall be provided from abutting public streets or roads.

(b) Access: The entrance roads connecting the park streets with a public street or road shall have a minimum cartway width of 28 feet. Wherever a street intersects a public street, a stop sign in conformity with Township regulations shall be installed and maintained. Clear sight triangles in accordance with Section 405(e) shall be provided.

(c) Internal Streets: Roadways shall be of adequate width to accommodate anticipated traffic. At the discretion of the Board of Supervisors, the cartway requirements of Article V, Section 502.2, may be revised to the following minimum requirements:

1. A minimum right-of-way of 40 feet and a minimum cartway width of 30 feet will be required.
2. Dead-end streets shall conform to Section 502.5(b).

(d) Required Illumination of Park and Street Systems: All parks shall be furnished with illumination for the safe movement of pedestrians and vehicles at night.

(e) Paving: All streets not to be dedicated for public use shall be provided with a smooth, hard and dust-free surface such as asphalt or macadam which shall be durable and well-drained under normal use and weather conditions.

Section 613 Parking Areas

Required car parking spaces shall be so located as to provide convenient access to the mobilehome, but shall not exceed a distance of 100 feet from the mobilehome that it is intended to serve.

Section 614 Walks

s.614.1 All walks shall provide safe, convenient all-season pedestrian access of adequate width for intended use, durable and convenient to maintain, between individual mobilehomes, the park streets, and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.

s.614.2 Common Walk System. Where a common walk system is provided and maintained between locations, and where pedestrian traffic is concentrated, such walks shall have a minimum width of three and one-half (3-1/2) feet.

s.614.3 Individual Walks. All mobilehome spaces shall be connected to common walks, or to streets, or to driveways or parking spaces connecting to a street. Such individual walks shall have a minimum width of two (2) feet.

Section 615 Open Space Requirements

s.615.1 All mobilehome parks shall provide and so indicate on the plan of the mobilehome park, suitable areas for recreation and open space uses by using the standard of 20 percent of the total land area of the mobilehome park of which one-half of the area shall be in one place. The remainder may be used to provide pedestrian connecting links to the recreation areas.

(a) The recreation and open space shall be located as centrally as possible within the mobilehome park in order to be easily accessible to the residents of the mobilehome park.

(b) The open space shall be landscaped with a water absorbent surface except for recreational facilities and walkways utilizing a hard surface.

(c) The open space must be maintained by a mobilehome park operator or the open space can be dedicated to the Township provided the Township is willing to accept and maintain the open space.

Section 616 Revocation of Permit

Whenever, upon inspection of any mobilehome park, it is determined that conditions or practices exist which are in violation of any provision of this Ordinance, or any regulations adopted pursuant thereto, the Board of Supervisors, or appropriate officer, shall give notice in writing to the person to whom the permit was issued, such notice to consist of a listing of the violated paragraphs of this Ordinance and shall advise them that unless such conditions or practices are corrected within a period of time specified in the notice, the permit to operate will be suspended. At the end of such period, said mobilehome park shall be reinspected and, if such conditions or practices have not been corrected, the Board of Supervisors shall suspend the permit and give notice in writing of such suspension to the person to whom the permit is issued.

Article VII

DEFINITIONS

Section 701 Intent

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning given herein:

Section 702 General Usage

(a) Words used in the present tense imply also the future tense.

(b) Words used in the singular imply the plural.

(c) The word "person" includes a partnership, corporation or other legal entity as well as an individual.

(c) The work "shall" is to be interpreted as mandatory; the word "may" as directory and complied with unless waived.

Section 703 Specific Words and Phrases

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.

Agricultural Purposes - The use of land for farming, dairying, pasturage, apiculture, horticulture, viticulture or animal or poultry husbandry including the necessary accessory uses for packing, treating, or storing produce and equipment or housing and feeding the animals and/or the use of dwellings for families headed by a fulltime farm worker. Includes land devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the Federal Government.

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

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 Board of Supervisors, Windsor Township, York County, Pennsylvania.

Building - Any structure or part hereof, affixed to the land; any structure or ediface designed or intended for use as an enclosure, a shelter, or for protection of persons, animals or property.

Building Line, Front; Building Setback Line - The line nearest the front of and across a lot establishing the minimum distance to be provided between the front line of buildings and the right-of-way line of the fronting street.

Cartway - The improved, travelled portion of a street.

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.

Commission; Planning Commission - The Planning Commission of Windsor Township, York County, Pennsylvania.

Completion Guarantee - A surety bond, irrevocable letter of credit, certified check and an agreement to the effect that the subdivider will install required improvements.

County - York County, Pennsylvania.

Cross Walk - A right-of-way which cuts across a block to furnish access from pedestrians to adjacent streets or properties.

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

Curb Easement - A grant by the owner of land for the use of all or a portion of such by others, including the public, for a specified purpose or purposes.

Curb Line - The outside edge of the cartway.

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.

Driveway - A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

Dwelling Unit - A building or portion thereof arranged or designed for occupancy by not more than one family for living purposes and having cooking facilities.

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

Final Plat - The final plan of a subdivision which is submitted for approval by the Board and which, if approved, will be filed with the County Recorder of Deeds.

Frontage - The horizontal or curvilinear distance along the building setback line upon which a lot abuts, except that the minimum lot width at the street line can be no less than 50% of the required lot width.

Governing Body - The Board of Township Supervisors, Windsor Township, York County, Pennsylvania.

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, and monuments.

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.

Lot - A parcel of land considered as a unit (1) for a principal use and/or (2) from the standpoint of ownership. It may be vacant, devoted to a certain use, occupied by a structure or occupied by a group of structures that are united by a common interest or use.

Lot Area - The area contained within the property lines of an individual lot, excluding any area within a street right-of-way, but including the area of any easement.

Lot Width - The distance between the side property lines measured along the building setback line.

Master Plan - The Comprehensive Plan (which may consist of several maps, data, etc.) or any portion thereof, made and adopted by the York County Planning Commission or the Township Planning Commission, which shows the location and extent of physical facilities including major streets and main thoroughfares, parks, schools and other public open spaces, and public building sites.

Mediation - A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

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

Mobilehome Lot - A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereof of a single mobilehome, which is leased by the park owner to the occupants of the mobilehome erected on the lot.

Mobilehome Park - A parcel of land under single ownership which has been planned and improved for the placement of mobilehomes for non-transient use, consisting of two or more mobilehome lots.

Official Filing Date - The date of the regular meeting of the Planning Commission next following the date the application is filed, provided that should the next regular meeting occur more than 30 days following the day the application is filed, the official filing date shall be the thirtieth day following the day the application is filed. The official filing date shall be used to compute the end of the 90-day review period.

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

Preliminary Plan - The preliminary plan, drawing or chart indicating the proposed layout of the subdivision.

Private Road - A roadway having a right-of-way width of not less than 50 feet for vehicular traffic as well as for purposes of utility lines, to serve as a direct access to one residential lot.

Right-of-Way - The total width of land reserved or dedicated for streets, sidewalks, alleys or any other public purpose.

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

Setback - The required horizontal distance between a setback line and a property or street line.

(a) Setback, Front - the distance between the street line and the front setback line projected the full width of the lot. Commonly called "front yard".

(b) Setback, Rear - The distance between the rear lot line and the rear setback line projected the full width of the lot. Commonly called "rear yard".

(c) Setback, Side - The distance between the side lot line and the side setback line projected from the front yard to the rear yard. Commonly called "side yard".

Setback Line - A line within a property and parallel to a property or street line which delineates the required minimum distance between a structure and that property or street line.

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.

Solicitor; Township Solicitor - The Solicitor or legal advisor of Windsor Township, York County, Pennsylvania.

Street - A way for vehicular traffic including land on either side of the travelled portion which may be reserved for such purposes as drainage, utilities, parking or future widening whether designed as a street, arterial highway, major thoroughfare, collector, cul-de-sac, parkway, throughway, road, avenue, boulevard, lane, place, alley, or however otherwise designated.

(a) Arterial Highway; Major Highway - A principal or heavy traffic street of considerable continuity and used primarily as a through traffic route for inter-community travel.

(b) Major Street; Major Thoroughfare - A principal or heavy traffic street used primarily for heavy local traffic in urbanized areas.

(c) Collector Street - A street which carries traffic from minor streets to arterials or major streets, including the principal entrance streets of a residential development and streets for circulation within such a development.

(d) Minor Street - Any street, including cul-de-sacs, marginal access streets and alleys, used primarily for access to the abutting properties.

(e) Cul-de-sac - A minor street with only one outlet.

(f) Marginal Access Street - A minor street which is parallel and adjacent to the arterial street and which provides access to abutting properties and protection from through traffic.

(g) Alley - A minor way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

Street Line - A line defining the edge of a street right-of-way and separating the street from abutting property or lots, commonly known as the "right-of-way line".

Street Width - The shortest distance between the lines delineating the cartway of a street.

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 development of land hereunder for himself or for another. The term may be used interchangeably with "applicant".

Subdivision - The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling shall be exempt.

Undeveloped Land - Land in parcels sufficiently large for future land development which is presently in agriculture, woodland or lying fallow.

Article VIII

ADMINISTRATION AND ENACTMENT

Section 801 Enforcement

It shall be the duty of the Board of Supervisors or the duly authorized representative of the Board of Supervisors to enforce the provisions of this Ordinance. The Enforcement Officer shall require that the application for a building permit contain all information necessary to enable him to ascertain whether the proposed building, alteration, or use is located in an approved land development. No building permit shall be issued until the Enforcement Officer has determined 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 approved and recorded Final Plan.

Section 802 Modifications

s.802.1 Where the strict interpretation of certain provisions of these regulations would in the Board's opinion, cause unnecessary hardship and would cause the rejection of an otherwise acceptable plan, the Board shall have the power to authorize such modifications from the provisions or requirements of these regulations as will not be contrary to the public interest.

s. 802.2 Applications for modifications shall be submitted in writing by the applicant at the time the preliminary plan is filed for the consideration of the Planning Commission. The application shall state fully the grounds for the application and all the facts relied upon by the applicant. The recommendation of the Planning Commission will be submitted to the Board along with its recommendation for the entire plan.

s.802.3 Authorization Procedure. The Board may, at any regular meeting, authorize a modification of these regulations when, in its opinion, unreasonable hardship will result from the strict compliance therewith. Action by the Board granting any modification shall be specifically recorded in the minutes of the Board and shall include the reasons for approval of the application.

s.802.4 In authorizing a modification, the Board may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of these regulations. Modifications may be granted only where the following conditions occur:

(a) Strict application of these regulations would produce an undue hardship, other than financial.

(b) The above hardship would be unique and not shared by other properties in the immediate vicinity.

(c) The modification would not change the character of the area and would preserve the purpose and intent of these regulations.

(d) The requirements of these regulations may also be modified and varied whenever a subdivision or development plan is of such wide scope that it proposes the development of a functionally integrated community or neighborhood, possibly including some unique design in order to attain an improved character of development; provided that it conforms to the general purpose and intent of these regulations even though the project does not comply with all its provisions.

Section 803 Penalties

No lot in a land development shall be sold, rented, leased or conveyed in any manner; no permit to erect, alter or repair any building upon land in a land development shall be issued; and no building shall be erected in a land development until a Final Plan of such land development has been approved and properly recorded and until improvements have been either constructed or guaranteed.

Any person, co-partnership or corporation who shall develop 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 land development without first having complied with the provisions of this Ordinance shall be subject to proceedings in accordance with this Section.

Upon being found liable for a violation in a civil enforcement proceeding commenced by the Township, be sentenced to pay a fine of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the municipality as a result thereof.

The Board of Supervisors may initiate and maintain civil action to obtain a writ of injunction against the owner or agency who is in violation of any provision of this Ordinance, or who attempts the improper sale or conveyances of land; and in proper cases to set aside and invalidate any conveyances or agreements to convey land made prior to final plan approval of any subdivision or land development.

Nothing herein shall prevent the Board of Supervisors from taking such other action necessary to prevent or remedy any violation.

Section 804 Appeals

In any case where the Board disapproves a subdivision or land development plan, any person aggrieved thereby may, within 30 days thereafter, appeal therefrom by petition to the Court of Common Pleas of the County.

Section 805 Municipal Liability

The grant of permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the Township or by any officials or employee thereof the practicability or safety of the proposed use, and shall create no liability upon the Township, its officials or employees.

Section 806 Repealer

The existing Land Subdivision Regulations, adopted March 31, 1980 and entitled "Windsor Township Subdivision and Land Development Ordinance" and all supplements and amendments thereto are hereby repealed.

Section 807 Interpretation

The provisions of this Ordinance shall be held to be minimum requirements to meet the purposes of this Ordinance. When provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulations, the provisions of this Ordinance shall prevail. When provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance or regulation shall prevail.

Section 808 Severability Clause

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by a recognized court of the Commonwealth, such decision shall not affect the legality of the remaining sections, clauses, provisions or portions of this Ordinance.

Section 809 Erroneous Permit

A building permit or other permit or authorization issued or approved in violation of the provisions of this Ordinance, is void without the necessity of any proceedings for revocation. Any work undertaken or use established pursuant to such permit or other authorization is unlawful. No action taken by a board, agency or employee of the Township purporting to validate such a violation.

Section 810 Effective Date

This Ordinance shall take effect immediately after publication of adoption according to law.

Board of Supervisors
Windsor Township
York County, Pennsylvania

By: Melvin E. Rittenhouse
Melvin E. Rittenhouse, Chairman

Burnell Sprenkle
Burnell Sprenkle

Rodney L. Sechrist
Rodney L. Sechrist

Attest:

Marlene Workinger
Marlene Workinger, Secretary

August 24, 1989
Date

AN ORDINANCE AMENDING ARTICLE VII - SECTION 703
AS PROVIDED HEREIN, OF THE WINDSOR TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
WHICH ESTABLISHES PROCEDURES AND STANDARDS
FOR THE SUBDIVISION OR DEVELOPMENT OF
LAND, STREETS AND IMPROVEMENTS FOR THE
TOWNSHIP OF WINDSOR, COUNTY OF YORK,
PENNSYLVANIA, AND PROVIDING FOR THE
ADMINISTRATION THEREOF AND THE ENFORCEMENT
OF THE ORDINANCE, INCLUDING THE IMPOSITION
OF PENALTIES FOR VIOLATION OF ITS TERMS

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Windsor Township, York County, Pennsylvania, and IT IS HEREBY ENACTED AND ORDAINED, as follows:

SECTION I

Article VII, Section 703 Specific Words and Phrases

Lot Width - The distance between the side property lines measured along the building setback line.

shall be deleted in its entirety and is hereby amended, modified and restated as follows:

Article VII, Section 703 Specific Words and Phrases

Lot Width - The lot width is the measurement of the width of the lot at the minimum required front setback line, less the width of a private right of way, if any.

SECTION II

The revision, modification and amendment herein provided shall not be construed to in any manner conflict or abrogate the provisions of the Ordinance adopted August 24, 1989, other than as herein provided.

SECTION III

All Ordinances or portions of Ordinances inconsistent herewith are hereby repealed.

SECTION IV

This Ordinance shall be effective five (5) days from the date hereof.

Enacted and ordained into an Ordinance this 27th day of January, 1991.

ATTEST:

BOARD OF SUPERVISORS OF
WINDSOR TOWNSHIP

Marlene F. Workinger
Marlene F. Workinger,
Secretary

David E. Myers
David E. Myers

H. Burnell Sprenkle
H. Burnell Sprenkle

Paul M. Smith
Paul M. Smith

AN ORDINANCE AMENDING ARTICLE IV - SECTION 404 (d)
AS PROVIDED HEREIN, OF THE WINDSOR TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
WHICH ESTABLISHES PROCEDURES AND STANDARDS
FOR THE SUBDIVISION OR DEVELOPMENT OF
LAND, STREETS AND IMPROVEMENTS FOR THE
TOWNSHIP OF WINDSOR, COUNTY OF YORK,
PENNSYLVANIA, AND PROVIDING FOR THE
ADMINISTRATION THEREOF AND THE ENFORCEMENT
OF THE ORDINANCE, INCLUDING THE IMPOSITION
OF PENALTIES FOR VIOLATION OF ITS TERMS

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Windsor Township, York County, Pennsylvania, and IT IS HEREBY ENACTED AND ORDAINED, as follows:

SECTION I

Section 404 Lots and Lot Sizes

(d) In no case shall a subdivision, whether done individually or in a single application, be permitted to have more than four (4) lots fronting directly on any Township road or State roads.

shall be deleted in its entirety and is hereby amended, modified and restated as follows:

Section 404 Lots and Lot Sizes

(d) In no case shall an initial subdivision or any subsequent resubdivision of previously subdivided land be permitted to have a cumulative total of more than four (4) lots fronting directly on any Township road or State road, regardless of the number of roads upon which the land may front.

SECTION II

The revision, modification and amendment herein provided shall not be construed to in any manner conflict or abrogate the provisions of this Ordinance adopted August 24, 1989, as amended, other than as herein provided.

SECTION III

All Ordinances or portions of Ordinances inconsistent herewith are hereby repealed.

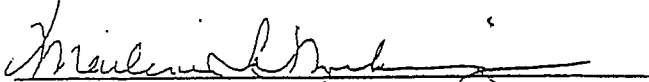
SECTION IV

This Ordinance shall be effective five (5) days from the date hereof.

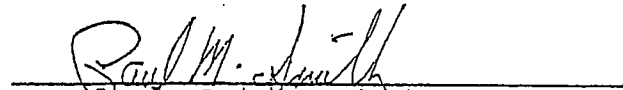
Enacted and ordained this 23rd. day of October 1995.

ATTEST:

Windsor Township



Marlene F. Workinger, Secretary



Paul M. Smith, Chairman



H. Burnell Sprengle

David E. Myers

ORDINANCE NO. 990-11-3

AN ORDINANCE AMENDING THE WINDSOR TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE ADOPTED AUGUST 24, 1989, AS AMENDED, PROVIDING FOR ROADWAYS TO BE CONSTRUCTED IN ACCORDANCE WITH THE WINDSOR TOWNSHIP CONSTRUCTION AND MATERIAL SPECIFICATIONS.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Windsor Township, York County, Pennsylvania, and it is hereby enacted and ordained that the Windsor Township Subdivision and Land Development Ordinance is hereby amended as follows:

Section 1. Section 502.2., Cartway, subsection (b) is hereby amended as follows:

(b) the roadway shall be constructed in accordance with the current Windsor Township Construction and Material Specifications.

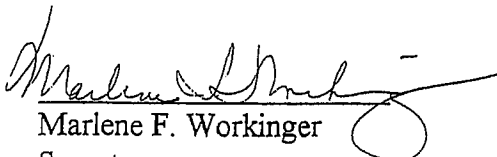
Section 2. The revisions, modifications, and amendments herein provided shall not be construed to in any manner conflict with or abrogate the provisions of the Windsor Township Subdivision and Land Development Ordinance other than as herein provided.

Section 3. This amendment shall take effect in accordance with law.

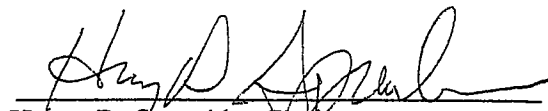
ENACTED AND ORDAINED into an Ordinance this 1st day of November, 1999.

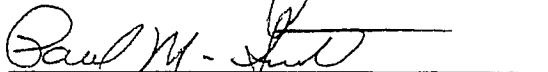
ATTEST:

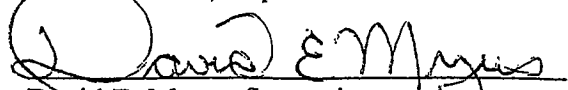
WINDSOR TOWNSHIP BOARD OF SUPERVISORS


Marlene F. Workinger
Secretary

BY:


Henry B. Sprenkle, Chairman


Paul M. Smith, Supervisor


David E. Myers, Supervisor

AN ORDINANCE AMENDING THE WINDSOR TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
ADOPTED AUGUST 24, 1989, AS AMENDED, PROVIDING
FOR TRAFFIC IMPACT STUDIES, GRADING PLANS, TRAFFIC
SIGNAL DESIGN, FLEXIBLE REFLECTIVE WHIPS ON FIRE HYDRANTS
STREET NAME SIGNS/MISCELLANEOUS SIGNS, DISTANCES BETWEEN
INTERSECTIONS AND THE ADDITION OF A DEFINITION FOR INTERSECTION

BE IT ENACTED AND ORAINED by the Board of Supervisors of Windsor Township, York County, Pennsylvania, and it is hereby enacted and ordained that the Windsor Township Subdivision and Land Development Ordinance is hereby amended as follows:

Section 1. Section 302 is amended to add Section 302.4 as follows:

s. 302.4 Traffic Impact Study

Traffic Impact Studies shall conform to the following:

(a) Purpose. 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/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/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 places, whether separately or cumulatively;
- (3) A new driveway or roadway connection involving either (1) or (2);
- (4) Other – At the discretion of the Windsor Township Planning Commission and the Windsor Township Board of Supervisors.

(c) Qualifications. The study shall be prepared by a qualified consultant (transportation engineer and/or transportation planner). The study preparer shall have sufficient documented prior traffic study experience to qualify him 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, Zoning Officer, Public Works Director, and the Township Engineer to determine the following:

- (1) Scope of the study.
- (2) 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 for the study (normally 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 staging 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; and
- e. The probable socio-economic characteristics of potential site uses to the extent that they may affect the transportation needs of the site (e.g. – number of senior citizens, etc.).

(2) Transportation Facilities Description.

a. Proposed Internal Transportation System. This description shall show:

1. Proposed vehicular, bicycle and pedestrian circulation;
2. All proposed ingress and egress locations; and
3. All existing or proposed internal roadways including the widths of paved cartways and rights-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. The description shall include:
1. The entire external roadway system within the study area of the proposed subdivision or land development;
 2. The identification and location of major intersections in the study area;
 3. All existing and proposed public and private transportation services and facilities within a one-mile radius of the site;
 4. All future highway improvements, including proposed construction and traffic signalization. This information shall be obtained from the Pennsylvania Department of Transportation and the Township; and
 5. Any proposed roadway improvements resulting from proposed surrounding developments.
- c. Existing Traffic Conditions. The description shall include:
1. Existing traffic conditions for all roadways and intersections in the study area;
 2. Existing traffic volumes for average daily traffic, peak highway hours(s) traffic, and peak development generated hours(s) traffic; and the source of these counts;
 3. Documentation of manual traffic counts at major intersections, encompassing the peak highway and development generated hour(s).
 4. 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 adequacy of the existing roadway system to service 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 standard method;
 5. An inventory of accidents in the existing road network. The inventories shall be conducted for both intersections and mid-blocks of all roadways within the study area; and
 6. 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. The description shall include:
1. An estimation of vehicular trips during the average daily peak highway hours(s) and peak development generated hour(s) resulting from the proposal using trip generation rates for existing facilities, based on existing data or trip generation rates for new developments obtained from Trip Generation Rates 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;
 2. 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.

3. 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.
 4. 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 10 years beyond completion of the project);
 5. For areas that have a history of five or more reported crashes over a 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;
 6. 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 10 years beyond completion of the project);
 7. For proposed commercial developments, “pass-by” trips shall be calculated utilizing the Institute of Transportations Engineers *Trip Generation Manual*;
 8. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to individual access points;
 9. 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; and
 10. Levels of service for all roadways and intersections.
- e. Conclusions and Recommended Improvements. The description shall include:
1. 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;
 2. The recommended improvement with buildout of the development shall operate at a level of service no worse than future conditions without the development conditions (mitigate); and
 3. Where applicable, demand management and traffic reduction programs shall be considered.

4. The Windsor Township Board of Supervisors must approve the recommendations of the Traffic Impact Study prior to preliminary plan approval.
5. The study shall state when a study intersection will fail.

- (3) Fair Share Analysis. The report may identify the "fair share" contributions of developers and public agencies for required street improvements based on a per trip fee as determined by the percent impact to any given deficiency and the cost of required improvements. It shall also indicate the basis or rationale underlying these decisions.
- (4) Modified Study. Whenever a study is required in accordance with Subsection b. above 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 of the problems envisioned.

Section 2. Section 304 is amended to add (k) as follows:

(k) Where the average density of development exceeds one dwelling unit per acre of land or in a case of non-residential development regardless of density, a grading plan indicating proposed contours and elevations sufficient to verify adequate drainage of stormwater as it relates to each lot and surrounding properties and facilities is required.

Section 3. Section 404 is amended to add (f) as follows:

(f) All lots shall be graded to provide a 20 ft. area from the dwelling unit into the front and back yards that maintains a maximum slope of 10%. All side yards shall be graded to provide a 5 ft. area from the dwelling unit with a maximum slope of 10%. The minimum slope in all yards shall be 3% positive from the dwelling for the same footage.

Section 4. Section 405.1 is added as follows:

Section 405.1 Traffic Signalization

TRAFFIC SIGNALIZATION SHALL CONFORM TO THE FOLLOWING:

PART 1 – GENERAL

1.01 DESCRIPTION

- A. The work of this section includes furnishing and installing operational traffic signals, including but not limited to:
 1. Controller assemblies
 2. Traffic signal supports

3. Electrical distribution
 4. Traffic signal heads
 5. Detectors
 6. Communications
 7. Systems
- B. In an effort to standardize equipment and provide for future Closed Loop System compatibility, all Traffic Signal Controllers shall be the ASC/2S-2100 Series, NEMA TS-2 Type II, manufactured by Econolite Control Products or an approved equal.
- C. Words and phrases peculiar to traffic signals, not defined in these specifications, or in the PennDOT regulations and specifications, are to be as defined in NEMA Standards Publication No. TS1.
- D. Comply with the requirements of associations, societies, codes, and regulations, as applicable.

1.02 QUALITY ASSURANCE

- A. Reference Standards:
1. Pennsylvania Department of Transportation (PennDOT): Publication 408 - Specifications. All work and materials shall conform to this publication.
- B. Testing:
1. After the traffic signal installation becomes operational, there shall be a continuous, 24-hour operational test for not less than 30 consecutive calendar days. The initial turn-on shall be performed in the presence of PennDOT's District Traffic Engineer, or his representative, between the hours of 9:00 a.m. and 2:00 p.m., Tuesday through Thursday, except on holidays. Any and all failures during the test period shall be corrected by repairing or replacing malfunctioning parts or equipment or faulty workmanship, regardless of the cause, within six (6) hours after having been notified by the Engineer or the Township. After correcting any failures caused by defective equipment, material, or faulty workmanship, the 30-day test will start over again.
- C. Guarantees:
1. Guarantee the satisfactory in-service operation of mechanical and electrical equipment, related components, and the controller assembly for a period of 365 days from the date of completion of the 30-day field test. During this period:

- Maintain equipment in the controller cabinet. Use additional locks, as necessary, to prevent entry by others.
- Repair faulty workmanship, repair or replace defective materials or equipment and correct malfunctions in the controller cabinet within six (6) hours after commencing repairs.
- Commence repairs no later than four (4) hours following notification of failures or malfunctions.
- Guarantee repairs or replacements for the balance of the 365-day guarantee period or 30 days, whichever is the longer period.
- Provide the Township with the name and telephone number of the person(s) to be notified in the event of failures or malfunctions during the 30-day test period and the 365-day guarantee period.

1.03 SUBMITTALS

A. Material Acceptance:

1. Prior to the submission of a bid proposal, verify that Certificates of Approval, permanent or provisional, have been issued by PennDOT as provided in Pennsylvania Code 67, Chapter 211. Within three (3) weeks after the Notice to Proceed, submit to the Township, for review and acceptance, a tabulation of all traffic signal materials to be used for the project that have a Certificate of Approval (permanent or provisional). Include the type of material, manufacturer's name, model number, and the Department's Certificate of Approval number for each item to be supplied. Provide catalog cuts only for further clarification of the material.
2. As applicable, and at a minimum, tabulate the following:
 - a. Controller Units, Timer and Cabinet(s)
 - b. Conflict Monitor
 - c. Flasher Units
 - d. Load Switch Units
 - e. Coordination Units
 - f. Signal Heads
 - g. Loop Detector Amplifiers, with time delays
 - h. Loop Detector Sealant
 - i. Detector pushbuttons
 - j. Auxiliary Equipment
 - k. Signs including Electrically Operated
 - l. Junction Boxes
 - m. Conduit

- n. Wiring
 - o. Preemption Equipment
 - p. Line painting and Pavement Marking Materials
 - q. Pole Designs
- B. Wiring Diagrams and Timing Plans:
- 1. Provide three (3) copies of the cabinet wiring diagram and manufacturer's timing plan(s) for each controller assembly.
- C. Certification:
- 1. In accordance with Section 106.03(b)3 of PennDOT's Publication 408 Specifications, certify that all signal supports satisfy the Department's criteria and are adequate to support the loads specified. Certify the structural adequacy of all sign and signal brackets.
- D. Warranties, Instruction Manuals, and Guarantees
- 1. Furnish all warranties, instruction manuals, and guarantees as specified in Section 1104.01 of PennDOT's Publication 408 Specifications.
- E. Shop Testing
- 1. Submit results from shop tests to the Engineer, as specified in Section 1104.01 of PennDOT's Publication 408 Specifications.
- F. Field Testing
- 1. After installation of the electrical distribution system, test traffic signal wiring circuits, in the presence of the Engineer, before connecting to operating equipment. Satisfactorily demonstrate that:
 - Circuits are continuous and free from short circuits;
 - Circuits are free from unspecified grounds;
 - The resistance to earth-ground, for each ground rod that will be bonded to another rod, is not more than 25 ohms. If not met with one rod, supply and install an additional ground rod. Install the additional rod at least one ground rod length from the first rod. Use an ohmmeter designed for testing earth-ground resistance.

PART 2 - PRODUCTS

2.01 MATERIALS

A. Controllers:

1. Provide pedestrian isolation circuitry on all controller inputs.
2. Provide surge protection on all controller inputs.

B. Controller Cabinets:

1. Size the cabinet for future Fiber Optic Telemetry equipment.

C. Master Controller, if required:

1. Master controller shall be ASC-2M as manufactured by Econolite Control Products, if required.

D. Interconnect, if required:

1. Interconnection of signals shall be via Fiber Optic cable, 6-fiber 62.5/125-micron multimode, terminated in patch panels with ST connectors.

E. Optical Preemption:

1. All intersections shall be equipped with Optical Preemption for all approaches to the intersection.
2. Detectors shall be positioned to achieve the proper distance for activation and control of the intersection.
3. Optical preemption equipment shall be Strobecom II as manufactured by Tomar Electronics, Inc. or equivalent.

F. Emergency Power:

1. All traffic signals shall be equipped with an emergency backup generator transfer switch.
2. All generator hookup proposals must be reviewed and approved by the Township during the Subdivision and Land Development Plan review process.

G. Traffic Signal Supports shall be Mastarms:

1. Must be capable of having an extension to the shaft, and a luminaire mounting arm added at a future date.
2. The VALMONT SMA42X Series of Traffic Signal Mastarms or equivalent, meets this specification.

H. Signals:

1. All vehicular signal heads shall contain Dialight Red, Amber and Green DuraLED modules model 433 or equivalent.
2. All arrow indications shall be Dialight model 430 or equivalent.
3. All pedestrian signals shall be supplied with Dialight LEDs or equivalent.

4. PennDOT approval, if not already received, for the use of these LED signals must be procured as part of this project.
 5. The housing of each section shall be a yellow, one piece molded ultraviolet and heat stabilized polycarbonate unit.
- I. Conduits:
1. Conduit runs shall be sized for future use.
 2. All main street crossings shall, at a minimum, have 2-3" conduits.
 3. Controllers should be located at the intersection of conduit runs, and not at the end of a conduit loop.
 4. Each controller foundation or pole foundation, if the controller is pole mounted, shall have the equivalent of 2-3" and 1-2" conduits entering it from an adjacent junction box.
 5. All loops must terminate in a junction box and there shall be at least one junction box on each corner.
- J. Street Name Signs:
1. All intersections shall be signed with Street Name signs, attached to the mastarms, of the size and designation as required by PennDOT.
- K. Pavement Markings:
1. Long lane line pavement markings are to be paint as specified in Section 962 of PennDOT Publication 408, latest edition.
 2. Gore transverse stripping is to be epoxy, cold inlaid plastic, hot surface applied thermoplastic, or methyl methacrylate.
 3. All other pavement markings are to be epoxy, cold inlaid plastic, hot surface applied thermoplastic, or methyl methacrylate.
 4. Pavement marking eradication shall be performed with a shot-blast machine.

PART 3 - EXECUTION

3.01 CONSTRUCTION

- A. Perform work in accordance with applicable codes, regulations, and standards.
- B. Existing signals are to remain in operation, as is, until the new signals are put into operation.

- C. Remove all existing traffic signal supports and signal equipment, unless otherwise indicated. This equipment shall remain the property of the Township, unless otherwise informed, and shall be transported to a place specified by the Township.
- D. Maintain existing controller assemblies, as a unit.
- E. Store material on the project site or a site mutually agreed upon by the Township and Contractor.
- F. Provide a listing of equipment for the jurisdictional owner that indicates when and where items can be obtained.
- G. Assume responsibility for damage to claimed items during removal and storage.
- H. Abandon underground conduit, conductors, and detectors not interfering with new construction.
- I. Remove foundations and junction boxes to be abandoned in "off roadway" areas to 0.3 m (1 foot) below final grade and satisfactorily dispose of such items.
- J. Satisfactorily repair damage to galvanized finishes.

Section 5. Section 407.2 is amended to read as follows:

Fire Hydrants – In all subdivisions where public water is being provided, fire hydrants shall be installed. Every lot in the subdivision shall be within 600 feet of a fire hydrant. A flexible reflective whip, of a type approved by the Township, shall be installed on each fire hydrant at the developer's expense.

Section 6. Section 502.9 is amended to read as follows:

Street Name Signs & Other Miscellaneous Signs – Four-way street name signs of a design approved by the governing body shall be installed at each street intersection by the subdivider at his own expense. The developer shall be responsible for the installation of all traffic control signs identified by the Township prior to adoption of the street. These signs include, but are not limited to, stop signs and Children at Play signs.

Section 7. Section 502 is amended to add 502.11 as follows:

502.11 Distances between Intersections – The distance between street intersections shall be in accordance with the following:

	Arterial	Arterial with	Collector	Collector	Minor/Local
	With	Collector or	with	with	with
	Arterial	Minor/Local	Collector	Minor/Local	Minor/Local

Minimum Distance Between Centerlines of Intersections	800 ft.	800 ft.	400 ft.	400 ft.	400 ft.
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Minimum Separation Distance for Opposing Street Centerlines	Must be in alignment with planned or proposed streets entering from opposite side.		150 ft.	150 ft.	
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Multiple Intersections: Intersections involving the junction of more than two (2) streets shall not be permitted.

Section 8. Section 703 is amended to add the following definition:

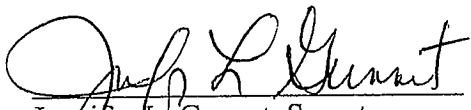
Street Intersection – The area where two or more streets join or connect, including the roadway and roadside facilities for traffic movements within the area. A crossing of two or more streets that creates a condition where a geometric angle is formed between two street lines or where the street centerline radius is less than the minimum radius as required by Section 502.4.b of the most current version of the Windsor Township Subdivision and Land Development Ordinance.

Section 9. The revisions, modifications, and amendments herein provided shall not be construed to in any manner conflict with or abrogate the provisions of the Windsor Township Subdivision and Land Development Ordinance other than as herein provided.

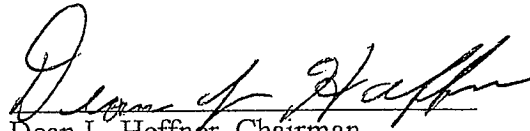
Section 10. This amendment shall take effect in five (5) days after enactment.


ENACTED AND ORDAINED into an Ordinance this 15th day of August, 2005.

ATTEST:


 Jennifer L. Gunnert, Secretary

WINDSOR TOWNSHIP
 BOARD OF SUPERVISORS


 Dean L. Heffner, Chairman


 Paul M. Smith, Vice-Chairman

 Henry B. Sprenkle