

Chapter 22

Subdivision and Land Development

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Part 1**General Provisions****§22-101. Purpose.**

This Chapter is adopted for the following purposes:

A. To regulate certain subdivision and land development activities within the Township by providing for a uniform method for the submission of sketch plans, preliminary and final plans.

B. To assure the proper layout or arrangement of land and space.

C. To require proper design of streets to accommodate projected traffic and facilitate fire protection.

D. To provide adequate easements or rights-of-way for drainage and utilities.

E. To make adequate provisions for curbs, gutters, storm and sanitary drainage facilities, walkways and other required public facilities.¹

(Ord. 158, 3/9/1977)

§22-102. Objectives.

The subdivision and land development regulations set forth in this Chapter are made in accordance with the Comprehensive Plan of Northampton Township and are intended to achieve the following goals:

A. To promote, protect and facilitate one or more of the following: the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation, the provision of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements.

B. To prevent one or more of the following: overcrowding of land; blight; danger and congestion in travel and transportation; and loss of health, life or property from fire, panic or other dangers.

C. To assist orderly, efficient and integrated development of land; to provide for the coordination of existing streets and public utilities with new facilities; to provide for efficient and orderly extension of community services and facilities at minimum cost and maximum convenience; to ensure conformance of land

¹Editor's Note: The preamble to this ordinance, which immediately preceded this Section, read as follows: "An ordinance of the Township of Northampton, Bucks County, Pennsylvania, adopted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Act. No. 247, July 31, 1968, 53 P.S. §10101 *et seq.*, as amended, to be known as the "Subdivision and Land Development Ordinance," implementing the Comprehensive Plan of Northampton Township and the community development objectives contained therein and establishing regulations for the subdivision and development of property within said Township."

utilization with the Township Comprehensive Plan; and to secure equitable handling of all subdivision and land development plans by providing uniform procedures and standards for observance by subdividers and the Commission.

(Ord. 158, 3/9/1977)

§22-103. Relationship to Comprehensive Plan.

This Chapter is adopted to promote an orderly plan of development in accordance with the Northampton Township Comprehensive Plan.

(Ord. 158, 3/9/1977)

§22-104. Compliance with Applicable Standards Required; Filing of Declaration Plan.

1. From and after the effective date of this Chapter, any subdivision and/or land development plan submitted to Northampton Township shall be in conformity with this Chapter and all standards and specifications adopted as a part of this Chapter and shall comply fully with the existing zoning regulations applicable to the land [Chapter 27].

2. Any development consisting of townhouse units or multi-family dwellings in which one or more of the individual dwelling units will be under separate and independent ownership including, but not limited to, condominiums and the like, existing or proposed, shall require the filing of a declaration plan and other documents in accordance with the provisions of the Uniform Condominium Act, 68 Pa.C.S.A. §3101 *et seq.* [Ord. 561]

(Ord. 158, 3/9/1977; as amended by Ord. 561, 4/25/2012)

§22-105. Interpretations.

1. The captions used in this Chapter are for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Chapter.

2. Whenever a defined term is used, whether with initial capitalization or not, it shall be deemed to be used as defined in this Chapter.

3. Whenever the regulations within this Chapter are at variance with other lawfully adopted rules, regulations, ordinances, restrictions or covenants, that which imposes the most restrictive requirement shall govern. The provisions of this Chapter shall be held to be the minimum requirements to meet the goals and objectives stated herein.

(Ord. 158, 3/9/1977)

Part 2

Definitions

§22-201. Word Usage.

1. For the purpose of this Chapter, certain terms and words are herein defined. Words used in the present tense include the future; the singular includes the plural, and the plural, the singular; the word “person” includes an individual, corporation, partnership, incorporated association or other similar entity.

2. The following definitions are frequently cross-referenced with other words of similar meaning. The term “Supervisors” shall always mean the “Board of Township Supervisors of Northampton Township.” The term “Planning Commission” shall always mean the “Planning Commission of Northampton Township.” The term “County Planning Commission” shall always mean the “Bucks County Planning Commission.” The term “municipality” or “Township” shall always mean the “Township of Northampton, Bucks County, Pennsylvania.”

(Ord. 158, 3/9/1977)

§22-202. Terms Defined.

As used in this Chapter, the following terms shall have the meanings indicated:

Accessible parking space—a space with a surface slope not exceeding 1 to 50 (2 percent) in all directions, not less than 8 feet wide and not less than 18½ feet long, with an adjacent access aisle not less than 5 feet wide which is part of an accessible route of travel to a building or facility entrance. [Ord. 412]

Accessible route—a continuous, unobstructed path connecting all exterior accessible elements and spaces of a building or facility, including parking access aisles, curb ramps, crosswalks or vehicle ways, walks, ramps and lifts. [Ord. 412]

Applicant—a landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.

Application for development—every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development, including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan. [Ord. 294]

Block—an area divided into lots and bounded by three or more streets.

Buffer area—a strip of land, a mound or berm planted and maintained in shrubs, bushes, trees, grass or other ground cover material and within which no structure or building shall be authorized except a wall or fence which meets Township requirements as contained in the Zoning Ordinance [Chapter 27]. (See also §22-615.6.D of this Chapter.)

Building—any structure having enclosing walls and a roof and requiring a permanent location on the land.

Principal building—the main building on a lot or any building that is not an accessory building.

Accessory building—a subordinate building, the use of which is customarily incidental to that of the main building and which is used for an accessory use and is located on the same lot.

Building area—the area of a lot within the building lines, bounded by the required yards. Where there is no required yard, then “building area” shall be the area of a lot bounded by the lot lines.

Building coverage—the area of a lot or parcel which is covered by main and/or accessory buildings.

Building setback line—a line parallel to the lot line a distance measured perpendicular therefrom as prescribed in the Zoning Ordinance [Chapter 27] for a required yard. Where there is no required yard, then the lot line shall be the building line.

Building site or lot—a single parcel of land occupied or intended to be occupied by a building or structure. A building site shall be synonymous with lot or parcel of land.

Cartway or pavement—the improved portion or paved portion of a street located between the right-of-way lines and generally used for vehicles.

Clear-sight triangle—an area of unobstructed vision at intersections, defined by lines of sight between points at a given distance from the intersection of street center lines.

Comprehensive Plan—the long-range Comprehensive Plan for the Township, prepared in accordance with the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*

Cul-de-sac, place or court—a dead-end street with a vehicular turnaround at the dead end.

Cut—an excavation; the difference in vertical elevation between a point on the surface of original ground and a point on the final grade; or the material removed in excavation.

Density—a measure of the intensity of use of a parcel of land. It shall be expressed in dwelling units per acre. The measure is arrived at by dividing the number of dwelling units by the net site area. The term “net density” shall mean the maximum number of permitted dwelling units of a single type or in combination of dwelling unit types, where permitted, for any net site area.

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.

Drainage—see “storm drainage facility,” “swale” and “watercourse.”

Driveway—an improved surface for vehicular access to a lot or parcel of land.

Dwelling—any building or portion thereof which is designed for and/or occupied as, in whole or in part, a home or residence for one or more persons. It shall not be deemed to include hotels, boarding- or rooming houses, institutional homes and residence clubs.

One-family dwelling—a detached building occupied by one family only.

Two-family dwellings—a detached building occupied by two families only,

independently of each other, including:

Double house—a detached building containing two dwelling units attached side to side, with separate entrances and separated by an unpierced party wall.

Duplex—a detached building containing two dwelling units, one above the other, each having a separate entrance.

Multi-family dwelling—a building containing three or more separate dwelling units and not exceeding 35 feet in height.

Townhouse unit or structure—a multi-family dwelling consisting of at least three and not more than 10 townhouse dwellings that are attached side by side by an unpierced party wall which shall extend through the roof of the main structure. Such dwellings shall not be constructed as back-to-back units.

Garden apartment dwelling unit or structure—a multi-family dwelling with separate or common outside access contained in a structure having no less than three nor more than 20 such units per separate structure, with said structure not exceeding two stories, except that where due to unusual topographic conditions and under conditions of improved design, the Board of Township Supervisors may permit the use of three floors, all above or opening to grade, with no unit being more than one floor above a common entrance.

Multiplex dwelling unit or structure—a multi-family dwelling designed in a manner having one or more attached walls, not exceeding six such units per structure, with each unit being located upon and having separate outside access at ground level, and with no structure exceeding two stories.

Patio-type dwelling unit—a single-family detached dwelling for which one side lot may be substantially reduced or in which nonhabitable portions of such dwelling (garages, storage areas, etc.) may be joined at a common lot line, provided that the adjacent owner has perpetual access rights for all portions of his dwelling.

Easement—a right-of-way granted for the use of private land for a public or private purpose.

Engineer—a registered professional engineer licensed as such by the Commonwealth of Pennsylvania.

Feeder roots—the smallest roots of a tree, which are responsible for most of the absorption of nutrients into the tree. Most feeder roots are located within the top 12 inches of the soil. [Ord. 329]

Fill—any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface, including the conditions resulting therefrom; the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; or the material used to make a fill.

Floodplain or flood hazard area (or district)—land within Northampton

Township adjoining any stream or adjoining any pond or lake adopted and/or designated by the Northampton Township Board of Supervisors as derived from:

(1) The Flood Insurance Rate Map (FIRM), Township of Northampton, Pennsylvania, prepared by the Federal Insurance Administration of the Federal Emergency Management Agency (FEMA), effective April 2, 2002, and any subsequent revisions.

(2) Floodplain soils, as identified in the Soil Survey of Bucks County, Pennsylvania, United States Department of Agriculture, Natural Resources Conservation Service, in cooperation with the Pennsylvania State University, College of Agricultural Sciences; the Pennsylvania Department of Environmental Protection; the Pennsylvania Department of Agriculture; and the Bucks County Conservation District, dated September 2002.

(3) The Builders' Association Floodplain Analysis as approved by FEMA.

[Ord. 501]

Floodplain soil—soil in a current floodplain that has a flooding occurrence greater than none. Floodplain soils shall be the following soils so classified by the Soil Survey of Bucks County, Pennsylvania, United States Department of Agriculture, Natural Resources Conservation Service, in cooperation with the Pennsylvania State University, College of Agricultural Sciences; the Pennsylvania Department of Environmental Protection; the Pennsylvania Department of Agriculture; and the Bucks County Conservation District dated September 2002:

- (1) Bowmansville-Knauers silt loam (Bo).
- (2) Delaware loam (DaA, DaB).
- (3) Fluvaquents (Fl).
- (4) Hatboro silt loam (Ha).
- (5) Holly silt loam (Ho).
- (6) Linden loam (Lt).
- (7) Nanticoke-Hatboro silt loam (Na).
- (8) Psammments (Ps).
- (9) Rowland silt loam (Ro).
- (10) Urban land, occasionally flooded (Ufw).
- (11) Urban land, Delaware complex (UIB).

[Ord. 501]

Grade—

Existing—the average grade of the ground surface prior to any disturbing of the soil.

New or finished—the resulting level of the ground after the final grading where there is a cut and after normal settlement where there is a fill.

Impervious surface—surfaces that do not absorb rain. All buildings, parking areas, driveways, roads, sidewalks and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Township Engineer to be impervious within the meaning of this

definition will also be classified as impervious surfaces.

Impervious surface ratio—a measure of the intensity of use of a parcel of land. It is measured by dividing the total area of all impervious surfaces within the site by the net site area.

Improvements—those physical additions, installations and changes required, such as streets, curbs, sidewalks, parking areas, water mains, streetlights, sewers, drainage facilities, public utilities, recreational areas and any other physical changes deemed appropriate by the township, to render land suitable for the use proposed.

Land development—any of the following activities:

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

(a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots, regardless of the number of occupants or tenure.

(b) The division or allocation of land or space between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

(2) A subdivision of land.

[*Ord. 452*]

Landowner—the legal or beneficial owner or owners of land, including the holder of an option or contract to purchase whether or not such option or contract is subject to any condition; a lessee if he is authorized under the lease to exercise the rights of the landowner; or other persons having a proprietary interest in land.

Lot—any tract or parcel of land held in single or separate ownership which is or may be occupied by a main building and its accessory uses or buildings, if any, together with the open space required by the Zoning Ordinance [Chapter 27]. No part of a lot which is also a part of a public street or alley shall be included in determining the area of the lot. A lot, for the purpose of this Chapter, may or may not coincide with a lot of record.

Corner lot—a lot abutting upon two or more streets at their points of intersection, or a lot with two or more connected sides which abut upon a street or streets, the interior angle being not more than 135 degrees. In all districts for all uses, including cluster-designed subdivisions, corner lots shall have full, front building setback lines from both streets and shall not be less than 120 feet along any building setback line.

Interior lot—a lot with side lot lines which do not abut a street.

Through lot—an interior lot, the front line and rear line of which abut upon streets.

Reverse frontage lot—any lot in which both the front lot line and rear lot line abut upon streets or state highways; a through lot. In any such case, the rear building line shall be established 75 feet from the center line of the roadway and parallel to that center line. [*Ord. 209*]

Multi-road frontage lot—for a lot which has three or more road frontages, two frontages will be considered front yards for the purposes of setback calculations, and additional frontages will be calculated as specified in the definition for “reverse frontage lot” above. [Ord. 209]

Lot area—the area contained within the property lines of the individual parcels of land shown on a subdivision plan or required by this Chapter, excluding any area within an existing or proposed street right-of-way or any area required as open space under this Chapter, and including the area of any easements.

Average lot area—the average lot area for all lots within a cluster subdivision, determined by dividing the aggregate lot areas by the total number of proposed dwelling units.

Lot area per dwelling unit—the quotient obtained by dividing the total lot area by the total number of dwelling units to be located on such lot, calculated to the nearest whole number.

Buildable lot area—the portion of a lot bounded by required yards as set forth in Figure 22-2-1 of this Chapter.

Lot depth—the horizontal distance between the front lot line and the rear lot line, measured along the median of the side lot lines.

Lot line—

Front—the line abutting the street. In the case of lots abutting more than one street in any of the residential districts only, dwellings shall front on the minor or lesser street. Before a lot can be considered to abut a street, it must have at least 30 feet of frontage on said street as set forth in Figure 22-2-1 of this Chapter.

Side—any lot boundary line not a front lot line or a rear lot line.

Rear—a lot line which is opposite and most distant from the front lot line, or, in the case of irregular or triangular lots, a line at least 20 feet in length within the lot, parallel to and at the maximum distance from the front line.

Lot width—the horizontal distance between side lot lines as set forth in Figure 22-2-1 of this Chapter.

Minor land development—any change or improvement to a previously approved land development plan that involves an addition or increase to an existing building of more than 10 percent of the total floor area or 250 square feet of floor area, whichever is less, or involves the construction of a nonresidential accessory building with more than 145 square feet of floor area. [Ord. 452]

Mobile home—a transportable, single-family dwelling, intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which has been approved and certified at the factory by the building officials and code administrators, 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. It does not include recreational vehicles or travel trailers. [Ord. 294]

Mobile home lot—a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection

thereon of a single mobile home dwelling. [Ord. 294]

Mobile home park—a parcel or contiguous parcels of land which have been so designated and improved that they contain two or more mobile home lots for the placement thereon of mobile homes. [Ord. 294]

Monument—a stone or concrete marker having a flat top with a minimum diameter of 4 inches, containing a copper or brass cap or plug, steel reinforced with one No. 4 rod and having a minimum length of 24 inches. The bottom, sides or radius shall be at least 2 inches greater than the top to minimize movement caused by frost. [Ord. 404]

Net site area—the site area less the area of any existing streets and of any streets located in the site area which are to be dedicated to the Township and less any portion of the site area which is located in the floodplain or any portion which includes steep slopes or is unusable for any other reason.

Open space—land used for recreation, resources protection, amenities or buffers, which is freely accessible to all residents of a particular development or subdivision or, if dedicated and accepted by the Township, is accessible to all residents of the Township, as protected by the provisions of this Chapter and the Zoning Ordinance [Chapter 27], to ensure that it remains in such uses. Such open space may include improvements and impervious surface coverage to the extent that such is an element of the particular open space use and serves a function with regard to the particular open space, whether as parking, tennis courts or service roads. Open space does not include improvements or impervious surface coverage except where such specifically serves the open space use as noted; and further, such does not include the required yards or lots of dwelling units or roads and parking areas not associated directly with the open space use. Open space shall be left in a natural state, except in the case of specific authorized uses of open space which may require impervious surface coverage. Such impervious surfaces shall not be included in the calculation of the impervious surface ratio. Where open space is mandated by this Chapter, not more than 60 percent of such required open space shall be comprised of a floodplain or flood hazard area; detention basin area; steep slope area (not to exceed 8 percent); area with a high water table; marsh area; area with shallow bedrock. [Ord. 209]

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

Plan—

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

Preliminary—a tentative map or plan of a subdivision or land development, including all required supplementary data, in lesser detail than a final plan, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

Sketch—a very informal sketch prepared by a developer for presentation of concepts or ideas prior to initiating a preliminary plan. A sketch plan does not

constitute an official submission to the Township.

Plan of record—the copy of the final plan which contains the required original endorsements and which is recorded with the Bucks County Recorder of Deeds.

Pruning—the removal of branches from a tree using proper tools and approved cutting techniques. [Ord. 329]

Public—of or pertaining to any building, structure, use or activity belonging to or affecting any duly authorized governmental body.

Right-of-way—

Street—the total extent of land reserved or dedicated as a street or alley for public or private purpose.

Utility—the total extent of land reserved for a declared or recorded right-of-way for public or private utility purposes.

Sanitary sewage disposal, public—a sanitary sewage collection system, managed and operated by a public authority, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

Shallow bedrock—areas where existing public records or field surveys indicate bedrock at depths of 4 feet or less below natural grade.

Site area—all land area within the site as defined in the deed or deeds. Actual area shall be from a survey rather than from a deed description. “Site area” shall not include any previously dedicated public right-of-way.

Site plan—a plan meeting the requirements of this Chapter for land developments or as required by the Township Zoning Ordinance [Chapter 27].

Slope—the face of an embankment, fill or cut section or any ground whose surface makes an angle with the plane of the horizon. “Slope” is expressed as a percentage, based upon the vertical difference in feet per 100 feet of horizontal distance.

Steep slopes—areas where the average slope exceeds 15 percent and which, because of this slope, are subject to high rates of stormwater runoff and, therefore, erosion.

Storm drainage facility—any ditch, gutter, pipe, culvert, swale, storm sewer or other structure designed, intended or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas or any part of any subdivision, land area or contiguous land areas.

Street—a public or private right-of-way deeded or dedicated for public use, 50 feet or more in width, which provides a means of access for vehicles or pedestrians. The term “street” shall include “road,” “highway” and “thoroughfare.” Existing streets of less than 50 feet in width which existed prior to this Chapter shall be recognized as a legal street. (See also “right-of-way.”)

Major—one of two streets on which the majority of existing dwellings front, designed to carry a greater amount of vehicular traffic than the other street.

Minor—one of two streets on which the minority of existing dwellings front, designed to carry the lesser amount of vehicular traffic than the other street.

Major arterial—a street or route specifically designed to accommodate high

traffic flow and carrying generally a high percentage of through traffic.

Major collector—a street or route which serves as a connecting facility usually between two major arterial routes and having two or more moving lanes.

Local minor collector—a street which serves the function of moving locally generated traffic from the interiors of neighborhood areas to the major collector streets and arterial streets.

Residential—a street designed to serve individual residential parcels and not generally carrying through traffic.

Structure—anything built, constructed or erected which requires location on the ground or attachment to something located on the land.

Subdivider—any individual, copartnership or corporation (or agent authorized thereby) which undertakes the subdivision of land, as defined herein, as the owner, lessee or equitable owner (or agent authorized thereby) or the land being subdivided.

Subdivision—

Major—the division of a lot, tract or parcel of land or part thereof into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Minor—the division of a single lot, tract or parcel of land or part thereof into two lots, tracts, parcels or other divisions of land, including changes in existing lot lines, for the purpose, whether immediate or future, of partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the proposed lots, tracts or parcels of land thereby created have frontage on an approved public street; and, provided further, that there is not created by the subdivision any new street or the need for the required improvements, easement of access or the need therefor.

Cluster-designed—a method of developing land for residential use utilizing certain performance standards including, but not limited to, provision for an open space ratio, density, impervious surface ratio and other standards, in addition to certain dimensional requirements as set forth in the Township Zoning Ordinance [Chapter 27].

[Ord. 294]

Surveyor—a registered surveyor licensed as such by the Commonwealth of Pennsylvania.

Swale—a low-lying stretch of land which gathers or carries surface water runoff.

Township arborist—a landscape architect, registered by the Commonwealth of Pennsylvania and designated by the Board of Supervisors to perform the duties of

arborist as herein specified. [Ord. 329]

Tree—any living, woody plant having a diameter of three inches or more at its thickest point, its root system and the environment within the area defined by the outermost reaches of its branches. [Ord. 329]

Tree dripline—a boundary line marking the outer edges of the branches of a tree. [Ord. 329]

Tree Protection Zone (TPZ)—an area 15 feet radially from the trunk of the tree to be retained, or the distance from the trunk to the dripline, whichever is greater, in which no construction activity shall occur. Where there is a group of trees or woodlands, the tree protection zone shall be the aggregate of the protection zones for the individual trees. [Ord. 329]

Uniformity ratio (streetlighting)—the term normally applied to streetlighting uniformity by the Illuminating Engineering Society. Given a ratio, e.g., of 3 to 1, it means that the point of lowest footcandle measurement cannot be less than $\frac{1}{3}$ of the specified minimum average footcandle level established in Part 6 of this Chapter (see §22-617.3 of this Chapter).

Watercourse—storm sewers, lakes, dammed water, ponds, springs and all other bodies or channels of conveyance of surface and underground water.

Water distribution system, public—a system for supplying and distributing water from a common source to dwellings and other buildings, but generally not confined to one neighborhood.

Way or lane—a deeded or dedicated public or private right-of-way sometimes used as a secondary vehicular access to land or lot.

Woodlands—any area comprising one or more acres of wooded land where largest trees measure at least six inches in diameter 4.5 feet from the ground, or a grove of trees forming one canopy where 10 or more trees measure at least 10 inches in diameter 4.5 feet from the ground. [Ord. 329]

Yard—an open space at grade between a yard line and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. (See Figure 22-2-1 of this Chapter.)

Required yard—a yard between the lot line and the building line, of the dimensions required by the Zoning Ordinance [Chapter 27].

Required front yard—a yard across the full width of the lot, extending from the front lot line to the front building line as prescribed in the Zoning Ordinance [Chapter 27].

Required side yard—a yard between the required front and rear yards, extending from the side line of the lot to the side building lines as prescribed in the Zoning Ordinance [Chapter 27].

Required rear yard—a yard across the full width of the lot, extending from the rear lot line to the rear building line as prescribed in the Zoning Ordinance [Chapter 27].

Zoning Ordinance—Ord. 160 adopted by the Board of Township Supervisors on April 6, 1977, and such amendments thereto as are adopted from time to time thereafter [Chapter 27].

(*Ord. 158*, 3/9/1977; as amended by *Ord. 209*, 5/9/1984; by *Ord. 294*, 8/9/1989; by *Ord. 329*, 5/8/1991; by *Ord. 350*, 9/9/1992; by *Ord. 356*, 1/4/1993; by *Ord. 404*, 1/24/1996; by *Ord. 412*, 10/9/1996; by *Ord. 442*, 12/9/1998; by *Ord. 443*, 12/9/1998; by *Ord. 452*, 5/26/1999; by *Ord. 501*, 12/8/2004; and by *Ord. 561*, 4/25/2012)

Part 3**Procedures and Requirements****§22-301. General Requirements.**

Northampton Township requires the submission of the following for any subdivision and for any land development plan, unless noted below:

A. *Sketch Plan.* The purpose of this optional plan is to provide an opportunity for the applicant/developer and the Township Planning Commission to review the intended subdivision or land development plan prior to preparation of extensive engineering drawings and to allow for comments and recommended modifications prior to preparation of a preliminary plan. A sketch plan is not required for any subdivision and shall not constitute an official submission to the Township.

B. *Preliminary Plan.* A preliminary map or plan of a subdivision or land development, including all required supplementary data, in lesser detail than a final plan, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

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

D. *Plan of Record.* The copy of the final plan which contains the required original endorsements and which is recorded with the Bucks County Recorder of Deeds.

(Ord. 158, 3/9/1977)

§22-302. Exemptions.

1. The following land developments shall be exempted from these regulations:

A. The conversion of an existing single-family detached dwelling or two-family dwelling into not more than three residential units, unless such units are intended to be a condominium.

B. The addition of buildings accessory to a single-family detached dwelling or townhouse dwelling, or accessory farm buildings.

C. Any addition or increase to an existing building of no more than 10 percent of the total floor area or 250 square feet of floor area, either initially or cumulatively, whichever is less.

D. A nonresidential accessory building with 145 square feet or less of floor area. Such building shall not displace parking facilities required for initial land development, and only one such building shall be permitted per parcel.

2. To ensure compliance with the criteria for exemption, no owner shall effect a subdivision or land development, unless the owner receives a certification of exemption. The Zoning Officer shall review the request for exemption. If satisfied that the above criteria are met, the Zoning Officer shall issue a written certification of exemption. If the Zoning Officer finds that any of the criteria are not met, the Zoning Officer shall

notify the owner that the proposed subdivision or land development is required to comply with all of the procedures and requirements of this Chapter.

(*Ord. 158, 3/9/1977; as added by Ord. 452, 5/26/1999*)

§22-303. Sketch Plans.

1. As noted in §22-301.A, the sketch plan is an optional, informal document submitted for review by the Township Planning Commission. The sketch plan shall generally contain the location of property lines, existing physical features, approximate topography from United States Coast and Geodetic Survey data, all existing and proposed rights-of-way and a general outline of the intended subdivision or land development scheme.

2. The sketch plan may be submitted to the township and, after the required fees have been paid, shall be transmitted to the Planning Commission.

3. A minimum of 10 prints of the sketch plan shall be submitted to the Planning Commission for review by its members. It is not necessary to submit a copy of the sketch plan to the Bucks County Planning Commission.

(*Ord. 158, 3/9/1977*)

§22-304. Preliminary Plans.

1. *Procedures.*

A. The applicant/developer shall submit to the office of the Township Manager:

(1) One copy of the application for review of the preliminary subdivision plan or the preliminary land development plan.

(2) One Bucks County Planning Commission application form.

(3) Ten complete sets of the preliminary plan that note the owner and equitable owner (if applicable).

(4) Eight copies of the plan limited to proposed site, grading, drainage, and landscaping.

(5) Three site plans coupled with three utility plans.

(6) Five site plans.

(7) Five complete copies of the sewage facilities planning module, or a letter from the Pennsylvania Department of Environmental Protection (DEP) stating that it is unnecessary.

(8) One scaled-down print of the plan 8½ inches by 11 inches.

(9) Six copies of the recorded deed of the property.

(10) Five erosion control booklets (if applicable).

B. If the submission is incomplete, the Township Manager shall notify the applicant within 7 days and indicate the deficiencies. If the submission is complete in all respects, including the payment of all fees, then the Zoning Officer shall issue a dated receipt for the preliminary plan to the applicant/developer, with copies of said receipt being forwarded immediately to the Township Manager, Board of Supervisors and Planning Commission.

C. Immediately, or as soon thereafter as is possible, upon acceptance of the preliminary plan and any attachments thereto, the Zoning Officer shall make microfilm records of the preliminary plan, in accordance with township policy.

D. Upon the discretion of the office of the Township Manager, the above-listed documents may be distributed to the following:

- (1) Township Planning Commission.
- (2) Board of Supervisors.
- (3) Township Engineer.
- (4) Bucks County Planning Commission.
- (5) Township Planner.
- (6) Township Park and Recreation Board.
- (7) Municipal Authority.
- (8) Fire Marshal.
- (9) Council Rock School District.
- (10) Township Historical Commission.
- (11) Township staff.
- (12) Township Arborist, provided that there are existing trees that are proposed to be protected or saved.

[Ord. 329]

2. *Review.*

A. *Review by Township Engineer.* The Township Engineer shall review said plan, including all engineering considerations therein, and shall prepare a report addressed to the Township Planning Commission and to the Township Board of Supervisors with such findings.

B. *Review by Township Planning Consultant.* If the preliminary plan requires review by the Township Planning Consultant or Township Planner in relation to the Comprehensive Plan of the Township, the Township Manager, Zoning Officer or Chairman of the Planning Commission may direct that such a review and report be prepared and submitted to the Planning Commission.

C. *Review by Township Planning Commission.*

(1) The Township Planning Commission shall, at a regularly scheduled meeting, place the preliminary plan upon its agenda for review or for subsequent review if additional review time is necessary. In the review and analysis of the preliminary plan, the Planning Commission may, at its option, refer special technical or legal questions to the Township Solicitor, Township Engineer or Township Planning Consultant for specific advice on such technical matters. The applicant/developer is encouraged to attend any public meeting of the Planning Commission during which the preliminary plan is to be reviewed.

(2) The Township Planning Commission shall prepare and submit in writing to the Board of Township Supervisors its review and recommendations for the preliminary plan in consideration of the requirements of this Chapter and any reports, engineering data, technical or legal information received. The

review of the preliminary plan by the Bucks County Planning Commission shall be attached to the report forwarded to the Board of Supervisors.

D. Review and Action by Township Board of Supervisors.

(1) Upon receipt of the preliminary plan report from the Township Planning Commission, the Township Board of Supervisors shall schedule the preliminary plan on the agenda of a regular meeting. The Board of Township Supervisors shall render its decision and communicate this decision to the applicant/developer not later than that time required by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, as may be amended from time to time. [Ord. 209]

(2) The Board of Township Supervisors shall make all final decisions regarding approval, disapproval or conditional approval of any preliminary plan. In its evaluations, the Board of Supervisors shall give consideration to this Chapter, the Township Planning Commission report, the Bucks County Planning Commission report, the Township Engineer's report and any other pertinent data related thereto. The decision of the Board of Supervisors shall be in writing and shall be delivered to the applicant/developer personally or by registered mail within 15 days of such decision, or within such time limits as may be required by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.* Any conditions imposed in the grant of approval shall be accepted or rejected by the applicant/developer, in writing, to be filed with the Township within 10 calendar days of receipt of the Board's written decision. Should the applicant fail to accept or reject such conditions within such time period, approval of the preliminary plan shall be automatically rescinded. [Ord. 351]

(3) If the preliminary plan is not approved, the denial shall set forth the specific reasons for disapproval and the manner in which the application can be corrected or modified to obtain the required approval. If the preliminary plan is approved or approved with conditions, the written approval shall notify the applicant/developer of any conditions of approval and that he may submit a final subdivision plan or final land development plan. Said final plan may be submitted in its entirety or in sections, provided that approved preliminary plans for which a final plan has not been received shall become null and void 5 years after the date of preliminary plan approval. [Ord. 372]

3. *Public Hearing.* The Board of Township Supervisors may, at its discretion, schedule, advertise and hold a public hearing for any preliminary subdivision plan submitted under this Chapter.

4. *Time Extensions.*

A. In many complex major subdivisions and land development plans, there is frequently a need to extend the 90-day period prescribed by law for rendering a decision, particularly when a public hearing is deemed desirable and when technical changes to the plan are required. Such an extension may be agreed upon by the Township and the applicant/developer, provided that such agreement is in writing and is approved by all parties.

[Ord. 328]

B. When an applicant voluntarily submits a substantially revised plan

because of deficiencies in the original plan or otherwise, the Township shall have an additional 90-day period from the date of the filing of the revised plan to render a decision. Any revised plan submission shall be accompanied by a Township application form to be filled out and executed by the applicant. [Ord. 372]

5. *Submission Requirements for Major Subdivision and Land Development Plans.* Each preliminary plan shall show the following or be accompanied by such supplementary information:

A. The name and address of the applicant/developer and the name and address of the legal owner; the proposed legal name of the major subdivision as it is to be recorded or the proposed name of the land development; and the name and address of the registered professional engineer, land surveyor or registered architect responsible for preparation of the plan.

B. A location map or key map showing the location of the site or portion of the site to be subdivided or developed; all property lines, streets, roads and other subdivisions or land development within 2,000 feet of all boundaries of the site; zoning within such areas; and tax map parcel numbers.

C. A full data column which shall include the following: acreage of the site; acreage of the site by zoning district; front yard, side yard, rear yard, lot width and minimum lot area requirements and standards proposed; dwelling units by type permitted under zoning and proposed dwelling units by type; permitted density and proposed density by type of dwelling unit; combined overall dwelling unit density for the site; area for easements, streets and open space by type, i.e., public or private; proposed square footage or area of nonresidential uses; and required and proposed off-street parking and loading spaces for intended uses.

D. The proposed method of providing public or private water supply and sanitary sewage disposal methods, and written certification from the Municipal Authority showing satisfactory provision of the above at the time of submission of the final plan.

E. Existing physical or other features including, but not limited to, the following:

(1) A physical survey of the parcel to be subdivided or developed, showing all courses in degrees, minutes and seconds; distances to hundredths of a foot; physical area; monuments; existing easements and rights-of-way.

(2) Contours of the entire tract at not less than 2-foot intervals based on United States Coast and Geodetic Survey datum.

(3) The location of, names and widths of, streets, curbs and pavement, public or private; all property lines; and names of owners of tracts or parcels located within 200 feet of the site.

(4) All storm drainage, sanitary sewer and public water supply lines or facilities within 400 feet of the site, and ownership or maintenance responsibilities for the same.

(5) All existing buildings or outbuildings to remain or to be removed; tree stands, ponds or water bodies; and the location of the 100-year flood line as determined under the provisions of the Zoning Ordinance [Chapter 27].

F. The preliminary plan sheets shall be drawn to an appropriate engineering

scale so that the maximum sheet size should not exceed 40 inches by 54 inches. All sheets submitted shall be consecutively numbered and shall be of the same size, where possible. Appropriate sheets shall contain required signature blocks. All sheets shall show the scale, date prepared, North point, appropriate legends by symbols or words, any notes explaining features of the sheet or plan and appropriate blocks for revisions to each such sheet.

G. The proposed layout of the major subdivision or land development area, including, where appropriate for either, the following:

(1) The layout of streets, including width of the streets, alleys and crosswalks, and soils data.

(2) The layout and proposed dimensions of lots.

(3) The arrangement of buildings, fire zones and parking/loading areas in commercial and multi-family developments, with all necessary dimensions.

(4) A BMP operations and maintenance plan in accordance with the requirements of the Northampton Township Stormwater Management and Grading Ordinance [Chapter 23]. [Ord. 501]

(5) Tentative typical cross sections and center-line profiles for each proposed street shown on the preliminary plan. These plans may be submitted as separate sheets.

(6) Lots for which other than a residential use is intended.

(7) A landscaping plan, on a separate sheet, showing:

(a) Existing and proposed grades for the entire site.

(b) Existing vegetation, including;

1) Trunk locations.

2) Tree calipers.

3) Existing vegetation to be preserved, including:

a) *Trunk Locations*. When groups of trees are to be preserved, only the locations of those trees on the perimeter shall be required.

b) *Dripline Locations*. When groups of trees are to be preserved, only the locations of those trees on the perimeter shall be required.

c) Tree protection zones.

d) Locations and construction details of proposed retaining walls.

e) Any special soil and fill mediums, if applicable.

4) A proposed planting schedule indicating the locations, species and sizes of plantings as required by §22-615.6.

[Ord. 329]

(8) For subdivisions, the total area, number of lots, lot area for each lot and length of proposed streets shall be noted on the plan, and each residential and nonresidential lot shall be numbered.

(9) Building setback lines, established by zoning [Chapter 27] or other ordinances.

(10) Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, access or other reasons.

(11) Where the preliminary plan covers only a part of the applicant's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.

(12) Details of proposed ingress and egress at points of intersection with existing Township or State roads, including a notation on the plan showing the horizontal sight distance available at each such intersection for vehicles leaving the site.

(13) Proposed and existing lighting fixtures at identified external intersections and lighting fixtures for internal parking areas and other public and quasi-public areas including, but not limited to:

(a) A detailed 10-foot by 10-foot grid showing the horizontal maintained footcandle levels at grade, to the boundary of the site or past the boundary until the illumination values reach 0.0 footcandles.

(b) The minimum, average and maximum maintained illumination levels for the areas being illuminated, e.g., a parking lot, or for a statistical area that is typical of the total area. These values are to demonstrate compliance with the intensity and uniformity requirements of this ordinance.

(c) Description of existing and proposed equipment, including:

1) The mounted height from the lowest point of the fixture to the finished grade.

2) Details of how the fixtures are to be mounted.

3) Details of how lighting will be shielded and the angle of the shielding, when required.

4) Details of any building or canopy mounted lighting showing how the technical requirements of §27-1111 of the Zoning Ordinance [Chapter 27] have been met.

[*Ord. 464*]

(14) The open space requirements for all subdivisions and land developments are contained in the Northampton Township Zoning Ordinance [Chapter 27], as amended, and such requirements shall be reflected on any preliminary plan submitted to the Township.

H. Additional information required for cluster-designed subdivisions, as permitted under Part 9 of the Northampton Township Zoning Ordinance [Chapter 27], shall be as follows:

(1) A clear designation of the amount and type of open space, public or private, proposed shall be shown, including the open space ratio in the data column. Ownership, administration and maintenance of such open space shall be clearly shown on the preliminary plan or supporting documents.

(2) All impervious surface areas shall be calculated and/or shown on the

preliminary plan, including the impervious surface ratio.

(3) Steep slope areas shall be clearly shown, and the percentage of slope shall be noted on the plan.

(4) Lots having physical areas less than the minimum average lot shall be noted by symbol or in tabular form on the plan.

I. *Traffic Impact Study.*

(1) For any major subdivision involving more than 50 dwelling units or any land development plan involving commercial or industrial uses exceeding 25,000 square feet of gross leasable floor area, a traffic impact study shall be prepared and submitted simultaneously with the preliminary plan. As a minimum, this study shall include the following:

(a) A calculation of one-way vehicle trips to be generated by each use (single-family units, townhouses, commercial uses, industrial uses, etc.) and a combination of all such trips generated within the limits of the property, expressed in terms of average daily traffic (ADT) and daily peak hour flow.

(b) A reasonable assignment of such combined daily and peak hour trips generated to each point of ingress and egress proposed, including the directional split of such trips.

(c) A measured or calculated flow of present traffic on existing Township or State roads at the point of proposed intersection with new streets or drives outlined in the preliminary plan. This flow shall be expressed in terms of average daily traffic (ADT) and peak hour traffic.

(d) A statement, drawing or exhibit superimposing traffic to be generated at the time of full development by the uses shown on the preliminary plan upon present traffic projected to the date of plan completion, as expressed in terms of ADT and peak hour flow.

(e) Conclusions as to the impact of the proposed major subdivision or land development plan on existing and future traffic, with specific notation as to the level of service on existing township or state roads after full development. (Refer to 1965 Highway Capacity Manual, Highway Research Board, Report No. 87, for level of service.)

(2) The traffic impact conclusions and intersection analyses shall be based on maximum peak hour impact at all intersections which would be substantially affected by the addition of newly generated traffic. The report shall outline any required street, road or highway improvements required to sustain a Level of Service C on streets affected by the preliminary plan development.

J. A written request for modification of any provision of this Chapter because of peculiar conditions pertaining to the land, stating in full the grounds and facts of unreasonableness or undue hardship on which the request is based or when an alternative standard can be demonstrated to provide equal or better results. [*Ord. 294*]

(*Ord. 158, 3/9/1977; as amended by Ord. 209, 5/9/1984; by Ord. 294, 8/9/1989; by Ord. 328, 4/11/1991; by Ord. 329, 5/8/1991; by Ord. 351, 10/14/1992; by Ord. 372, 10/13/1993; by Ord. 464, 10/11/2000; and by Ord. 501, 12/8/2004*)

§22-305. Final Plans.

1. *Procedures.* The review of final plans shall be identical to the procedures outlined in §22-304.1 and .2 for preliminary plan review, except as follows:

A. Any changes, conditions or modifications noted at the time of approval of the preliminary plan shall be incorporated on the final plan.

B. After review of the final plan and upon certification by the Township Engineer that all changes required as a condition of the final plan approval have been made, the applicant/developer shall submit record plans as specified in §22-306 of this Chapter. [Ord. 209]

C. In accordance with the provisions of §509 of the Municipalities Planning Code, 53 P.S. §10509, a final plan shall not be signed or recorded by the Board of Township Supervisors until the Township has received a corporate bond, performance bond or other security acceptable to the Township in an amount equal to that as outlined by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.* The Township Solicitor shall review and advise the Board as to the acceptability of such security. The Township Engineer shall be responsible for preparing cost estimates for all improvements required in the final plan or portion thereof being approved based upon the quantities and items of construction supplied by the applicant's engineer. [Ord. 209]

2. Submission requirements for major subdivision and land development plans. The final plan submission requirements shall be identical to the preliminary plan submission requirements outlined in §22-304.5, except that all data shall be in final form and the following additional information shall be required:

A. Construction and improvement drawings in final detail for drainage; street construction; grading; landscaping; lighting, where required; cable television lines; erosion controls; water supply and fire hydrants; sanitary sewers; and appurtenances. Plans, profiles and cross-sections shall be included. [Ord. 388]

B. Evidence of approval of the BMP operations and maintenance plan and the required permits, as received from the Pennsylvania Department of Environmental Protection, shall be submitted to the Township. In the event that there is any required change by the Department of Environmental Protection of said plans, the Township Engineer shall be so notified, in writing, and a complete resubmission of the final plan shall be required. [Ord. 501]

C. Open space maintenance agreements and agreements related to any nonprofit association shall be submitted to and approved by the Township Solicitor as a condition of final plan approval.

D. Forms for petition or dedication, if any, may be obtained from the Township Manager's office.

E. For subdivisions and land developments provided by means other than private wells owned and maintained by individual lot owners, evidence that water will be supplied by a certified public utility, by a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility shall be provided. A copy of a certificate of public convenience from the Pennsylvania Public Utilities Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question shall be acceptable

evidence. [Ord. 294]

(Ord. 158, 3/9/1977; as amended by Ord. 209, 5/9/1984; by Ord. 294, 8/9/1989; by Ord. 388, 10/12/1994; and by Ord. 501, 12/8/2004)

§22-306. Record Plans.

1. The record plan shall be a clear and legible black-line print or original on white linen. Three such linens and one paper print, being an exact duplicate of the approved final plan, shall be submitted. The record plan shall show the following:

- A. The seals and signature of the professional who prepared and approved the plan.
- B. Corporate seals, where required.
- C. Notarized statement of the owner's intent.
- D. The Northampton Township Seal.
- E. Certification of ownership and desire to record the plan.
- F. The required signatures of township and Township Planning Commission officials, including the Township Engineer.
- G. Additional certifications as may be required for offers of dedication, guaranties and warranties.

[Ord. 209]

H. Certification by the surveyor or engineer as to the accuracy of the plan. [Ord. 294]

I. Certification by the Bucks County Planning Commission of its review of the plan. Said certification must include the signature of the Executive Director of the Bucks County Planning Commission or his designate, indicating that the subdivision or land development was reviewed by the Bucks County Planning Commission. [Ord. 294]

2. The record plan shall be filed in the office of the Recorder of Deeds, Bucks County, Pennsylvania, within 90 days of final plan approval.

(Ord. 158, 3/9/1977; as amended by Ord. 209, 5/9/1984; and by Ord. 294, 8/9/1989)

§22-307. Minor Subdivisions.

A minor subdivision is defined in §22-202 of this Chapter. Minor subdivisions require a simplified procedure and modified submission requirements. After the effective date of this Chapter, only one minor subdivision will be permitted over any period of time for any parcel within the Township. If, under prior ordinances or regulations, three minor subdivisions have been approved by the Township for an original tract of land up to the effective date of this Chapter, no additional minor subdivisions will be accepted or approved by the Township.

A. Procedure.

(1) No sketch plan submission is suggested for a minor subdivision. A final plan is the record plan for a minor subdivision. The preliminary minor subdivision plan is submitted, processed, reviewed and acted upon in the identical manner as a preliminary major subdivision plan, as outlined in §22-

304.1 and .2 this Chapter.

(2) Approval, conditional approval or denial of approval by the Board of Township Supervisors for any minor subdivision plan shall be identical to procedures outlined in §22-304.2 for major subdivisions.

(3) The final, and record, plan shall contain all changes, modifications, notations and agreements required by the Board of Township Supervisors at the time of preliminary plan approval. In addition, the certifications and signatures required for recording shall be shown on the final plan. The final plan shall be processed in an identical manner as required in §§22-305.1 and 22-306.1 for final and record plans.

B. *Submission Requirements.* Each minor subdivision plan, preliminary and final, shall contain the following:

(1) The name and address of the owner and the registered professional engineer or surveyor responsible for the plan; a key map showing location and existing zoning.

(2) A physical survey of the portion of the tract being subdivided, with courses in degrees, minutes and seconds and distances to hundredths of a foot and showing any easements, curblines or rights-of-way and the abutting street or road; two-foot contour intervals; and north point.

(3) Existing buildings to remain or to be removed; tree stands, ponds, water bodies and, if applicable, the floodplain or flood hazard line; and soils data for the parcel.

(4) The proposed division of land; building setback lines; acreage of the lot(s) and proposed easements for access, drainage or other purposes.

(5) Proposed driveway locations, if any, and proposed new curblines.

(6) Prior lots approved under minor subdivision procedures from 1962 to the present date.

(*Ord. 158, 3/9/1977*)

§22-308. Minor Land Development.

1. A minor land development is defined in §22-202 of this Chapter.

2. *Procedure.* Minor land developments require a simplified review procedure and modified submission requirements.

A. The as-built plans for the original land development plan, as recorded or as approved in the field by the Township Engineer, shall be presented with the inclusion of additional information on proposed changes and/or modifications. These changes and/or modifications shall include, but not be limited to, the relocation or addition of parking facilities, additions of accessory buildings and additions or alterations to the primary building or structure.

B. Prior to minor land development plan approval, the owner/applicant will file with the Township Manager's office at least 14 print copies of the plan, prepared by a registered professional engineer or surveyor, showing all changes as required in paragraph .A hereof; and one scaled-down print, 8½ inches by 11 inches, of the aforesaid plan. [*Ord. 404*]

C. The plan shall be reviewed by the Township Engineer, Zoning Officer and then the Board of Supervisors. [Ord. 443]

D. Upon approval by the Board of Supervisors, a linen plan shall be recorded. (Ord. 158, 3/9/1977; as added by Ord. 350, 9/9/1992; and amended by Ord. 404, 1/24/1996; and by Ord. 443, 12/9/1998)

§22-309. Fees.

A fee shall be required for processing and reviewing any sketch plan, preliminary or final subdivision plan, including a minor subdivision plan. Fees are also required for processing and reviewing both preliminary and final land development plans. The fees shall be paid by the applicant/developer at the time of filing each such plan. The fee schedule for all plans submitted under this Chapter shall be adopted by resolution of the Board of Township Supervisors and may be amended from time to time.

(Ord. 158, 3/9/1977)

§22-310. Grading Plan.

Prior to the issuance of building permits within any subdivision or land development, an individual lot or parcel grading plan meeting the requirements of the Uniform Construction Code, as amended [Chapter 5, Part 1], shall be required.

(Ord. 158, 3/9/1977; as amended by Ord. 211, 5/9/1984, §118-15)

§22-311. As-Built Plans.

Prior to the final release of any guaranty required by §22-404.4, the owner shall furnish to the Township complete as-built drawings of all improvements constructed within any subdivision or land development, showing the precise locations and details of all such improvements required by this Chapter or as required by the Board of Supervisors at the time of final plan approval. The Township Engineer shall approve such as-built plans prior to acceptance by the Township.

(Ord. 158, 3/9/1977)

§22-312. Mobile Home Parks.

A mobile home park, as defined in the Zoning Ordinance [Chapter 27], shall in all cases be submitted to the Township as a land development plan in accordance with the following:

A. *Land Development Plan Required.* For any proposed mobile home park located within an R-5 Mobile Home Park District, a preliminary, final and record land development plan meeting all requirements of §§22-304, 22-305, 22-306, 22-308, and 22-310 and all requirements of Parts 4 and 6 of this Chapter shall be required. In addition, all requirements of the Township Zoning Ordinance [Chapter 27] shall be met in the preparation and submission of a land development plan for a mobile home park.

B. *Additional Design Requirements.* In addition to the requirements noted in paragraph A above, each proposed mobile home park shall also be in compliance with the requirements of §22-405 and all other Sections of this Chapter noted within §22-405.

(Ord. 158, 3/9/1977)

Part 4**Improvements; Design Standards****§22-401. Purpose and Applicability.**

1. The purpose of this Part is to establish and define the public improvements and design standards which will be required by the Township in the review, approval and construction of any subdivision or land development.

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

3. Whenever Township or other applicable regulations impose more restrictive standards and requirements than those outlined herein, such other regulations shall control.

4. Where literal compliance with the standards and requirements specified herein is clearly impractical, the Board of Supervisors may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of these regulations.

(Ord. 158, 3/9/1977)

§22-402. General Design Standards.

1. All portions of a tract being subdivided shall be taken up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created. In general, lot lines shall follow municipal or Township boundary lines rather than cross them. Wherever possible, developers shall preserve trees, groves, waterways, scenic points, historic spots and other community assets and landmarks. Subdivisions and land developments shall be laid out so as to avoid the necessity for excessive cut or fill.

2. Land subject to flooding or other hazards to life, health or property and land deemed to be topographically unsuitable shall not be designed for residential occupancy or for such other uses as may increase danger to health, life or property or aggravate existing erosion or flood hazards. Such land within the subdivision or land development shall be set aside on the plan for uses not endangered by periodic or occasional inundation and shall not produce unsatisfactory living or occupancy conditions. Where flooding is known to have occurred within the area shown on the plan, such area shall be clearly marked "subject to periodic flooding," and no building or streets shall be permitted in this area. Floodplains are subject to the provisions of Part 7 of the Northampton Township Zoning Ordinance [Chapter 27].

3. Land designated as open space in a previously approved subdivision or land development plan shall not be designated for residential occupancy or for any other use which is inconsistent with its use as open space. [*Ord. 381*]

(Ord. 158, 3/9/1977; as amended by Ord. 381, 5/11/1994)

§22-403. Design Criteria and Requirements.

1. *Streets.*

A. Streets proposed in any major subdivision or land development shall be in accordance with the Comprehensive Plan and the Official Map of Northampton Township.

B. Streets shall be carefully related to topography so as to produce reasonable and minimum grades, satisfactory drainage and suitable building sites.

C. Residential streets shall be so laid out as to discourage through traffic. However, the design of streets shall provide for continuation of existing or recorded streets and for proper access to adjoining undeveloped tracts suitable for future subdivision.

D. Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as culs-de-sac. Stub streets shall be designed with a temporary turnaround built to the standard required for culs-de-sac. [Ord. 209]

E. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets. Street names shall not be repeated within the Township. The applicant/developer shall obtain, in writing, a statement from the postmaster of the nearest postal service area and a statement from an official of the nearest fire company that proposed street names do not conflict with existing street names.

F. Private streets may be approved only if they are designed to meet Township street standards for right-of-way, paving width, drainage, curbs and gutters.

G. When street lines are deflected in excess of 3 degrees, connection shall be made by horizontal curves. A long-radius curve shall be preferred in all cases to a series of curves and tangents.

H. The approaches to any intersection shall follow a straight course for at least 50 feet, as measured away from the intersecting lines of rights-of-way.

I. Except on residential and local minor collector streets, a minimum tangent of 100 feet shall be required between curves.

J. To ensure adequate vehicular sight distance, minimum center-line radius/radii for horizontal curves shall be as follows:

- (1) Residential and local minor collector–150 feet.
- (2) Major collector streets–300 feet.
- (3) Major arterial streets–500 feet.

K. *Street Right-of-Way and Pavement Standards.* The following design and construction requirements are subject to periodic review and approval by the Board of Township Supervisors or modification by the Pennsylvania Department of Transportation (PennDot) in the case of a State-maintained road (see PennDot Form 408):

Type of Street	Minimum Right-of-Way Required (feet)	Minimum Cartway or Paving Width (feet)
Residential	50	31

Type of Street	Minimum Right-of-Way Required (feet)	Minimum Cartway or Paving Width (feet)
Minor collector (primary)	60	36
Major collector	80	36 to 48
Major arterial	100 to 120	PennDot standard
Industrial [Ord. 209]	50	31

L. Additional rights-of-way and cartway widths may be required by the Township Board of Supervisors in order to lessen traffic congestion; to secure safety from fire, panic and other dangers; to facilitate the adequate provision for transportation and other public requirements; and to promote the general welfare. Short extensions of existing streets with lesser rights-of-way and/or cartway widths than as prescribed above may be permitted, provided that no section of new right-of-way shall be less than 50 feet in width.

M. Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width shall be dedicated or held for future dedication to conform to the standards set by the Township.

N. New half or partial streets are not permitted, except where satisfactory assurance for dedication of the remaining part of the street can be secured. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.

O. Any applicant/developer who encroaches within the legal right-of-way of a State highway is required to obtain a highway occupancy permit from the Pennsylvania Department of Transportation, Permit Office, Doylestown, Pennsylvania.

P. Center-line street grades shall not be less than 1 percent. The maximum street grades shall be as follows:

- (1) Residential and minor collector streets—8 percent.
- (2) Major collector and major arterial streets—6 percent.

Q. Where the grade of any street at the approach to an intersection exceeds 6 percent, a leveling area of at least 75 feet, measured from the street line, shall be provided, having a grade of not greater than 2 percent. Vertical curves shall be used at changes of grade exceeding 1 percent and shall be designed to provide the following minimum sight distances:

- (1) Residential and minor collector streets—125 feet.
- (2) Major collector and major arterial streets—150 feet or as per PennDOT specifications, whichever is greater.

R. For cul-de-sac streets, the following design shall be required:

- (1) A permanent or temporary cul-de-sac exceeding 600 feet in length may be approved by the Board of Supervisors only if conditions of the tract warrant a cul-de-sac of greater length.
- (2) Culs-de-sac shall have, at the closed end, a turnaround which is paved

to an outside radius of not less than 40 feet, and which has a right-of-way, concentric with the paved area, with an outside radius of not less than 50 feet, except for culs-de-sac in industrial zones, which shall have a paved outside radius of not less than 48 feet and a right-of-way, concentric with the paved area, with an outside radius of not less than 60 feet. [Ord. 209]

S. Street intersections shall be designed to intersect at right angles. New street intersections involving more than two streets shall be prohibited. The minimum center-line offset between streets intersecting another street is 150 feet. The minimum curb radii at street intersections shall be 25 feet and 15 feet at the property line. [Ord. 209]

T. A minimum clear-sight triangle of 75 feet as measured from the center-line intersections of two streets shall be provided at all intersections. No physical obstruction, planting, berm or grade shall obscure vision above a height of 2 feet in such triangle. Each leg of each triangle shall be increased by 1 foot for each foot of right-of-way greater than 50 feet for either intersecting street.

U. Residential driveways shall be located not less than 50 feet from the intersection of corner lots and shall, where appropriate, connect to the street of lowest potential traffic if located on a corner lot.

V. Access to individual commercial and industrial parking areas and sites shall be controlled and shall be so located as to provide a minimum of 150 feet between points of access.

W. Bridges and culverts shall be designed to meet current Township specifications. They shall be constructed to the full width of the right-of-way or to an adequate dimension to accommodate special grade conditions. Approval of the Pennsylvania Department of Environmental Protection, Division of Dams and Encroachments, is required when the area drained upstream of the point under consideration exceeds an area of ½ square mile.

2. *Curbs, Sidewalks, Driveway Aprons, Street Signs and Streetlighting.*

A. *Curbs.*

(1) Curbs shall be provided for all:

(a) Existing and proposed streets.

(b) Access roads, drives and parking areas for commercial and industrial sites.

(2) Curbs shall be constructed along any existing street on which a subdivision or land development abuts, and the existing paved cartway shall be widened to the curb.

(3) All curbs shall be constructed in accordance with the Accessibility Guidelines for Buildings and Facilities, United States Architectural and Transportation Barriers Compliance Board, as amended, promulgated by the Americans with Disabilities Act of 1990.

(4) The location of curbing along such existing street shall be determined by the width of the required cartway of the road as established by this Chapter or by PennDOT standards in the case of a State-maintained road.

(5) The specific type and design of a curb shall be in accordance with the

design standards as established by the Township Engineer and Public Works Department. [Ord. 447]

B. *Sidewalk and Pedestrian Paths.* Sidewalks shall be required on both sides of all existing and proposed streets. [Ord. 419]

(1) All sidewalks shall be constructed in accordance with the Accessibility Guidelines for Buildings and Facilities, United States Architectural and Transportation Barriers Compliance Board, as amended, promulgated by the Americans with Disabilities Act of 1990.

(2) Sidewalks, pedestrian paths and accessible routes shall be of a hard surface composition and shall be constructed according to Township specifications. An occasionally used footpath may use gravel, pine bark, chips or other material approved by the Board of Supervisors.

(3) Sidewalks or other pedestrian paths shall not exceed a grade of 7 percent. Except for accessible routes, where the maximum rise for any run shall be 30 inches with a level landing of at least 60 inches at the bottom and top of each run, steps or a combination of steps and ramps shall be utilized to maintain the maximum grades, where necessary. Where sidewalk or pedestrian path grades exceed 5 percent, a nonslip surface texture shall be used.

(4) Sidewalks shall be laterally pitched at a slope of not less than $\frac{1}{4}$ inch per foot to provide for adequate surface drainage.

(5) The grades and paving of sidewalks shall be continuous across driveways, except in certain nonresidential and high-density residential developments and in certain other cases where heavy traffic volume dictates special treatment.

(6) The minimum width of all sidewalks shall be 4 feet.

(7) The specific type and design of sidewalk shall be in accordance with the design standards as established by the Township Engineer and Public Works Department. [Ord. 447]

(8) A minimum 4-foot wide grass plot shall be provided between the sidewalk and the back of the curb. Such grass plot may be modified or eliminated for certain commercial area sidewalks at the sole discretion of the Board of Supervisors. [Ord. 447]

(9) If the provision of sidewalks requires the destruction or removal of valuable trees, consideration shall be given to the retention of such valuable trees.

(10) The Board of Supervisors may waive the installation of sidewalks and impose a fee in lieu thereof when requested by the landowner and when it is deemed impractical or unnecessary for the aforesaid sidewalk to be installed at the time of construction. The fee shall be established by the Board of Supervisors by resolution from time to time. [Ord. 419]

C. *Corners and Street Crossings.* At corners or other pedestrian street-crossing points, sidewalks shall be provided pursuant to the Accessibility Guidelines for Buildings and Facilities, United States Architectural and Transportation Barriers Compliance Board, as amended, promulgated by the Americans

with Disabilities Act of 1990.

D. *Driveway Aprons.* Where driveways cross sidewalks, a concrete apron shall be provided from the sidewalk to the back of the curb.

E. Street signs, as approved by Northampton Township, shall be required for all subdivisions and land developments having existing or proposed streets. The developer shall erect, on metal poles, at every street intersection, a street sign or street signs having thereon the names of the intersecting streets. At intersections where streets cross, there shall be at least two such street signs, and at intersections where one street ends or joins with another street, there shall be at least one such street sign.

F. *Lighting Requirements.*

(1) Streetlighting shall be required for all commercial and industrial land developments, for all multi-family residential areas and, at the discretion of the Board of Supervisors, for all or portions of single-family residential developments.

(2) In single-family residential subdivisions, appropriate conduit and wiring shall be installed underground even though standards and lighting fixtures may not be required or constructed immediately. In lieu of conduit and wiring, a fee may be imposed by the Board of Supervisors, at its sole discretion, when it is deemed impractical or unnecessary for such conduit and wiring to be installed at the time of the construction of the residential subdivision. Such a fee shall be initially established by the Board of Supervisors by resolution. Such fee provisions may be changed from time to time by the Board of Supervisors.

(3) Proposed intersections with any major collector or major arterial street shall have streetlights.

(4) In commercial, office, institutional and industrial land developments, lighting shall be provided in accordance with the technical details in §27-1111 of the Zoning Ordinance [Chapter 27]. [*Ord. 464*]

G. Where required above, the owner shall install or cause to be installed, at the owner's expense, metal pole streetlights serviced by underground conduit in accordance with a plan to be prepared by the owner's engineer and approved by the Township Engineer and Board of Supervisors. The equipment of metal poles may be waived in such instances as approved by the Board due to the existence of wooden poles already in place. The owner shall be responsible for all costs involved in lighting the streets from the date of first dwelling unit occupancy until such time as the streets are accepted by the Township. In certain commercial, office, institutional or other high-density areas of the Township, the Board of Supervisors may require the use of replica gas lights in accordance with the design standards as established by the Township Engineer and the Public Works Department. [*Ord. 464*]

[*Ord. 412*]

3. *Grading, Drainage and Erosion and Sediment Control.*

A. Grading activities and sedimentation and erosion control facilities shall be designed, installed and undertaken in accordance with the Northampton Township

Stormwater Management and Grading Ordinance [Chapter 23].

B. Any area of the Township proposed for development shall be designed to meet the following maximum disturbed vegetative ground cover requirements:

Range (percent)	Maximum Percent Permitted Disturbance
8 to 15 percent	40 percent
15 to 25 percent	30 percent
25 percent or more	15 percent

[Ord. 501]

4. *Easements.*

A. Easements with a minimum width of 20 feet shall be provided, as necessary, for all utilities, including storm drainage facilities, access to sedimentation devices, sanitary sewers and appurtenances, water supply lines, underground telephone lines, cable television lines, electrical lines or conduits, and for access to open space areas and to floodplain areas in certain circumstances. Easements required for public water and sanitary sewer facilities shall be 30 feet or as required by the Northampton, Bucks County, Municipal Authority. [Ord. 388]

B. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines. Nothing shall be permitted to be placed, planted, set or put within the area of an easement. The area shall be kept as lawn or as minor paving in the case of driveways or sidewalks.

C. Where a subdivision or land development is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage but not less than 100 feet or as determined by the Township Engineer or as may be required or directed by the Pennsylvania Department of Environmental Protection. The owner shall properly grade and seed slopes and fence any open ditches when it is deemed necessary by the Township.

D. No right-of-way or easement for any purpose whatsoever shall be recited or described in any deed unless shown on the approved final plan. [Ord. 501]

5. *Public and Private Water Supply.*

A. The developer shall provide and construct water mains in such a manner as to make adequate water service available to each lot or dwelling unit within the subdivision or for each use in the land development. A minimum pressure as required by the Northampton Municipal Authority shall be provided at each dwelling or other building to be connected to the water supply main. The water supply must comply with the regulations and the standards of the State Department of Environmental Protection of Pennsylvania and the standards of the Authority.

B. The public water system shall also be designed with adequate capacity and appropriately spaced fire hydrants for firefighting purposes. Review and approval by the Northampton, Bucks County, Municipal Authority shall be required in order to assure that adequate fire protection is provided. Written certification of that

review must be submitted by the applicant to the Township prior to approval of final plans. For final plans, the approval of the Insurance Services Office is also required for fire hydrants. [*Ord. 209*]

C. Where no public water is accessible or can be extended to the property, water shall be furnished by the developer or lot owner on an individual lot basis. If wells are installed on each lot and the lot also contains its own sewage disposal facilities, the well shall be of the drilled type, cased and grout-sealed into the bedrock. The well will be required to have a production of not less than 6 gallons per minute as established by bailer tests and certified by the well driller. Before being placed in consumer use, it shall be disinfected by the use of sodium hypochlorite or other acceptable solutions and a sample bacteriological examination performed by a licensed water analyst. All standards of the Bucks County Department of Health shall be followed.

6. *Public Sanitary Sewers and Private On-lot Sewage Disposal.*

A. The design, construction, operation and approval procedures for public sanitary sewers, treatment of sewage and related facilities within Northampton Township are under the legal control and jurisdiction of the Northampton Township Municipal Authority, herein called the "Authority," pursuant to the provisions of Chapter 18, "Sewers and Sewage Disposal," as amended to date. [*Ord. 211*]

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

C. When capped sewers are required and provided, on-site disposal facilities shall also be provided. A sewer shall be considered to be planned for extension to a given area any time after preliminary engineering and related studies have been completed and the construction of facilities adequate to serve the area containing the subdivision has been programmed for completion within a reasonable time. The Authority shall determine, in writing, that a proposed subdivision or land development is or is not accessible for connection to its sewerage system.

D. All public sanitary sewers shall be designed and constructed in accordance with the Sewerage Manual issued by the Pennsylvania Department of Environmental Protection. No public sanitary sewer or connection thereto shall be constructed until plans and specifications have been submitted to the Pennsylvania State Department of Environmental Protection and to the Authority and approved in accordance with existing laws.

E. If public sewer facilities are not available, the developer or owner shall provide for sewage disposal on an individual lot basis according to the rules, regulations, terms, definitions and conditions of the individual sewage disposal system application and certification procedure for Bucks County, Pennsylvania,

adopted by the Bucks County Board of Commissioners on March 24, 1971, and any amendments made thereto. When on-lot sewage disposal facilities are proposed, a satisfactory Bucks County Health Department feasibility report must be received by the Board of Supervisors before approval of the final plan. The dimensioned location(s) of the on-lot sewage system and the well, if proposed, must be shown on the plan prior to the issuance of a building permit.

7. *Electric, Telephone and Communication Facilities.*

A. All electric, telephone, cable television and communication service facilities, both main and service lines, shall be provided by underground cables, installed in accordance with the prevailing standards and practices of the utility and other companies providing such services, except where it is demonstrated to the Board of Supervisors that the underground installation required herein is not feasible because of the physical condition of the lands involved. [Ord. 388]

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

C. Installation of cable television service lines parallel to other utilities or other means of providing such television service shall be made by the enfranchised cable operator(s) to residents in all future new residential construction. The aforementioned cable operator(s) shall be given reasonable notice of all relevant easement and service trench ground openings by the developer; further, reasonable time and opportunity to make the required installation shall be given by the developer. [Ord. 388]

8. *Off-Street Parking and Loading Facilities.*

A. *General.*

(1) The number and type of off-street parking spaces and off-street loading spaces for all types of permitted uses are specified in the Northampton Township Zoning Ordinance [Chapter 27]. The criteria contained in this subsection pertains to the general design requirements.

(2) All off-street parking spaces shall be in parking lots or courts, fully paved, with curbs, island separators, appropriate lighting, proper drainage and convenient pedestrian and vehicular access.

(3) Off-street parking spaces required for single-family dwellings shall be located in a garage, carport or driveway.

(4) All parking lots and bays shall be physically separated from the street and confined by curbing or other suitable separating device.

(5) Access and circulation for firefighting and other emergency equipment, moving vans, fuel trucks, garbage collection, deliveries and snow removal shall be planned for efficient operation and convenience.

(6) No less than a 5-foot radius of curvature shall be permitted for all curblines in parking areas.

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

(1) Off-street parking areas shall be designed to:

(a) Permit safe and efficient internal circulation in accordance with accepted traffic engineering principles and standards.

(b) Permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles.

(c) Have sufficient reservoir space to accommodate entering and exiting vehicles without overflowing out onto adjacent streets or service roadways.

(2) *Setbacks.* Off-street parking areas shall be located:

(a) At least 15 feet from the future right-of-way line and all property lines or as required by the Northampton Township Zoning Ordinance [Chapter 27], the greater provision to prevail. The distance between this required setback and the future cartway shall be maintained as a planting strip.

(b) At least 20 feet from any building or structure.

(3) *Parking Spaces.*

(a) All parking spaces shall be marked so as to provide for safe and orderly parking. Parking stalls shall be delineated by a double striped line, closed at the aisle end; and, parking stall widths shall be measured to the center of the double striped lines.

(b) Subject to provisions relating to parking for individuals with disabilities and parking for railroad passenger stations, the minimum dimensions of stalls and aisles shall be as follows:

Angle of Parking	Parking Stall Width (feet)	Stall Depth (feet)	Aisle One-Way (feet)	Two-Way (feet)
90°	9.5	18	*	24
60°	9.5	20.2	18	21
45°	9.5	19.6	15	18
30°	9.5	16.5	12	18
Parallel	9.5	22	12	18

*NOTE: Not permitted.

(c) Angle or perpendicular parking shall not be permitted along public or private streets.

(d) In no case shall parking areas for three or more vehicles be designed to require or encourage cars to back into a public street in order to leave the lot.

(e) All dead-end parking areas shall be designed to provide a backup area with a minimum depth of 10 feet for the end stalls of a parking area.

(4) *Accessible Parking Spaces.*

(a) Accessible parking spaces for the disabled shall be provided pursuant to the Accessibility Guidelines for Buildings and Facilities, United States Architectural and Transportation Barriers Compliance Board, as amended, promulgated by the Americans with Disability Act of 1990 and the Zoning Ordinance [Chapter 27].

(b) Accessible parking spaces shall be designated as reserved by a sign showing the international symbol of accessibility (PennDOT No. R7-8) and the penalties sign (PennDOT No. R7-8B) or other such signs as may be prescribed from time to time by the Pennsylvania Department of Transportation. The signs shall be located so that they cannot be obscured by a vehicle parked in the space and shall be erected and maintained in compliance with all applicable Pennsylvania Department of Transportation regulations. All signs shall be replaced by the landowner when they become missing, damaged or obsolete.

(5) *Driveways.*

(a) Entrances and exits to and from off-street parking areas shall be located so as to minimize interference with street traffic.

(b) If, in the opinion of the Supervisors, excessive traffic entering or leaving such parking areas will cause congestion due to turning movements to or from local streets, internal stacking lanes or channelization of entrances may be required.

(c) For the purpose of servicing any property under single and separate ownership, entrance and exit drives crossing the street line shall be limited to two along the frontage of any single street for each 500 feet of frontage, and their center lines shall be spaced at least 80 feet apart. On all corner properties, there shall be a minimum spacing of 60 feet, measured at the street line, between the center line of any entrance or exit drive and the street line of the street parallel to said drive.

(d) The width of entrances and exit drives shall be:

1) A minimum of 12 feet for one-way use only.

2) A minimum of 25 feet for two-way use.

3) A maximum of 35 feet at the street line and 54 feet at the curblines.

(e) A minimum center-line radius of 33 feet shall be provided for all drives.

(6) *Pedestrian Facilities.*

(a) Tire bumpers shall be installed so as to prevent vehicle overhang on any sidewalk area.

(b) Raised crosswalks and refuge islands for pedestrian traffic shall be provided at intervals not exceeding 200 feet along the length of each parking area.

(c) Pedestrian crosswalks in parking areas shall not be subject to passage or concentration of surface water.

(7) *Landscaping.* Parking areas shall be designed in accordance with the following standards in order to accommodate landscaping, as required in §22-615:

(a) No more than 20 parking spaces shall be permitted in a continuous row and no dimension of any parking area may exceed 200 feet without being interrupted by a planting strip having a width of not less than 10 feet.

(b) No more than 40 individual parking spaces may be placed together within any parking area without being provided with a planting strip having a width of not less than 10 feet.

(c) A minimum of 10 percent of any parking lot facility shall be devoted to landscaping, inclusive of required trees.

(8) *Lighting.*

(a) All common parking areas shall be adequately lighted during after-dark operating hours. All light standards shall be located on raised parking islands and not on the parking surface.

(b) All artificial lighting used to illuminate any parking space or spaces shall be designed in accordance with the standards of §27-1111.E of the Zoning Ordinance [Chapter 27].

(9) *Off-Street Loading Spaces.*

(a) Off-street loading spaces and access areas are required by the Northampton Township Zoning Ordinance [Chapter 27]. Such loading spaces shall be 12 feet by 55 feet in size, exclusive of drives and maneuvering space, and shall be located entirely on the lot being served.

(b) Off-street loading spaces shall be conveniently located for access to buildings and shall have adequate turning radii for proper ingress and egress.

(c) Such loading spaces shall be clearly marked and shall not be used for required off-street parking.

[Ord. 469]

9. *Multi-family Residential Development.*

A. The types of permitted uses, dwelling unit density, parking, lot area and building bulk requirements for permitted multi-family residential developments are contained in the Northampton Township Zoning Ordinance [Chapter 27].

B. All applicable provisions of this Chapter shall also apply to any multi-family land development, including, but not limited to, submission procedures, plan requirements, design requirements, construction requirements and bonding procedures for required improvements.

C. In addition to all other requirements contained herein, multi-family residential land development plans shall include the following:

(1) A complete landscaping plan, showing existing and proposed trees, buffers, planting areas, hedges, a plant list, ground cover for all areas not occupied by buildings or paving, ornamental fencing, if any, and a typical detail for foundation planting.

(2) Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided. Collection stations shall be located so as to be screened and separated adequately from habitable buildings to avoid being offensive, but at the same time shall be convenient for both collectors and residents.

(3) An exterior lighting plan for internal walkways and parking areas, showing locations of lighting standards, a detail of proposed fixtures and shielding methods.

10. *Nonresidential Land Development Plans.*

A. Permitted commercial, industrial, public and quasi-public uses, coverage, site area and parking requirements and building bulk controls are contained in the Northampton Township Zoning Ordinance [Chapter 27].

B. All applicable provisions of this Chapter shall also apply to any nonresidential land development, including, but not limited to, submission procedures, plan requirements, design and construction requirements and bonding procedures for required improvements.

C. In addition to all other requirements contained in this Chapter, nonresidential land development plans shall include the following:

(1) A complete landscaping plan as required in subsection .9.C(1) above.

(2) Exterior refuse collection stations as required in subsection .9.C(2) above.

(3) An exterior lighting plan for all parking areas and walks, with lighting standard locations, fixtures and shielding.

(4) An internal circulation plan, including proposed traffic control devices at points of ingress and egress.

11. *Monuments.* (See §22-202 for definition.)

A. Permanent monuments shall be placed at each change in direction of boundary: two to be placed at each street intersection and one on one side of each street at angle points and at the beginning and end of curves. Utility easements shall be monumented at their beginning, any change of direction and at their end; and areas to be conveyed for public use shall be fully monumented at all changes in direction. [Ord. 209]

B. Monuments shall be placed in the ground after final grading is completed, at a time specified by the Township Engineer.

C. All monuments shall be checked for accuracy by the Township Engineer or their accuracy certified by the owner's engineer. Accuracy of the monuments shall be within $\frac{1}{100}$ of a foot.

12. *Community Facilities and Required Open Space.*

A. In reviewing subdivision plans and multi-family land development plans, the Township Planning Commission and Board of Supervisors will consider the adequacy of existing or proposed community facilities to serve the additional dwellings proposed by the subdivision. The Board shall require the dedication or reservation of such areas or sites of an extent and location suitable to the needs created by the development for schools, parks and other public purposes. Where the

Board does not deem dedication or reservation of open space appropriate, a cash contribution will be required for possible future public open space uses and in accordance with the Township Zoning Ordinance, Part 10 [Chapter 27].

B. Areas provided or reserved for such community facilities shall be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed. Where a proposed park, playground, school or other public use shown in the Northampton Township Comprehensive Plan is located, in whole or in part, in a subdivision or land development, the Board of Supervisors may require the dedication or reservation of such area within the subdivision or land development in those cases in which the Board deems such requirements to be necessary.

C. *Standards for Community Facilities.* The following standards shall apply to the provisions of recreation space:

(1) Areas set aside for recreational purposes, such as playgrounds or playfields, shall be of adequate size and configuration to accommodate the intended use. They should be located to serve all the residents, and in large developments more than one area may be required to serve the residents in close proximity to their dwellings. Access should be provided from a public street.

(2) The Northampton Township Zoning Ordinance [Chapter 27] sets for the minimum requirements for open space considering the type of development and the zoning to which it is located. In addition to these provisions, a minimum of 0.03 acres of undeveloped land shall be dedicated and improved with park and recreation facilities for each new individual housing unit within the development. The size, type, location, ownership and maintenance of the improved park and recreation facilities shall be subject to the approval of the Board of Supervisors. Upon review of the proposal, the Board of Supervisors may require the payment of an impact fee or the fee in lieu of mandatory land dedication for parks and recreation facilities. The fees shall be utilized to implement the park, recreation and open space plans that have been adopted by Northampton Township in accordance with the provisions of the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.* [Ord. 554]

(3) Recreation areas shall be readily accessible to all residents of a development or, in the case of recreation areas dedicated to the Township, shall be easily and safely accessible to the general public and designed pursuant to the Accessibility Guidelines for Buildings and Facilities, United States Architectural and Transportation Barriers Compliance Board, as amended, promulgated by the Americans with Disabilities Act of 1990. At least one side of the recreation area shall abut a street for a minimum of 50 feet for the access of emergency and maintenance vehicles. [Ord. 412]

D. In reviewing subdivision plans and land development plans, the Planning Commission shall recommend denial and the Board of Supervisors shall deny approval when the subdivision plan and/or land development plan involves the subdivision or development of land previously designated as open space on subdivision and/or land development plans previously approved by the Board of Supervisors. Submission of a subdivision or land development plan showing development of land previously designated as open space on an approved

subdivision or land development plan shall be sufficient grounds for the Planning Commission to recommend denial and for the Board of Supervisors to deny approval of such subdivision or land development plan. [Ord. 381]

13. *Requirements in Flood-Prone Areas.*

A. If a subdivision proposal or other proposed new development or portion thereof is in a flood-prone area, all public utilities and facilities, such as sewer, gas, electrical and water systems, shall be located and constructed to minimize or eliminate flood damage.

B. If a subdivision proposal or other proposed new development or portion thereof is in a flood-prone area, adequate drainage shall be provided to reduce exposure to flood hazards.

C. Within flood-prone areas, any new and replacement water supply systems are required to be designed to minimize or eliminate infiltration of floodwaters into the systems.

D. Within flood-prone areas, any new and replacement sanitary sewage systems are required to be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, and on-site waste disposal systems are required to be located to avoid impairment to them or contamination from them during flooding.

[Ord. 180]

14. *Off-Site Stormwater Drainage Contribution.*

A. In reviewing subdivision and land development plans and considering the adequacy of existing or proposed off-site stormwater drainage systems, there shall be paid a contribution towards that portion of the cost for any off-site capital improvements and/or maintenance costs of the existing stormwater drainage systems which may be necessitated by or confer benefit upon the proposed subdivision or land development.

B. Off-site stormwater drainage contributions shall be as set forth in the Township's Fee Schedule. [Ord. 561]

C. The off-site stormwater drainage contribution shall be in addition to the obligation of the developer to construct and install at its sole expense the on-site and off-site drainage improvements required as a condition to subdivision or land development approval.

D. When, in the discretion of the Board of Supervisors, circumstances surrounding the development of a site warrant special consideration, these contributions may be reduced or waived.

[Ord. 219]

15. *Tree Protection Standards.* Any trees within a tree protection zone shall be protected in accordance with the Northampton Township Stormwater Management and Grading Ordinance [Chapter 23]. [Ord. 501]

(Ord. 158, 3/9/1977; as amended by Ord. 180, 2/13/1980; by Ord. 209, 5/9/1984; by Ord. 211, 5/9/1984, §118-20; by Ord. 219, 11/28/1984; by Ord. 266, 2/24/1988; by Ord. 267, 3/9/1988; by Ord. 379, 3/23/1994; by Ord. 381, 5/11/1994; by Ord. 388, 10/12/1994; by Ord. 412, 10/9/1996; by Ord. 419, 6/11/1997; by Ord. 447, 3/10/1999; by Ord. 464,

10/11/2000; by *Ord. 469*, 12/13/2000; by *Ord. 501*, 12/8/2004; by *Ord. 554*, 10/27/2010, §1; and by *Ord. 561*, 4/25/2012)

§22-404. Construction Requirements for Improvements.

1. *Installation of Improvements or Suitable Guaranty Required.* Before approving any subdivision or land development plan for recording, the Board of Supervisors shall either require that the necessary grading, paving and other improvements, as herein specified, shall have been installed in strict accordance with the standards and specifications of the Township and that required fees shall have been received or that the Township be assured by means of a proper contract, containing, among other items, performance and maintenance guaranties that the improvements will subsequently be installed by the owner and/or applicant, hereinafter referred to as the “developer.”

2. *Contracts.* In all cases where the necessary grading, paving and other subdivision or land development improvements, including both public and private improvements, required herein shall not have been installed in strict accordance with the standards and specifications of the Township prior to the township's approving any subdivision or land development plan for recording, the developer shall enter into a written agreement with the Township in the manner and form approved by the Township Solicitor wherein the developer shall agree, to the extent applicable:

A. To construct or cause to be constructed, at the developer's own expense, all streets, roadways, cartways, driveways, monuments, street signs and street names, off-street parking/parking lots, curbs, sidewalks, parking lot and buffer plantings, lighting, fire hydrants, water mains, sanitary sewers (including capped sewers), stormwater sewers, drainage and erosion controls, improvements, including, but not limited to, stormwater detention and/or retention basins, and other related facilities, recreation facilities, open space improvements, cable television lines and other improvements shown on the plan, all in strict accordance with the standards and specifications of the Township and within the time specified in said agreement. [Ord. 388]

B. To deposit with the Township financial security in an amount sufficient to cover the cost of all subdivision improvements (including both public and private improvements). Unless otherwise permitted by the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*, the financial security shall be posted contemporaneously with the execution of the agreement, in the form of either an irrevocable letter of credit with a federal or commonwealth lending institution, a corporate surety bond from a bonding company authorized to do business within the Commonwealth, a restrict escrow account in the name of the Township with a Commonwealth or Federally chartered lending institution or a restrictive or escrow account or such other type of financial security which the Board of Supervisors may approve in an amount to be approved by the Township Engineer. The bonding company may be chosen by the developer, provided that the bonding company shall stipulate that it submits to Pennsylvania jurisdiction and Bucks County venue in the event of legal action. The financial security shall provide for and secure to the public the completion of all subdivision improvements for which the security is being posted on or before the date fixed in the formal action of approval or the agreement for completion of the improvements. The amount of financial security to be posted for the completion of the required

improvements shall be equal to 110 percent of the cost of completion, estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said 110 percent. Any additional security shall be posted by the developer in accordance with this subsection.

(1) The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements submitted by the developer and prepared by the engineer and certified by such engineer to be a fair and reasonable estimate of such cost. The Board of Supervisors, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the developer and the Board of Supervisors are unable to agree upon an estimate, then the estimate shall be recalculated and recertified pursuant to the provisions of the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*

(2) If the developer requires more than 1 year from the date of the posting of the financial security to complete the required improvements, the amount of financial security shall be increased by an additional 10 percent for each 1-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110 percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding 1-year period by using the above bidding procedure.

C. To submit final plans by sections or stages of development in the case where a development is projected over a period of years, if authorized by the Board of Supervisors. Said plans shall be subject to such requirements or guaranties as to improvements in future sections or stages of development as the Board of Supervisors finds essential for the protection of any finally approved section of the development.

D. To post financial security with a public utility or municipal authority if water mains, sanitary sewer lines or electric service, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township. Said financial security shall assure proper completion and maintenance thereof, shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.

E. To make adequate provisions with the Township Engineer for the inspection of the construction of the aforesaid improvements to assure strict compliance with Township standards and specifications.

F. To pay all costs, charges or rates of the utility furnishing fire hydrant and electric service for the fire hydrants and streetlighting facilities installed by the developer until such time as the streets shown on the subdivision and/or land

development plans shall have been accepted or condemned by the Township for public use, and to indemnify and save harmless the Township from and against all suits, actions, claims and demands for electric service and fire hydrant service as aforesaid, or any part thereof, to the time that said streets shall be accepted or condemned as public streets in the manner hereinabove set forth.

G. To reimburse the Township promptly for:

(1) Reasonable attorneys' and engineers' inspection fees.

(2) Fees for other professionals employed by the Township to review, inspect or process subdivision and land development plans.

H. To dedicate said streets and/or other parcels, together with any improvements thereunder or thereupon to the Township by a deed in a form approved by the Township Solicitor, when the improvements are completed to the satisfaction of the Board of Supervisors. The deed shall include a reference to a plan of the streets and/or other parcels dedicated; title thereto shall be clear title and be such as will be insurable by a reputable title insurance company of Pennsylvania at regular rates; and all costs in connection therewith shall be borne by the developer.

I. To post financial security to secure the structural integrity of the improvements and the functioning of the improvements in accordance with the design and specifications, as depicted on the final plan, where the Board of Supervisors accepts dedication of all or some of the required improvements following completion (whether such dedication is of the fee or of an easement). The security shall be in the form as authorized in subsection .2.B above and shall be for a term of 18 months from the date of the acceptance of dedication and shall be in an amount equal to 15 percent of the actual cost of installation of the improvements so dedicated.

3. *Letter of Contingent Approval.* When requested by the developer, in order to facilitate financing, the Board of Supervisors shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining satisfactory financial security. The record plan shall not be signed or recorded until the contract is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the contract is not executed within 90 days, unless a written extension is granted by the Board of Supervisors. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

4. As the work of installing the required improvements proceeds, the developer may request the Board of Supervisors to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such request shall be in writing, addressed to the Board of Supervisors. Within the time limitations established by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*

A. The Board of Supervisors shall direct and request the Township Engineer to inspect said improvements.

B. The Township Engineer shall certify, in writing, whether such portion of the work upon the improvements has been completed in accordance with the approved plans and indicate approval or rejection of said improvements.

C. The Board of Supervisors, upon such certification, shall notify the developer of the action of the Board of Supervisors with relation thereto. Should the improvements be approved, the Board of Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed. The Board of Supervisors may, prior to final release at the time of completion and certification by the Township Engineer, require retention of 10 percent of the estimated cost of the aforesaid improvements. The Township Engineer, in certifying the completion of work for a partial release, shall not be bound to the amount requested by the developer, but shall certify to the Board of Supervisors his independent evaluation of the proper amount of partial release.

(*Ord. 158, 3/9/1977; as amended by Ord. 294, 8/9/1989; and by Ord. 388, 10/12/1994*)

§22-405. Regulations for Mobile Home Parks.

The following special regulations shall be applicable to any permitted mobile home park:

- A. Each proposed mobile home located within a mobile home park shall be:
- (1) Connected to a public water supply and fire hydrant system as approved by the Northampton Township Municipal Authority.
 - (2) Connected to a public sewer system as approved by the Northampton Township Municipal Authority.
 - (3) Connected to all underground electrical, telephone, cable television and, where possible, gas utilities. [*Ord. 388*]

B. Each mobile home park shall provide for complete on-site stormwater management and erosion control facilities, which shall be designed in accordance with the requirements of §22-403.3 and Part 6 of this Chapter.

C. Each mobile home park shall provide for centrally located refuse disposal container areas designed to serve a maximum of 20 individual mobile homes each. Each such container space shall not be less than 200 square feet in area, shall be fenced or buffered by a landscape screen and shall be easily accessible (within 250 feet of the mobile homes served). Paved walkways shall be provided to the refuse container spaces. Containers shall be weatherproof, vermin-proof and accessible to a street or driveway for vehicular loading or removal.

D. A central service building or buildings may be provided within a mobile home park, containing such accessory uses as a management office, laundry facilities, a repair and maintenance office, meeting rooms and toilets, resident mailbox facilities, indoor recreational facilities for residents only and enclosed storage closets for residents only.

E. Each individual mobile home shall be located on a continuous concrete pad, with frost-proofed footers, which exceeds the outside dimensions of the mobile home by at least 4 inches. A minimum of six permanent eyebolt or similar tie-down anchors shall be uniformly placed within the exterior edge of the pad. Mortar-filled or reinforced concrete piers not less than 16 inches by 16 inches shall be provided between the pad and the mobile home frame. Not less than eight such piers shall be provided for each mobile home. Permanent tie-down straps (anchored) shall be

required to withstand wind forces and uplift at wind speeds of 80 miles per hour per §§424.0 and 712.0 of the 1978 BOCA Code or subsequent amendments thereto.

F. Frost-proof flexible water, sewer, electrical and telephone service connections shall be extended through each concrete pad.

G. All exterior sides of each mobile home shall be provided with a permanent skirt covering the entire space between the concrete pad and the exterior siding of the unit.

H. Appropriate lighting shall be provided for all streets, public or private, and all walkways, waiting areas and at service buildings, meeting the minimum requirements for multi-family areas as specified in §22-617 of this Chapter.

I. Individual gas or petroleum storage tanks shall meet the requirements of the Township Building Code [Chapter 5, Part 1].

J. No fences shall be permitted within a mobile home park except where required for swimming pools and recreation areas.

K. Permitted accessory buildings or accessory uses may not be located in a required front or side yard, and such buildings or uses shall comply with §27-1118 of the Zoning Ordinance, as amended [Chapter 27].

(Ord. 158, 3/9/1977; as amended by Ord. 388, 10/12/1994)

Part 5**Administration and Enforcement Procedures****§22-501. Designation of Zoning Officer.**

All provisions of this Chapter shall be administered by the Board of Township Supervisors of Northampton Township or by a Township official as designated by the Board (for purposes of clarity, hereinafter called the "Zoning Officer"). All plans, applications, correspondence, complaints, requests for variances or appeals shall be delivered to the township offices and submitted through the Township Manager's office to the Zoning Officer.

(*Ord. 158, 3/9/1977*)

§22-502. Modifications and Waivers.

If any mandatory provisions of this Chapter are shown by the applicant/developer to be unreasonable and cause undue hardship as they apply to any proposed subdivision or land development plan because of peculiar conditions pertaining to the land in question or when an alternative standard can be demonstrated to provide equal or better results, the Board of Supervisors may modify or waive such mandatory provisions so that substantial justice may be done and the public interest secured, provided that such modification or waiver will not have the effect of nullifying the intent and purpose of this Chapter.

A. The applicant/developer shall request such modifications or waivers, in writing, and shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Chapter involved and the minimum modification necessary.

B. In granting modifications and waivers, the Board of Supervisors may impose such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified or waived.

(*Ord. 158, 3/9/1977; as amended by Ord. 294, 8/9/1989*)

§22-503. Changes and/or Modifications to Final Plan.

If, during the course of construction or completion of a subdivision or land development, changes, alterations or modifications of a final plan become necessary, such changes may be approved only after written acceptance by the Township Engineer and written approval of the Board of Township Supervisors. Substantial revisions to any such final plan shall cause the rerecording of the final plan after such approvals are obtained.

(*Ord. 158, 3/9/1977;*

§22-504. Amendments.

Any amendment to this Chapter shall be in accordance with the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.* Resolutions adopted by the Board of Township Supervisors pursuant to the terms and conditions of this Chapter regarding fees, paving and construction standards and changes in other design

criteria specifically permitted by resolution of the Board shall not be considered as an amendment to this Chapter.

A. *Authorization.* The Board of Supervisors may from time to time amend, supplement, change, modify or repeal this Chapter. When doing so, the Board shall proceed in the manner prescribed in this Part.

B. *Procedure.*

(1) *Sources of Amendment.* Proposals for amendment, supplement, change, modification or repeal may be initiated by the Board of Supervisors or its own motion or by the Planning Commission.

(a) *Proposals Originated by Board of Supervisors.* The Board shall refer every proposed amendment, supplement, change, modification or repeal originated by said Board to the Township Planning Commission and the Bucks County Planning Commission. Within 30 days of the submission of said proposal, the Township Planning Commission shall submit to the Board of Supervisors a report containing its recommendations, including any additions or modifications to the original proposal.

(b) *Proposals Originated by Planning Commission.* The Township Planning Commission may at any time transmit to the Board of Supervisors any proposal for the amendment, supplement, change, modification or repeal of this Chapter.

(2) *Hearings.* Before voting on the enactment of any amendment, the Board of Supervisors shall hold a public hearing thereon with notice as required by law. No amendment shall become effective until after such hearing, at which parties in interest and citizens shall have an opportunity to be heard. If, after any public hearing held on an amendment, the proposed amendment is revised or further revised, the Board may hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

(Ord. 158, 3/9/1977; as amended by Ord. 294, 8/9/1989)

§22-505. Jurisdiction; Improvements Requisite to Certain Acts; Conveyance of Portions of Lots.

1. *Subdivision and Land Development Control.* It shall be unlawful for the owner of any land in the Township or any other person, firm or corporation to subdivide any lot, tract or parcel of land or to lay out, construct, open or dedicate for public use or travel any street, sanitary sewer, storm sewer, drainage facilities or other facilities in connection therewith or for the common use of occupants of buildings within the subdivision or land development unless and until final plans of such subdivision or development shall have been prepared by a registered professional engineer or registered land surveyor, submitted to and approved in writing thereon by the Township Board of Supervisors and recorded in the Bucks County Recorder of Deeds office in Doylestown, Pennsylvania.

2. *Sale of Lots; Issuance of Building Permits; Erection of Buildings.*

A. No lot in a subdivision may be sold and no permit to erect, alter or repair any building upon land in a subdivision or land development may be issued unless

and until the municipal improvements required by the Board of Supervisors in connection therewith have either been constructed or guaranteed as hereinafter provided.

B. No building in a subdivision or land development depending for ingress and egress upon the improvement of any street or streets herein provided for shall be permitted to be occupied before improvements are fully completed from an existing paved street to and across the front of the lot on which the building is located and/or to a sufficient depth along the side of the lot to service any driveway, driveways or parking spaces.

C. No building depending upon public water and sewer facilities shall be permitted to be occupied before such facilities are fully provided and operational.

(*Ord. 158, 3/9/1977*)

§22-506. Violations and Penalties.

1. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

2. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. The authority to deny such a permit or approval shall apply to any of the following applicants:

A. The owner of record at the time of such violation.

B. The vendee or lessee of the owner of record at the time of such violation, without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

3. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

4. Magisterial district judges shall have initial jurisdiction in proceedings brought under subsection .5 below. [*Ord. 561*]

5. *Enforcement Remedies.*

A. Any person, partnership or corporation who or which has violated the provisions of this Chapter shall, upon being found liable therefor in a civil

enforcement proceeding commenced by the Township, pay a judgment of not more than \$500, plus all court costs, including reasonable attorney's fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the magisterial district judge determining that there has been a violation further determines that there was a good-faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the magisterial district judge, and, thereafter, each day that a violation continues shall constitute a separate violation. [*Ord. 561*]

B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

(*Ord. 158, 3/9/1977; as amended by Ord. 294, 8/9/1989; and by Ord. 561, 4/25/2012*)

Part 6**Engineering Design Standards****A. General Provisions****§22-601. Intent.**

This Part of this Chapter is intended to specify the standards to be adhered to in the design of all subdivisions and land developments. The design standards for required as well as accessory improvements are included in this Part of this Chapter. These standards will be subject to periodic review and revision by resolution of the Board of Supervisors. The standards are to be considered as an integral part of this Chapter.

(Ord. 158, 3/9/1977)

§22-602. Interpretation.

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

(Ord. 158, 3/9/1977)

§22-603. Applicability of Reference Materials.

Wherever specific documents are referenced herein and said documents are hereafter updated, revised or replaced, then said updated, revised or replaced document shall be applicable.

(Ord. 158, 3/9/1977)

B. Standards and Specifications

§22-611. Curbs and Gutters.

1. *Minimum Radii.* Minimum curb radii at street intersections shall be 25 feet at street intersections and 15 feet at the property line.

2. *Depressed Curb.* Whenever curbs are to be constructed across private driveways within residential areas or driveway approaches of ingress or egress from abutting industrial or commercial properties, the curb shall be depressed to the driveway surface. The minimum longitudinal length of a depressed curb for private driveway crossings shall be 20 feet, and the maximum longitudinal length for driveway crossings in commercial or industrial areas shall be 35 feet. When required and approved by the governing authorities, separated driveway approaches may be constructed for entrance and exit to abutting properties. Such individual driveway approaches shall not exceed the maximum longitudinal length of 35 feet of depressed curb at each driveway approach and a standard curb section shall be constructed as a separating curb between the driveways. Depressed curbs shall conform to the dimensions and details of the Pennsylvania Department of Transportation Form 408, "Specifications and Roadway Construction Standards," as amended.

(Ord. 158, 3/9/1977)

§22-612. Driveways.

1. *Residential Driveways.*

A. *Relation to Intersections.* Residential driveways shall be located not less than 50 feet from the intersection of corner lots and shall connect to the street of lowest potential traffic if located on a corner lot.

B. *Design Specifications.* Driveways shall be so located, designed and constructed as to provide a reasonable sight distance at intersections with streets. A stopping area, measured 20 feet behind the right-of-way line, shall be provided, not to exceed a grade of 4 percent. Driveways shall not interfere or be inconsistent with the design, maintenance and drainage of, or the safe passage of traffic on, Township or State roads.

C. *Minimum Width.* The minimum driveway width for residential homes shall be 20 feet.

D. *Maximum Grade.* The maximum grade on all residential driveways shall not exceed 25 percent.

2. *Driveways for Commercial, Industrial and Multi-family Facilities.*

A. *Minimum Distance.* Access to commercial and industrial parking areas and sites shall be controlled and shall be so located as to provide a minimum of 150 feet between points of access. [Res. R-83-14]

B. *Minimum Width.* The minimum driveway width for commercial, industrial and multi-family uses shall be 25 feet for two-way traffic movement and 12 feet for one-way traffic movement. Aisles serving off-street parking spaces shall be provided with minimum widths in accordance with §22-403.8. [Ord. 469]

C. *Alignment.* Driveways shall be so located, designed and constructed as to provide a reasonable sight distance at intersections with streets. A stopping area,

measured 20 feet behind the right-of-way line, shall be provided, not to exceed a grade of 4 percent. Driveways shall not interfere or be inconsistent with the design, maintenance and drainage of, or the safe passage of traffic on, Township or State roads.

(*Ord. 158, 3/9/1977; as amended by Res. R-83-14, 11/9/1983; and by Ord. 284, 12/14/1988*)

§22-613. Stormwater Management.

Stormwater management facilities shall be designed, installed and undertaken in accordance with the Northampton Township Stormwater Management and Grading Ordinance [Chapter 23].

(*Ord. 158, 3/9/1977; as amended by Res. R-83-14, 11/9/1983; by Ord. 356, 10/9/1996; by Ord. 413, 7/14/1999; by Ord. 456, 12/8/2004; and by Ord. 501, 12/8/2004*)

§22-614. Erosion and Sediment Control.

All erosion and sediment control measures shall be designed as per the procedures outlined in the Bucks County Soil and Erosion Control Handbook available through the Bucks County Conservation District.

(*Ord. 158, 3/9/1977*)

§22-615. Landscaping.

1. *Grassed Areas or Grass / Ground Cover Combinations.* All such areas specified on proposed or approved plans shall be prepared, installed and maintained in accordance with the Pennsylvania Department of Transportation Form 408 Specifications, as amended.

2. *Street Trees and Plantings Within Street Rights-of-Way.*

A. *Street Tree Requirement.* Within any land development or subdivision, street trees shall be planted along both sides of new streets and along one or both sides of an existing street within the proposed subdivision or land development where suitable street trees do not exist.

B. *Locations.*

(1) Street trees shall be planted outside of the street right-of-way, on lots, within two feet of the street right-of-way line.

(2) Large street trees shall be planted a minimum distance of 8 feet, and small street trees shall be planted a minimum distance of 4 feet, from any curb or sidewalk.

(3) At intersections, trees shall not be located within the clear-sight triangle.

(4) On streets with overhead utility lines, large street trees shall not be permitted. Small street trees may be permitted at least 15 feet from an overhead utility line.

C. *Spacing.*

(1) Large street trees shall be planted at intervals of not more than 60 feet and small street trees at intervals of not more than 40 feet.

(2) Street trees shall not be planted opposite each other but shall alternate.

(3) An equivalent number of street trees may be planted in an informal arrangement, subject to the approval of the Board of Supervisors.

D. *Street Trees Shall Be of Nursery Stock.* They shall be of symmetrical growth, free of insects, pests and disease, suitable for street use and in conformity with the standards of the American Association of Nurserymen.

E. *Approved Species.* In particular, approved street trees shall include the following:

(1) *Large Street Trees.*

(a) *Acer rubrum*, red maple.

(b) *Acer saccharum*, sugar maple (may only be used when not subject to salt spray).

(c) *Fraxinus Pennsylvanica* Marshall seedless, Marshall seedless green ash (Patmore, Summit, Newport, Urbanite or Cimrnaron cultivars only).

(d) *Gleditsia triacanthos inermis*, thornless honeylocust.

(e) *Phellodendron amurense*, Amur cork tree.

(f) *Quercus borealis*, northern red oak.

(g) *Quercus coccinea*, scarlet oak.

(h) *Quercus phellos*, willow oak.

(i) *Tilia cordata*, European linden.

(j) *Zelkova serrata*, Japanese zelkova.

(2) *Small Street Trees.*

(a) *Acer campsite ginnala*, Amur maple.

(b) *Acer saccharum columnare*, columnar sugar maple (may only be used when not subject to salt spray).

(c) Columnar red maple varieties.

(d) *Cornus Florida kousa*, Korean dogwood.

(e) *Crataegus viridis* Winter King, Winter King Hawthorn.

(f) *Koelreuteria paniculata*, goldenrain tree.

(3) Upon the approval of the Board of Supervisors, other suitable species may be utilized.

F. *Plantings Within Street Rights-of-Way.*

(1) Any planting or landscaping materials located within a street right-of-way shall be approved by the Board of Supervisors.

(2) Any such planting shall be appropriate to its location and function and shall be of a species suitable to tolerate the stresses associated with its particular location, including but not limited to exposure, soil compaction, drought, heat, automobile pollution and road salts.

(3) Such plantings shall not have a growth habit which would cause

interference with overhead utility lines.

(4) Such plantings shall not have root systems which would cause interference with or cause damage to underground utilities, pavement, sidewalks or curbs.

3. *Parking Area Plantings.*

A. Parking areas shall be landscaped with evergreen and deciduous trees, shrubs, ground cover and mulch as determined to be appropriate or necessary for each specific site by the Township Board of Supervisors. Hardy ground cover shall be used in place of grass wherever possible, with a mulch of a type which will aid in controlling erosion and noxious weeds and will generally preserve and enhance the quality and character of the proposed landscape planting. In all parking area planting, emphasis shall be put on simplicity of design and adequacy to meet specific aesthetic, physical and safety needs as required by the Township.

B. All parking areas shall have at least one tree of 1½ inches minimum caliper for every five parking spaces in single bays and one tree of 1½ inches caliper minimum for every 10 parking spaces in double bays.

C. Trees shall be of nursery stock. They shall be of symmetrical growth, free of insects, pests and disease, suitable for the intended use and in conformity with the standards of the American Association of Nurserymen.

D. Trees shall be planted in such a manner to afford maximum protection from the sun for parked vehicles.

E. Plantings shall be able to survive road salt, soot and gas fumes.

F. *Approved Trees.* Those tree species approved for street tree use may be used in parking areas. Trees which have low-growing branches, gum or moisture which may drop on vehicles, blossoms, thorns, seeds or pods which may clog drainage facilities shall be avoided.

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

4. *Screening and Buffer Areas.*

A. *Buffer Requirements.* Required screening and buffer areas shall consist of at least 80 percent evergreen material and 20 percent deciduous trees and shrubs for accent and color and must, through layout and content, provide design solutions which solve all visual and noise problems from recreational, industrial, commercial or motor vehicle uses, whether on the same lot or not.

B. *Berms, Fences or Walls.* In addition to required tree and shrub buffers, earthen berms, fences or masonry walls may be acceptable or desirable when it is determined not possible to achieve desired buffering with the plant material specified above.

C. *Spacing, Density and Material.* Spacing, density and material selection shall be based on intensity or degree of the problem in the area of required screening or buffer planting.

D. *Landscape Architect.* It is recommended that a landscape architect be employed to ensure proper use and arrangements of plant material to achieve the required screening and buffer while maintaining an aesthetic appearance.

5. *Open Space.* All areas proposed for recreational use, whether active or passive, shall be planted to effectively naturalize the areas to become an integral and harmonious element in the natural landscape.

6. *Landscaping Performance Standards.*

A. *Performance Standards.* For performance standards, see the Pennsylvania Department of Transportation Form 408 Specifications, as amended.

B. *Minimum Standards.* The following are minimum sizes for plant material:

Type	Size
Street trees	2 to 2½ inches caliper at 6 inches above grade
Deciduous trees	1½ to 2 inches caliper at 6 inches above grade
Ornamental trees	6 to 8 feet in height*
Evergreen trees	5 to 6 feet in height*
Deciduous shrubs	18 to 24 inches in height*
Evergreen shrubs	18 to 24 inches in height*
Evergreen shrubs, screens and buffers	2½ to 3 feet in height*

NOTE: *To meet standards as prescribed by the American Nursery Association.

C. *Approved Planting Plan.* All major subdivisions, multi-family, commercial and industrial developments must have a planting plan approved before construction.

D. *Multi-family, Commercial and Industrial.* All grading, seeding, mulched beds and planting in multi-family, industrial and commercial developments must be installed and maintained by the owner and/or lessee under lease agreements in accordance with approved landscape plans. Any planting that dies within 2 years of planting due to improper maintenance or damage by accident must be replaced within 1 year.

E. *Planting after Finished Grading.* Street trees and other required plant material shall not be planted until the finished grading of the subdivision or land development has been completed.

7. *Refuse Collection for Nonresidential Developments.*

A. *Outdoor Collection Stations.* Outdoor collection stations shall be provided for garbage and trash removal when indoor collection is not provided.

B. *Location.* Collection stations shall be located to avoid being offensive and shall be screened from view and landscaped.

(Ord. 158, 3/9/1977; as amended by Ord. 278, 9/14/1988; by Ord. 357, 1/27/1993; by Ord. 364, 7/14/1993; by Ord. 469, 12/13/2000; and by Ord. 501, 12/8/2004)

§22-616. Streets.

1. *Grades.*

A. *Minimum and Maximum Grades.* Center-line street grades shall not be less than 1 percent. The maximum street grades shall be as follows:

- (1) Residential and minor collector streets—8 percent.
- (2) Major collector and major arterial streets—6 percent.

B. *Cul-de-sac Grade.* Maximum grades within 100 feet of the outer perimeter of a cul-de-sac bulb shall not exceed 4 percent, measured along the center line of the street.

C. *Minimum Radius, Maximum Grade.* A combination of minimum radius horizontal curves and maximum grades will not be approved.

2. *Leveling Area.* Where the grade of any street at the approach to an intersection exceeds 6 percent, a leveling area of at least 75 feet, measured from the street line, shall be provided, having a grade not greater than 2 percent.

3. *Vertical Alignment.*

A. *Amenable to Topography.* The center-line profile of streets shall conform to the contour of the land to produce usable lots and streets consistent with reasonable grade, alignment, drainage and future municipal sanitary facilities.

B. *Vertical Curve Requirement.* A vertical curve shall be used at all changes in grade of the center-line profile exceeding 1 percent.

C. *Design Procedure.* All vertical curves shall be designed in accordance with the procedures outlined in the Pennsylvania Department of Transportation, *Design Manual*, Part 2, “Highway Design.”

4. *Horizontal Alignment.*

A. *Horizontal Curve Requirement.* When street lines are deflected in excess of 3 degrees, connection shall be made by horizontal curves. A long-radius curve shall be preferred in all cases to a series of curves and tangents.

B. *Minimum Tangent.* Except on residential and local minor collector streets, a minimum tangent of 100 feet shall be required between curves.

C. *Reverse Curves.* In no case shall two curves in reverse direction be joined together without the minimum tangent length of 100 feet provided for the above two street classifications.

D. *Design Procedure.* The horizontal alignment of all streets shall be designed in accordance with the procedures outlined in the Pennsylvania Department of Transportation, *Design Manual*, Part 2, “Highway Design.”

5. *Deceleration Lanes.* Deceleration lanes shall be a minimum of 125 feet in length. At the minimum, a taper section 25 feet in length shall extend from the edge of the curb of the through road to the full-width curb edge of the deceleration lane. The full width of a deceleration lane shall be 13 feet. A full-width section of the deceleration lane shall extend for a minimum of 100 feet.

6. *Culs-de-sac.*

A. *Temporary Turnarounds.* All temporary turnarounds shall conform to the design specifications for culs-de-sac.

B. *Minimum Radii.* Culs-de-sac shall have, at the closed end, a turnaround which is paved to an outside radius of not less than 40 feet, and which has a right-

of-way, concentric with the paved area, with an outside radius of not less than 50 feet, except for culs-de-sac in industrial zones, which shall have a paved outside radius of not less than 48 feet and a right-of-way, concentric with the paved area, with an outside radius of not less than 60 feet. [Res. R-83-14]

C. *Alleys*. Alleys are not permitted.

D. *Abutting Property Lines*. Unless future extension is clearly impractical or undesirable, the cul-de-sac right-of-way shall be placed adjacent to a property line, and a right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining street. At such time as the street is extended, the area created by the turnaround shall revert ownership to the property owner fronting on the cul-de-sac turnaround.

7. *Rights-of-Way*. The rights-of-way shall be graded to their full width as deemed necessary by the Board of Supervisors to provide suitable finished grades to the tolerances herein specified.

8. *Sight Distance*.

A. *Alignment*. Street intersections shall be designed to intersect at right angles. New street intersections involving more than two streets shall be prohibited. The minimum center-line offset between residential and minor collector streets intersecting another street is 150 feet. [Res. R-83-14]

B. *Minimum Spacing*. Major collector and major arterial streets shall not intersect with collector streets at intervals of less than 800 feet from the same side of the collector street.

C. *Computation of Sight Distances*. The required stopping and passing sight distances on all roads shall be computed as per the procedures outlined in a *Policy on Geometric Design of Rural Highways*, published by the American Association of State Highway Officials, 1965.

D. *Sight Triangle*. A minimum clear-sight triangle of 75 feet as measured from the center-line intersections of two streets shall be provided at all intersections. At a minimum, each triangle shall be increased by one foot for each foot of right-of-way greater than 50 feet for either intersecting street. The above-mentioned dimensions are minimum requirements. All intersections must provide, as a minimum, the required clear-sight triangle as computed by procedures outlined in a *Policy on Geometric Design of Rural Highways*, published by the American Association of State Highway Officials, 1965.

9. *Superelevation and Cross-Slope*.

A. *Crown*. A normal crown shall be provided on all streets not superelevated of $\frac{1}{16}$ inch per foot of straight slope extending in cross section from the edge of the pavement to medial edge, whichever will apply, symmetrical to the center line.

B. *Design Procedures*. All superelevated roadway sections shall be designed in accordance with the procedures outlined in the Pennsylvania Department of Transportation, *Design Manual*, Part 2, "Highway Design."

10. *Subgrade, Subbase, Base Course and Wearing Surface Requirements*. The following are considered to be minimum street construction standards. More restrictive standards may be applied if conditions warrant. [Ord. 412]

Street	Prepared Sub-grade	Sub-base (inches)	Base Course (inches)	Wearing Surface (inches)
Arterial streets ¹	Yes	6	5 of bituminous concrete	3½ of bituminous surface course, ID-2A ²
Collector streets ¹	Yes	6	5 of bituminous concrete	3½ of bituminous surface course, ID-2A ²
Industrial streets ¹	Yes	6	5 of bituminous concrete	1½ of bituminous surface course, ID-2A ²
Primary streets ¹	Yes	6	4½ of bituminous concrete	1½ of bituminous surface course, ID-2A ³
Secondary streets ¹	Yes	6	4½ of bituminous concrete	1½ of bituminous surface course, ID-2A ³
Residential streets ¹	Yes	6	4½ of bituminous concrete	1½ of bituminous surface course, ID-2A ³
Cul-de-sac streets ¹	Yes	6	4½ of bituminous concrete	1½ of bituminous surface course, ID-2A ³
Driveways and parking areas (nonresidential)	No	3	8 of crushed aggregate	2½ of bituminous surface course, ID-2A ⁴
Driveways and parking areas (residential)	No	No	6 of crushed aggregate	4 of bituminous material
Bituminous sidewalks	No	No	4 of stone	4 of bituminous material
Concrete sidewalks	No	No	4 of stone	4 of concrete

NOTES:

¹Pipe foundation underdrain is required. Use of the underdrain may be waived if it is determined unnecessary by the Township Engineer upon inspection of the subsurface soil conditions during roadway excavation.

²One and one-half inches of wearing course on a binder of 2 inches.

³One and one-half inches of wearing course.

⁴One inch of wearing course on a binder of 1½ inches.

(Ord. 158, 3/9/1977; as amended by Res. R-83-14, 11/9/1983; and by Ord. 412, 10/9/1996)

§22-617. Lighting.

1. *Lighting Requirements.*

A. Street lighting shall be required for all commercial, institutional, recreational, municipal and industrial land developments, for all multi-family residential areas and, at the discretion of the Board of Supervisors, for all or portions of single-family residential developments.

B. In single-family residential subdivisions, appropriate conduit and wiring shall be installed underground even though standards and lighting fixtures may not be required or constructed immediately. In lieu of conduit and wiring, a fee may be imposed by the Board of Supervisors, at its sole discretion, when it is deemed impractical or unnecessary for such conduit and wiring to be installed at the time of the construction of the residential subdivision. Such a fee shall be initially established by the Board of Supervisors by resolution. Such fee provisions may be changed from time to time by the Board of Supervisors.

C. Proposed intersections with any minor local collector, major collector or major arterial street shall have streetlights.

D. In commercial and industrial land developments, lighting shall be provided in accordance with the technical details in §27-1111 of the Zoning Ordinance [Chapter 27].

2. Where required above, the owner shall install or cause to be installed, at the owner's expense, metal pole streetlights serviced by underground conduit in accordance with a plan to be prepared by the owner's engineer and approved by the Township Engineer and Board of Supervisors. The provision of metal poles may be waived in such instances as approved by the Board due to the existence of wooden poles already in place. The owner shall be responsible for all costs involved in lighting the streets from the date of the first dwelling unit occupancy until such time as the streets are accepted by the Township. In certain commercial, institutional or other areas of the Township, the Board of Supervisors may require the use of replica gas lights in accordance with the design standards as established by the Township Engineer and Public Works Department.

3. *Design Standards.* All exterior lighting shall be in conformance with the requirements of §27-1111 of the Zoning Ordinance [Chapter 27].

(*Ord. 158, 3/9/1977; as amended by Ord. 266, 2/24/1988; and by Ord. 464, 10/11/2000*)

§22-618. Tree Protection and Replacement.

1. A lot shall be developed in such a manner that the number of viable trees having a caliper of 6 inches or greater on the lot prior to development shall not be reduced by more than 20 percent by such development. For the purposes of this Section of the Chapter, all references to the term "caliper" shall be considered as the caliper if the tree measured at breast height or 54 inches above the ground surface.

2. Should the subdivision or land development plan require destruction of more than 20 percent of those existing viable trees having a caliper of 6 inches or greater, the developer shall replace those trees removed in excess of 20 percent with new tree plantings.

3. The developer shall submit a reforestation plan to Northampton Township illustrating the number and location of trees proposed to be removed and the number, species and location of trees to be planted. The reforestation plan shall be prepared by a registered landscape architect.

4. The reforestation plan shall comply with the following requirements:

A. The total number of caliper-inches of the trees to be removed in excess of the 20 percent permitted by right shall be determined.

B. The resulting figure in subsection .4.A above shall be multiplied by 0.80 to determine the total number of caliper-inches to be replaced on the lot.

C. The amount of caliper-inches determined in subsection .4.B above shall then be divided by three to determine the total gross number of trees to be planted on the lot for reforestation.

D. Replacement trees shall be planted on site and shall meet the following specifications:

(1) Trees shall meet the specifications of the American Association of Nurserymen and shall meet the following minimum size requirements:

(a) Deciduous trees shall be a minimum of 3 inches in caliper.

(b) Coniferous trees shall be a minimum of 8 feet in height.

(2) The types of trees utilized for reforestation shall utilize native species which shall be consistent with the tree list and guidelines that are established under this Chapter and the Zoning Ordinance [Chapter 27]. Trees that are considered invasive, noxious or destructive shall be specifically prohibited for use in reforestation.

(3) Up to 25 percent of the new trees to be planted may be of the coniferous variety.

(4) Where 25 or more trees need to be planted to meet the reforestation requirements, a minimum of three tree species shall be planted.

E. Trees required to be planted under these reforestation procedures shall be in addition to any street trees or buffer plantings that may be required.

F. Replacement trees may be dispersed throughout the proposed development only when approved by Northampton Township.

G. In instances when Northampton Township determines that the site in question cannot physically accommodate the total number of required replacement trees, some or all of the replacement trees may be planted off site at such locations deemed appropriate by Northampton Township.

H. In order to guarantee the proper installation of replacement trees, the applicant shall:

(1) Enter into a written agreement with the Township, in the manner and form approved by the Township Solicitor, wherein the applicant shall agree to install or cause to be installed at his own expense all required replacement trees in strict accordance with the approved plan and the standards and specifications of the Township and within the time specified in said agreement.

(2) Deposit with the Township financial security, as otherwise permitted by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, in an amount approved by the Township Engineer to be sufficient to cover the cost of all replacement trees. Said amount shall be equal to 110 percent of the cost of installation, estimated as of 90 days following the date of completion by the applicant.

I. The applicant may contribute a fee in lieu of the planting of on-site or off-site replacement trees when such plantings are deemed to be impractical or not required by the Township. The fee shall be established by the Board of Supervisors

by resolution from time to time.

5. The Planning Commission shall review the proposed plan and issue its recommendation to the Board of Supervisors.

6. The requirements of this Section shall not be applicable to a commercial forestry operation as described at §27-1124.C of the Zoning Ordinance [Chapter 27]. Additionally, no permit shall be required for the following activities:

A. For the removal or clearing of nursery stock in the normal operation of a nursery, where trees or shrubs are raised for sale and where such nursery is a permitted use.

B. For the removal of diseased or dead trees.

C. For the removal of trees which are in such a condition or physical position as to constitute a danger to the structures or occupants of properties, a public right-of-way, utility line, stormwater conveyance or detention structure, driveway, parking area, water system or sewage disposal system.

D. For the removal of up to five trees per acre of woodlands in any 365 consecutive day period of time, not to exceed a total of 10 trees per lot, or any combination of adjoining lots in common ownership, which are 121 inches or more in diameter, measured at breast height (dbh) and not covered by the exemptions in the foregoing two subsections.

7. In addition to the requirements specified under this Section of this Chapter, the requirements specified under §27-1120 of the Zoning Ordinance [Chapter 27] as well as the requirements specified under the Stormwater Management Ordinance [Chapter 23] shall apply.

(*Ord. 158, 3/9/1977; as added by Ord. 513, 7/11/2007*)

§22-619. Village Overlay District Design Requirements.

1. Development within the Village Overlay District shall be designed in accordance with the following planning, engineering and architectural considerations:

A. *Land Use and Development.*

(1) The development shall consider the goals, objectives, and policies established within the Northampton Township Comprehensive Plan and the Village Overlay Design Standards.

(2) The development shall be considered as integrated use considering the other land uses, architectural features and streetscape improvements within the Village Overlay District.

(3) The minimum lot area required for each permitted use shall not include land areas that are classified as being within the 100-year floodplain, areas delineated as wetlands, areas within utility easements or rights-of-way, and/or areas exceeding 20 percent in slope.

(4) The applicant shall be responsible for designing, permitting and constructing all necessary site improvements that are required by the Northampton Township in order to accommodate the proposed use within the Village Overlay District.

B. *Architecture.*

(1) Buildings and structures shall be designed to enhance the existing architectural and streetscape characteristics in accordance with the design requirements of the Village Overlay District.

(2) All sides of a building shall be architecturally consistent with the front facade and facades visible from the street or adjacent properties shall have the same architectural features and style as the front facade. Modifications shall be made to the facade in order to accommodate the design requirements of the Village Overlay District.

(3) Buildings, structures, landscaping and streetscape improvements shall be designed in an effort to and integrate, reflect and/or enhance the visual, historic and cultural character of the Village Overlay District.

(4) Buildings, structures and site improvements shall be located in a manner to mitigate visual, noise and traffic impacts with existing residential uses that are within residential zoning districts.

(5) The shape of an opening, its proportion relative to the size of the building, how it functions, how it is divided, and the rhythm of openings within a structure must be specific to the building style and consistent with the design theme and architectural style.

(6) Architectural elements such as dormers, cupolas, chimneys, porches, decks, awnings, bays, colonnades, brackets, stoops, benches, gazebos, enclosures, garages, sheds, carports, canopies, and other such design elements shall be specific to the building style and consistent with the design theme and architectural style.

(7) The color, brightness and appearance of the exterior walls of the principal buildings and accessory structures shall be compatible with the design theme and architectural style. The selected color shall have a low reflectance level and the trim colors shall complement the color of the exterior walls.

(8) Historic elements and features of existing buildings shall be restored, preserved and maintained. New construction, additions or alterations of an existing building shall be reviewed and considered by the Northampton Township Historical Commission as part of the land development plan application.

(9) Buildings that are considered to be in deplorable, unsafe or structurally unsound condition shall not be designed and developed in accordance with the Village Overlay District. The condition of all such buildings shall be reviewed by the Northampton Township Engineer and/or Code Enforcement Officer.

C. Site and Building Design.

(1) The front facade of the building shall be orientated towards the street with the highest functional classification in terms of vehicular and pedestrian traffic volumes.

(2) Alternative building setback and orientation requirements may be considered, provided that the applicant can demonstrate the following: that the design of the building meets the objectives of the Village Overlay District; that

any reduction of the building setback requirements has been approved by the adjoining land owners; and that the design shall not disrupt any common facilities or utilities.

(3) When buildings are to be located on a corner of intersecting streets, the entrance of the building shall be located on the corner with an enhance element or feature, which is consistent with the design theme and architectural style.

(4) The street-side facade of buildings shall be designed with decorative windows, which is consistent with the design theme and architectural style. Promotional advertisements, signs and/or any messages contained on the windows shall be limited to an area of 10 percent of the cumulative area of the first floor windows along the street-side facade.

(5) Buildings shall include a variety of architectural design features such as recesses, openings, windows, details and/or variable materials in order to avoid creating massive or monotonous building facades.

(6) Buildings shall be designed with at least three different building aspects and architectural features, which may include: concrete or masonry plinth at the base of the walls; belt courses of different texture or color; projecting or decorative cornices; quoins; decorative tile work; trellis containing seasonal plantings; medallions; opaque or translucent glass; bay windows, artwork; vertical articulation; stylized lighting fixtures; porticos; building extensions; stonework; and/or other similar acceptable architectural elements.

(7) All exterior building facades shall utilize natural building materials such as brick, stone, wood and masonry products. The use of concrete block or poured concrete wall shall be discouraged.

(8) Rooflines shall be pitched and not appear flat when viewed from public streets or adjoining properties. All roof-mounted equipment including HVAC, electrical, venting or other mechanical equipment shall be contained or concealed as part of the architectural design.

D. *Pedestrian and Vehicular Circulation.*

(1) All transportation and pedestrian improvements shall be designed considering all regional transportation impact studies and/or regional streetscape improvement plans.

(2) New curb cuts shall be minimized in order to reduce traffic conflicts and vehicular congestion. Where appropriate, shared or common access drives shall be utilized to minimize curb cuts. Shared or common access drives shall be designed to have a definitive point of ingress and egress with sufficient area to accommodate the permitted turning movements.

(3) Traffic calming measures, including speed control, volume control, road alignments and traffic management techniques shall be considered as part of the land development plan application in order to improve safety, pedestrian accessibility and vehicular mobility. The traffic calming measures shall be designed in accordance with the Village Overlay Design Standards and/or the Pennsylvania Department of Transportation, *Traffic Calming Handbook*.

(4) All permitted uses shall be designed to encourage and accommodate transportation and pedestrian traffic as well as to provide for safe and convenient modes for pedestrian movements to destination points within the Village Overlay District.

(5) The location of buildings shall be appropriately orientated to encourage pedestrian access within the Village Overlay District.

(6) Commercial drive-through establishments may be permitted as a feature or accessory component to a principal use. If permitted, the commercial drive-through establishment shall be located along the rear of the building utilized for the principal use and shall not disrupt vehicular or pedestrian accessibility.

(7) Outdoor dining establishments and/or other uses designated for outdoor activities may be permitted provided that the use or activities do not interfere with vehicular or pedestrian traffic patterns.

E. Off-Street Parking and Loading.

(1) The total number of off-street parking and loading spaces for each use shall comply with the minimum requirements specified under the Zoning Ordinance [Chapter 27], but shall not exceed 110 percent of the minimum requirements.

(2) The areas designated for off-street parking and loading shall not be a dominant design feature of the building or streetscape. The proposed off-street parking spaces and loading spaces for all uses shall be located at least 30 feet from the street right-of-way line and along the sides or rear of the principal building. Whenever the proposed off-street parking spaces and loading spaces interfere with the location of the required sidewalk system, such off-street parking and loading spaces shall be relocated.

(3) The total number of off-street parking and loading spaces for each use may be reduced up to 30 percent of the minimum requirements specified under the Zoning Ordinance [Chapter 27], provided that the applicant demonstrates that common or shared off-street parking and loading spaces shall be capable of accommodating the peak demands for employees and patrons. In all such cases, the applicant shall provide documentation to support that the use can function with the reduced number of off-street parking and loading spaces.

(4) The total number of off-street parking and loading spaces for each use may be reduced up to 20 percent of the minimum requirements specified under the Zoning Ordinance [Chapter 27], provided that the applicant demonstrates that the employees and/or patrons will utilize public transportation services or other modes of transportation, which are not related to the use of automobiles. In all such cases, the applicant shall provide documentation to support that the use can function with the reduced off-street parking and loading space.

(5) Off-premises parking at other facilities within 1,000 feet of the principal use may be permitted in order to satisfy the requirements for off-street parking spaces, provided that the applicant secures an agreement with the owner of the property, which will accommodate the additional demands for off-street parking. All proposed off-premises parking areas shall

consider safety, accessibility and convenience for the pedestrians traveling between the points of destination within the Village Overlay District.

(6) The provisions involving the reduction of off-street parking and loading facilities, as specified under this Section shall be considered by the Board of Supervisors as part of the land development plan application. The applicant shall demonstrate that the proposed use and site conditions shall satisfy the peak demands for the employees and patrons. The maximum reduction of off-street parking and loading spaces shall not exceed 50 percent of the requirements specified by the Zoning Ordinance [Chapter 27].

(7) Handicap or disability spaces shall be designed and constructed in accordance with all Federal, State and local codes.

(8) Porous paving shall be considered for the proposed off-street parking and loading spaces provided that: the design and paving composition complies with the provisions for stormwater management; that the soils and geological features have suitable characteristics for infiltration; that a maintenance program has been established with sufficient funds held in an escrow account; and that the structural integrity has not been compromised.

(9) The use of curbing, bollards, segmental concrete wall blocks, landscaping blocks, concrete retaining walls and other durable materials shall be considered along the perimeter of the off-street parking and loading areas to protect trees, open space, surface water or other natural areas. Protective measures and/or a defined separation barrier shall be considered for pedestrian movements along sidewalks.

(10) Bicycle racks and stands shall be located in a designated area along the sides or rear of the principal building and shall not interfere with pedestrian or vehicular movements.

F. Curbs, Sidewalks and Crosswalks.

(1) Curbs and sidewalks shall be designed and installed as an integrated network along public and private roads within the Village Overlay District in order to accommodate pedestrian movements.

(2) Curbs shall be placed along public and private roads within the Village Overlay District.

(3) All proposed sidewalks shall be a minimum of 5 feet in width.

(4) Decorative brick, concrete pavers or pavement treatments shall be considered as an integrated feature to the main entrance of the building, pedestrian access areas and public roads.

(5) Protective measures and/or defined separation barriers shall be considered for pedestrian movements along sidewalks.

(6) Raised crosswalks shall integrate the sidewalk system and to accommodate pedestrian movements. Crosswalks shall be at least 6 feet in width and provide for safe movements, which are controlled by traffic signal. Decorative pavement treatments shall be considered to implement the community vision of the Village Overlay District.

(7) Curbs, sidewalks, handicapped ramps and crosswalks shall be designed and constructed in accordance with the Americans with Disabilities

Act.

(8) All proposed sidewalks, curbs and crosswalks shall be designed and constructed in accordance with the provisions and specifications established by the Village Overlay Design Standards and the Northampton Township Code.

G. *Landscaping.*

(1) Street trees and other aesthetic landscaping improvements shall be incorporated into the streetscape design of the development in order to implement the requirements of the Village Overlay District.

(2) Unless otherwise directed by Northampton Township Board of Supervisors, all proposed street trees shall not be located within the legal right-of-way line or within the designated clear sight triangle involving a street intersection or access drive.

(3) All developments shall include trees, buffer yards and landscaping features that shall be integrated as part of overall site improvements in order to mitigate noise, light, odor and the visual appearance of paved surfaces. The use of existing mature trees (6 inches in caliper, as measured at breast height), beaus, segmental concrete wall blocks, landscaping blocks, retaining walls and other durable materials may be considered and utilized as part of the landscaping improvements. The design of the landscaping improvements shall be subject to the approval of the Board of Supervisors.

(4) Street trees, landscaping materials and buffer yards shall be integrated as part of the design of the buildings and site improvements, which shall be located in a manner to mitigate visual, noise and traffic impacts.

(5) The selected street trees, landscaping materials and buffer yards shall comply with the minimum requirements specified by Northampton Township. The size, type, caliper, spacing and location of the street trees shall be considered by the Board of Supervisors. Where compliance can not be achieved, or if a reduction or modification to the provisions is to be considered, the applicant shall be required to pay a fee-in-lieu of the specified provisions.

H. *Lighting.*

(1) Decorative streetlights shall be considered and strategically located at consistent intervals. Any existing streetlights, which interfere with the location of the required sidewalk network shall be relocated. The size, type and location of the streetlights shall comply with the Village Overlay Design Standards and other pertinent plans adopted by Northampton Township.

(2) All decorative streetlights and other sources of illumination shall be designed with a diffused light source in order to prevent glare or excess lighting produced within a visual field that is significantly greater than the light to which the human eye can readily adapt to without causing annoyance, discomfort or loss of visibility for any period of time.

(3) No bare or direct light source shall be visible beyond the lot lines. The illumination from any light source originating on the site shall not exceed 0.5 foot candles at the lot line. Overhead light pollution or spillage caused by unshielded light sources shall not be permitted.

(4) All streetlights and other sources of exterior illumination shall be designed as a full cutoff fixture, whereas, the light distribution pattern from the source results in no illumination projected at or above the horizontal plane at the bottom the light source or fixture.

(5) Exterior or interior lighting shall not be utilized as a promotional device to attract patrons or to serve as additional signage.

(6) All off-street parking and loading areas shall be adequately illuminated with a lighting system designed to compliment the architecture of the buildings and streetscape characteristics.

(7) Lighting fixtures attached to a free-standing pole or mounted to a building shall not exceed a height of 15 feet, as measured from the average ground elevation within 30 feet of the lighting fixture.

(8) The required street lights shall comply with the minimum requirements specified by Northampton Township. As part of the land development plan application, the size, type, spacing and location of the street lights shall be considered by the Board of Supervisors. Where compliance can not be achieved, or if a reduction or modification to the provisions is to be considered, the applicant shall be required to pay a fee-in-lieu of the specified provisions.

I. *Streetscape Design.*

(1) Special attention to the gateways and main entrance(s) to the Village Overlay District. The use of streetscape improvements, low-impact lighting, banners, welcome signs, water features and/or landscaping enhancements shall be provided and considered as a prominent feature for all uses and developments within the Village Overlay District.

(2) Provisions for street furniture, including public benches, tables, clocks and waste receptacles shall be considered as part of the land development plan. All such street furniture shall be privately owned and maintained. The type and location of the proposed street furniture shall be subject to the approval of the Board of Supervisors.

(3) Provisions for public transportation facilities, including bus stops, bus shelters, taxi stands, park and ride facilities, and other similar features shall be considered as part of the land development plan. The location of any proposed public transportation facilities shall be subject to the approval of the Board of Supervisors.

(4) Unless otherwise directed by the utility company providing service, all proposed utilities shall be installed underground and within a utility easement or right-of-way.

(5) Unless otherwise permitted for safety or security purposes, all proposed fencing within the front yard shall not exceed 36 inches in height. All other fencing shall comply with the requirements of the Zoning Ordinance [Chapter 27].

J. *Outdoor Storage and Refuse Disposal.*

(1) The storage and sale of all materials or merchandise shall be within the principal building of the property. Sidewalk sales shall be limited to a total of four events per calendar year, with no more than 5 days per event.

(2) All dumpsters shall be located in the rear yard of the property and shall be contained within a secured area that is compatible with the architectural style of the building. All such areas shall be screened with secured fencing and landscaping materials. All containers shall be vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste.

(3) Shopping cart corrals shall be required for commercial or retail uses, which may provide shopping carts as part of their normal operations. The proposed shopping cart corrals shall be located within the designated off-street parking area and shall be designed not to interfere with vehicular or pedestrian traffic.

(4) Vending or self-service machines shall not be located along the front facade of the building or street to which the principal building has frontage. All proposed vending or self-service machines shall be located inside the building or outside the rear of the building in close proximity to the off-street parking area.

K. *Signs.*

(1) All permitted signs shall comply with the Village Overlay Design Standards and the provisions of the Zoning Ordinance [Chapter 27]. The total number and size of all signs within the Village Overlay District shall be limited to avoid clutter and to serve the basic needs of the use.

(2) Off-site advertising signs and/or billboards shall be prohibited within the Village Overlay District.

(3) All permitted signs shall be professionally made and constructed out of durable material such as wood, metal or stone. The design, material, color, size, location and illumination of the sign shall be selected considering the architecture of the buildings and streetscape characteristics.

(4) Buildings occupying two or more uses or tenants shall utilize a single sign or compatible signs in terms of design, material, color, height, location and illumination.

L. *Optional Design and Site Development Improvements.*

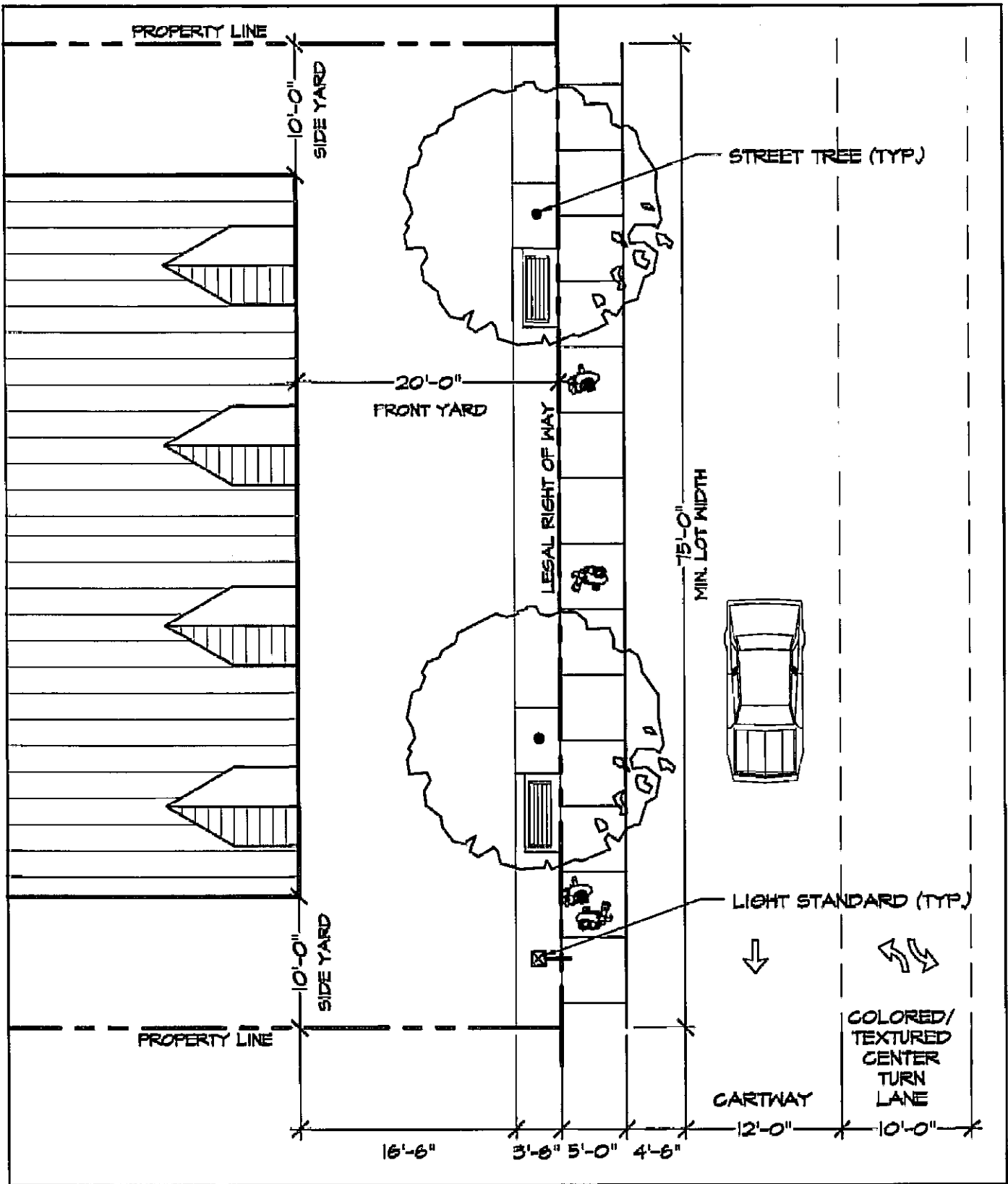
(1) The design requirements and site development improvements specified for the Village Overlay District are intended to provide general direction to all applicants seeking to subdivide, improve, develop and/or redevelop land within the Village Overlay District.

(2) The Northampton Township Board of Supervisors may consider optional design and site development alternatives if the standard requirements are determined to be unwarranted or inappropriate based upon the existing site conditions. If approved, the optional design and site requirements shall be considered as part of the subdivision and/or land development plan.

(Ord. 158, 3/9/1977; as added by Ord. 536, 12/17/2008, §1)

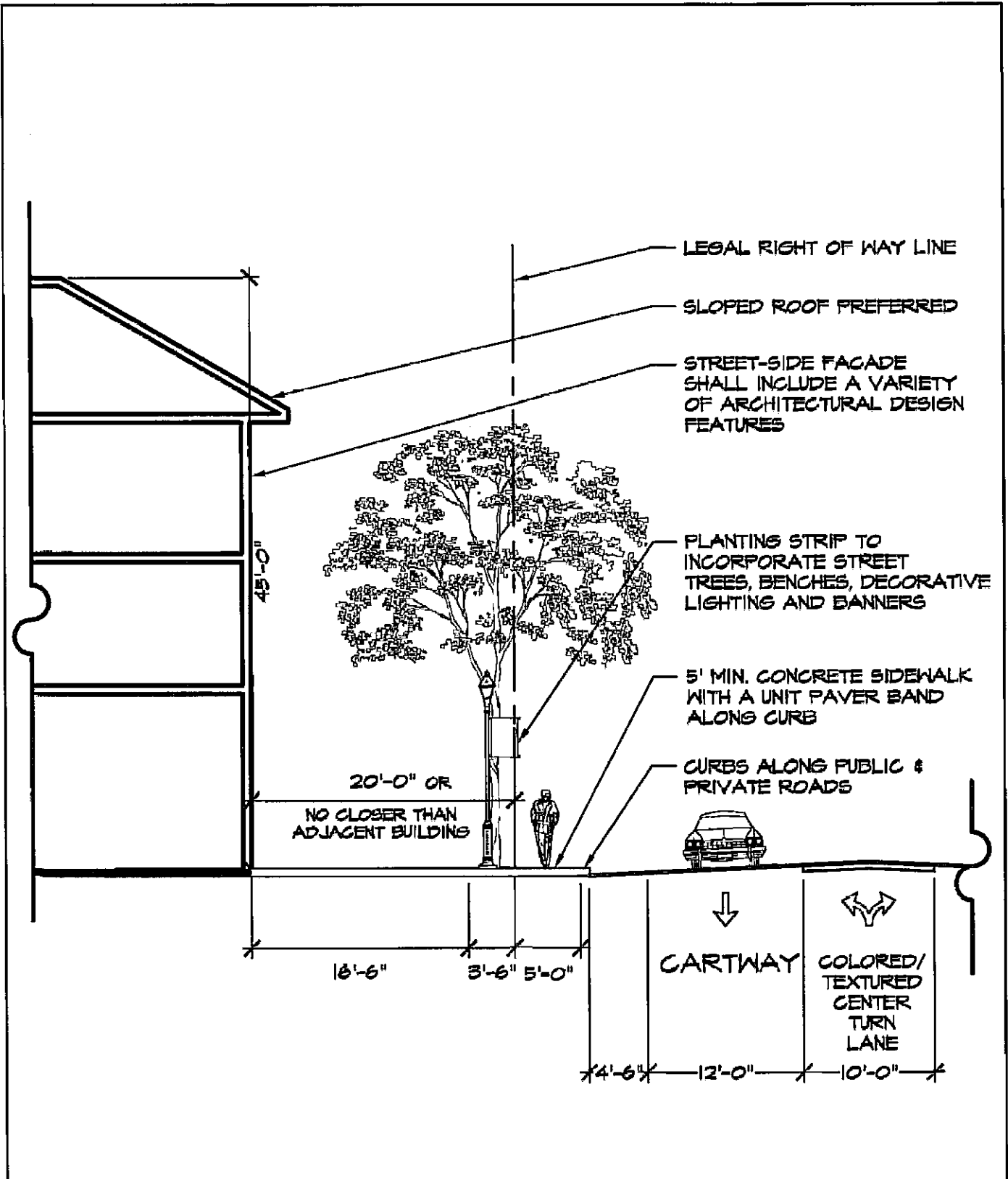
Appendix 22-A

Village Overlay Design Standards



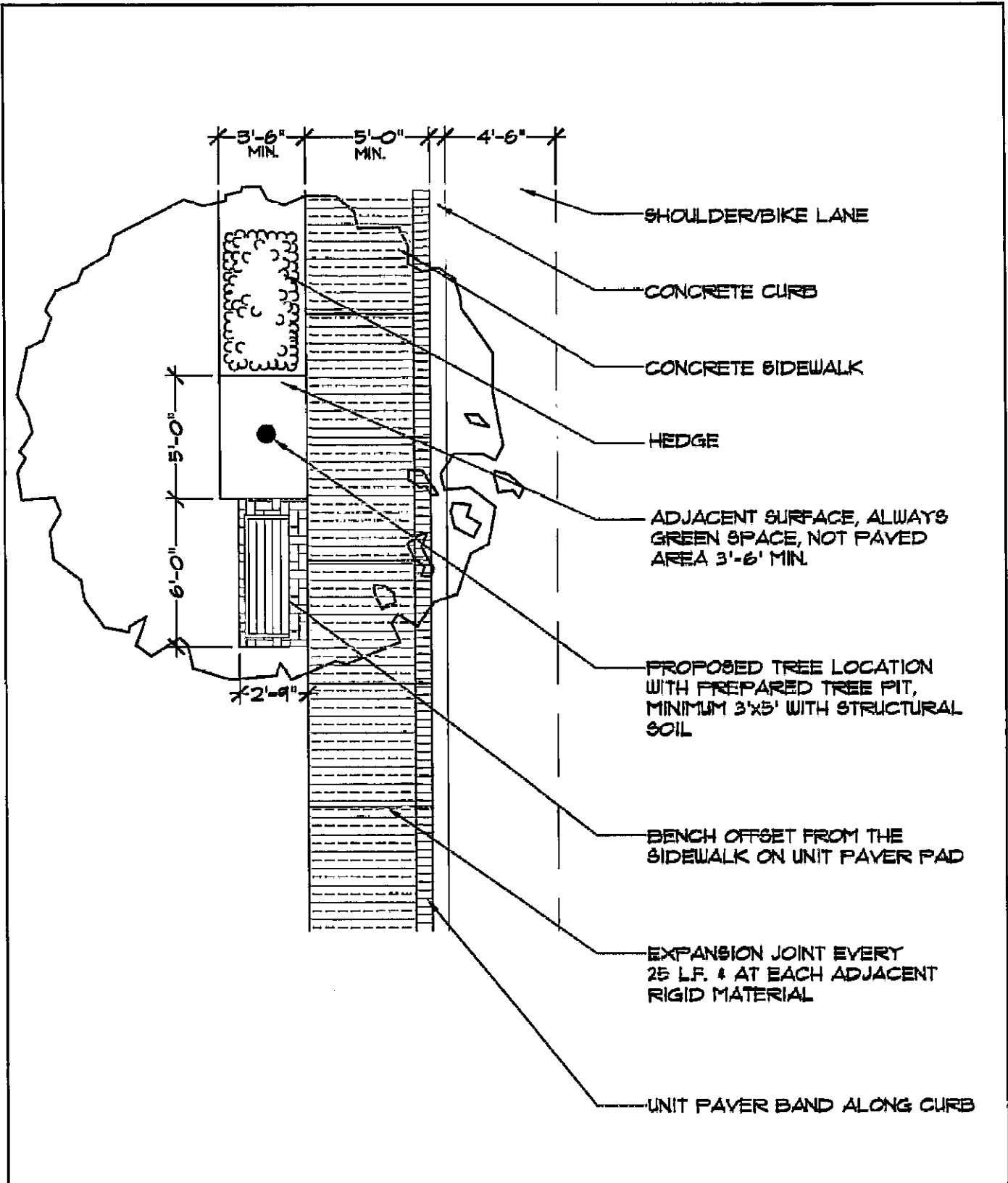
VILLAGE OVERLAY DISTRICT
TYPICAL STREETScape PLAN

SCALE: 1"=10'



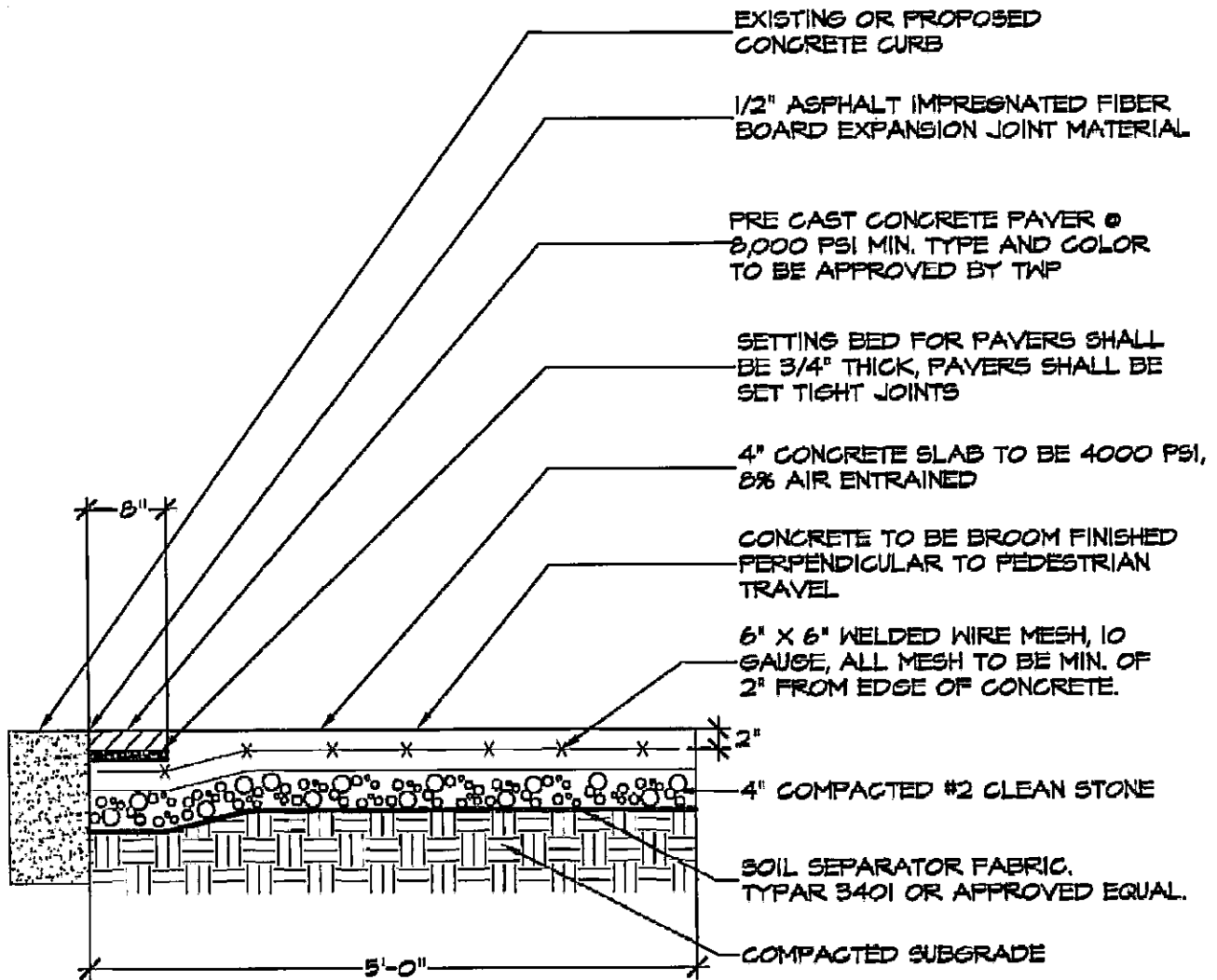
VILLAGE OVERLAY DISTRICT
TYPICAL STREETScape SECTION

SCALE: 1"=10'



VILLAGE OVERLAY DISTRICT
TYPICAL SIDEWALK LAYOUT

SCALE: 3/16"=1'-0"



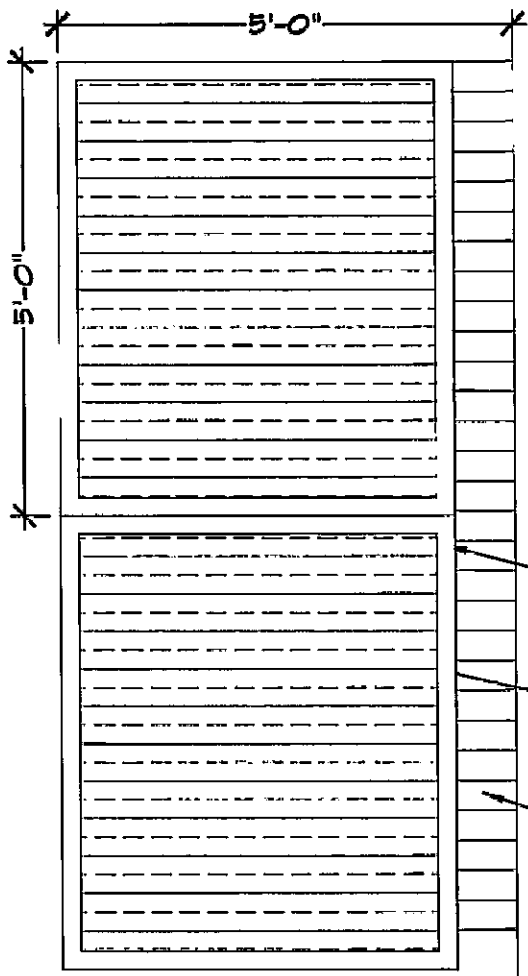
NOTE: ALL WORK TO CONFORM TO PADOT PUBLICATION 408

NOTES:

1. EXPANSION JOINTS ARE TO BE LOCATED EVERY 25' & CONTRACTION JOINTS ARE TO BE LOCATED EVERY 5'.
2. EXPANSION JOINTS: 1/2" EXPANSION JOINT, ASPHALT IMPREGNATED FIBER BOARD.
3. CONTRACTION JOINT: 1/2" X 3/4" TOOLED JOINT WITH 1/4" RADIUS TOOLED EDGE.
4. PAVERS ARE TO BE WET LAID WITH LATEX MORTAR ADDITIVE AFTER CONCRETE WALK & CURB HAVE BEEN FORMED, POURED & CURED. ALLOW FOR A 3/4" SETTING BED. PAVERS ARE TO BE LAID TIGHT JOINTS & TAMPED INTO PLACE. CLEAN SAND SHALL BE SWEEP INTO JOINTS OF PAVERS.
5. DRIVEWAY APRONS ARE TO HAVE 6" CONCRETE WITH 10 GAUGE, 6" X 6" WELDED WIRE MESH, 2" CLEAR ON ALL SIDES. 6" OF #2 CLEAN STONE COMPACTED AS REQUIRED UNDER ALL DRIVEWAY APRONS. NO PAVERS SHALL USED IN DRIVEWAY APRONS.
6. CONCRETE TO BE 4000 PSI MINIMUM, 8% AIR ENTRAINED.

VILLAGE OVERLAY DISTRICT TYPICAL SIDEWALK CROSS SECTION

SCALE: 3/4"=1'-0"



TWICE TOOLED EDGE

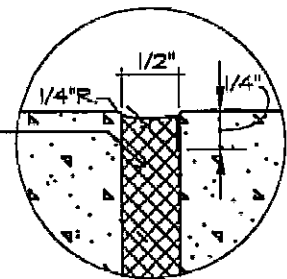
BROOM SWEPT FINISH
PERPENDICULAR TO PEDESTRIAN
TRAVEL

UNIT PAVER BAND

EXISTING OR PROPOSED
CONCRETE CURB

SCALE: 1/2"=1'-0"

1/2" ASPHALT IMPREGNATED FIBER
BOARD JOINT FILLER FULL-DEPTH



SCALE: N.T.S.

VILLAGE OVERLAY DISTRICT TYPICAL SIDEWALK DETAIL FINISHING

SCALE: AS NOTED

PennTrol System Lighting

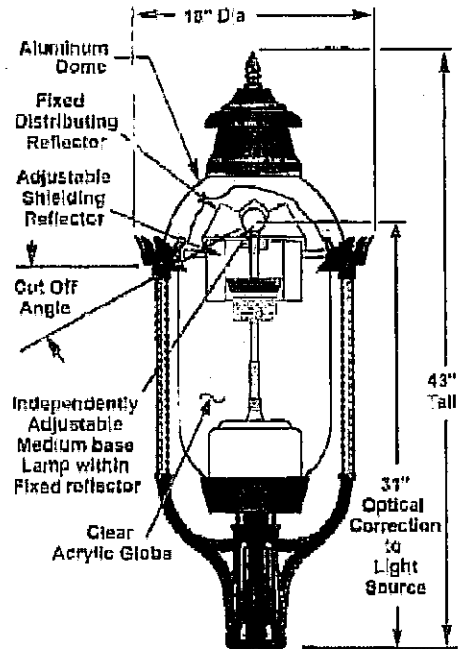
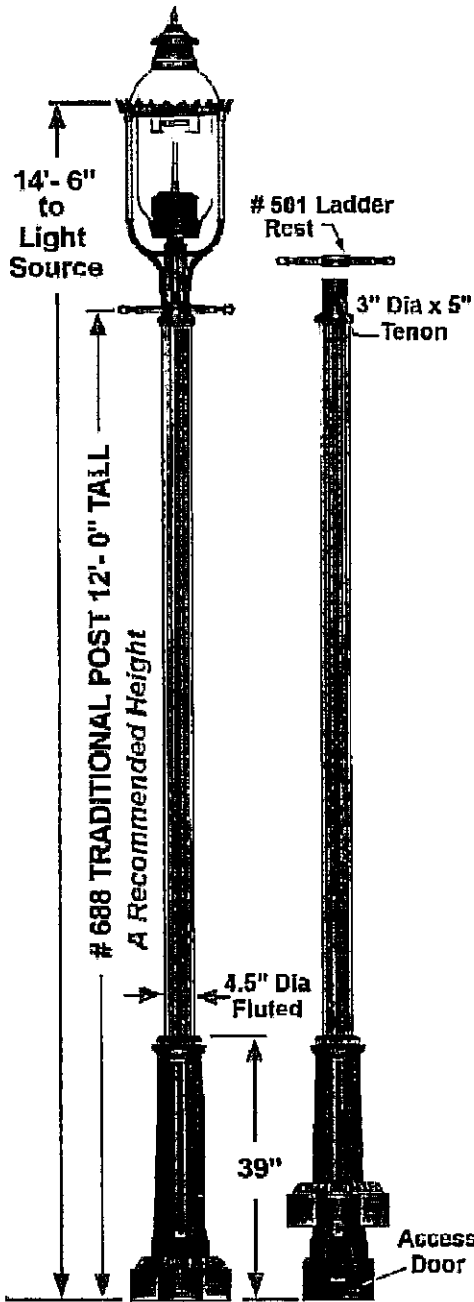
Design # PT-F360-P688-1

REPLICA GASLIGHT
PREVIOUS CATALOG NUMBER:
BOULEVARD 1000

Boulevard 1000

IES
GUT OFF

TRADITIONAL POST
PREVIOUS CATALOG NUMBER:
688 TRADITIONAL FLUTED P/N 688W1192



THE PENNSYLVANIA GLOBE GASLIGHT CO
100 Shaw Road, North Branford, CT 06471
TEL: 203-464-7745 FAX: 203-464-7768

FINISH

Textured Aliphatic Urethane Enamel
Color: Black Number: 1003T

Bracket STK # None

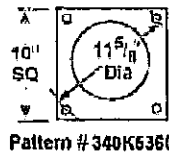
Post STK # P688-W1222-211
688 Traditional 12'-0" Tall

Fixture STK # F360-G919-PG989
Boulevard 1000 - F360 Model

Lamp	Base	Watts	Select Voltage
MH	Medium	175	120, 208, 240, 277

Project: Northampton, PA
XXXX
Suburban Wholesale Ltd.
Qty: xxxx

Date: 2007



VILLAGE OVERLAY DISTRICT TYPICAL DECORATIVE LIGHT STANDARD

SCALE: AS NOTED

