

**TOWNSHIP OF NOTTINGHAM
WASHINGTON COUNTY, PENNSYLVANIA**

**ORDINANCE #32 – Amendment L
SUBDIVISION AND LAND DEVELOPMENT APPLICATION REVIEW PROCESS AND
STREET DESIGN STANDARDS**

AN ORDINANCE OF THE TOWNSHIP OF NOTTINGHAM, WASHINGTON COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, NUMBER 32, TO REPEAL AND REPLACE SECTIONS II AND III TO REVISE THE SUBDIVISION AND LAND DEVELOPMENT APPLICATION REQUIREMENTS AND REVIEW PROCEDURES, TO REVISE AND UPDATE THE REQUIRED STREET DESIGN STANDARDS, AND PROVIDE FOR SEVERABILITY AND REPEAL OF PRIOR, INCONSISTENT ORDINANCES.

- WHEREAS,** the Township of Nottingham, Washington County, Pennsylvania (hereinafter “Township”) Board of Supervisors (hereinafter “Township Supervisors”) desire to utilize a clear and efficient review process for subdivision and land development applications submitted to the Township, in a manner as authorized by and consistent with the Pennsylvania Municipalities Planning Code (hereinafter “MPC”);
- WHEREAS,** in the judgment of the Township Supervisors, a clear and efficient application review process for subdivision and land development applications to the Township will result in the uniform and timely processing of all applications submitted;
- WHEREAS,** the Township Supervisors desire to amend the Township subdivision and land development ordinance to revise and update the Township subdivision and land development application review process;
- WHEREAS,** the Nottingham Township Planning Commission reviewed the proposed amendment on September 9, 2015 and recommended adoption to the Township Supervisors on September 14, 2015;
- WHEREAS,** on September 8, 2015, the Township Supervisors authorized advertisement of a public hearing at which the proposed ordinance amendment would be considered and the hearing was properly advertised on September 18th and September 25, 2015, pursuant to the requirements of the MPC;

WHEREAS, the Township Supervisors held a public hearing on October 5, 2015, pursuant to the MPC, at which time testimony was received concerning the proposed ordinance amendment; and

WHEREAS, in the judgment of the Township Supervisors, the proposed amendment is consistent with the Township's overall comprehensive plan and advances the Township's community development objectives.

NOW, THEREFORE, BE IT ENACTED by the Township of Nottingham, County of Washington, Commonwealth of Pennsylvania, that the Township Subdivision and Land Development Ordinance, Ordinance #32, is amended as follows:

SECTION 1. Ordinance 32, Section II – Submission Procedures, is deleted in its entirety and replaced with the following:

Section II – Application Procedures

200 Recommended Pre-application Conference (Optional).

Before submission of any application for subdivision or land development, the applicant is encouraged to meet with the Township staff and Planning Commission to determine the feasibility, suitability and timing of the application. The intent of the pre-application conference is for the applicant to obtain information and guidance from the Township with regard to the proposed preliminary plan, prior to entering into any commitments or incurring substantial expenses with regard to the site and the plan preparation.

201 All pre-application conferences shall be scheduled with the Township staff. The request for a pre-application conference with the Planning Commission shall be received and accepted by the Township staff at least fifteen days prior to the date of the next regularly scheduled Planning Commission Workshop meeting.

202 The submission of a pre-application conference request and any plans, documents, or information related thereto that are presented at the conference shall not be deemed by the Township to be the submission or filing of an application for subdivision or land development approval with the Township, nor shall it be the start of any statutorily prescribed Township review period. The pre-application conference shall not protect the application from subsequent amendments to any applicable

Township ordinance provision made prior to the date of the filing of a complete application. The pre-application conferences are intended to be advisory only and shall not bind the Township to take any action on any application subsequently submitted.

210 Application for Preliminary Approval.

Applications and required application materials for approval of preliminary subdivision or land development plans in the Township shall be submitted to the Township for review and consideration of approval or denial of the application. All reviews shall be submitted to the Township Planning Commission which shall review the application and recommend action to the Township Board of Supervisors, except as may be otherwise permitted by this ordinance. The Township Board of Supervisors shall take action on the application and advise the applicant of such action in the manner as prescribed by the Pennsylvania Municipalities Planning Code. Preliminary approval must be granted prior to submission of an application for final approval, except as otherwise permitted by this ordinance.

220 Application for Final Approval.

Applications and required application materials for approval of final subdivision or land development plans in the Township shall be submitted to the Township for review and consideration of approval or denial of the application. All reviews shall be submitted to the Township Planning Commission which shall review the application and recommend action to the Township Board of Supervisors. The Township Board of Supervisors shall take action on the application and advise the applicant of such action in the manner as prescribed by the Pennsylvania Municipalities Planning Code. As a condition of approval, the applicant shall enter into improvement and maintenance agreements with the Township, when applicable as determine at the sole discretion of the Township. No Township permits shall be issued until said agreements are executed and secured to the satisfaction of the Township and until the approved final plan has been recorded in the County Recorder of Deeds Office.

230 Modified Review Procedures

231 Minor Subdivisions. In the case of any proposed residential subdivision that involves no more than three lots and does not involve the provisions of any new street or easement for access;

the preliminary application review process is not required and any such application shall be reviewed and approved pursuant to the requirements for a final application, including review and recommendation by the Township Planning Commission and review and decision by the Board of Supervisors.

232 **Modification of Minor Subdivisions.** In the case of adjustments to any existing lot lines, lot dimensions, easement descriptions and/or survey corrections on no more than three lots in a plat previously approved by the Township, the preliminary and final application requirements shall be waived and approval of the revised plat for recording shall be reviewed and approved by the Board of Supervisors, provided all lots in the revised plat comply with all other requirements of this ordinance and the requirements of the Township Zoning Ordinance. For such applications, six copies of the application materials shall be provided to the Township, notwithstanding any other requirements of this ordinance with respect to the number of required copies.

233 In the case of a land development of 10,000 gross square feet or less of occupied building area, the preliminary and final plan review processes can be combined and submitted to the Township as one combined application for review and the requirements and process for final land development procedures shall apply.

240 **Township Decision.**

The Township Board of Supervisors shall render a decision on an application for preliminary or final approval no later than 90 days after the date of the next regularly scheduled Planning Commission meeting following the filing of the application. However, if the next scheduled meeting of the Planning Commission occurs more than 30 days after the application is filed, the 90-day decision period shall be measured from the 30th day following the date the application is filed. An application is considered filed pursuant to the requirements of this ordinance.

250 **Recording of the Final Plan**

251 Following approval of a final plan pursuant to the requirements of this ordinance, six copies of the final plan shall be endorsed by the Township Supervisors and Township Planning Commission. The

signature of the Washington County Planning Commission shall also be placed on the plans indicating the Commission's review.

- 252 The record plan shall be a clear and legible print of a type and material required by the Washington County Recorder of Deeds.
- 253 After the required endorsements are completed, the applicant shall file the record plan with the Washington County Recorder of Deeds within ninety days of the date of Final Approval by the Township Board of Supervisors, unless an extension of time is granted by action of the Township Board of Supervisors, upon a written request by the applicant.

SECTION 2. Ordinance 32, Section III – Plan Requirements, is hereby deleted in its entirety and replaced with the following:

SECTION III – APPLICATION REQUIREMENTS

300 Filing of Application

An application for subdivision or land development plan approval shall be considered filed with the Township on the date of submission of an application that meets the following requirements, as determined by the Designated Municipal Official (DMO) or other staff as shall be designated by the Township. The Township shall make such determination within five business days of the application submittal date and if the following requirements are met, the application will be considered filed as of the date the application was submitted to the Township.

- 301 Submittal of the required application to the Township offices, during normal business hours, at least twenty days prior to the date of the next regularly scheduled Township Planning Commission Workshop meeting;
- 302 Correct required application form, fully completed and executed by a person with authority to do so, including such information as may be necessary to verify said authority;
- 303 Correct application fee, in the correct amount, as set by Township resolution, and as may be amended from time to time;
- 304 Twelve complete sets of application materials, as required by this Section;

305 Application drawings shall be clearly and legibly drawn to scale of one inch equals fifty feet or one inch equals one hundred feet or larger. All submitted plan drawings should be on sheets twenty-four inches by thirty-six inches in size.

310 Application for Preliminary Plan Approval.
The preliminary plan drawings shall include the following information and if more than one plan sheet is required, a key diagram illustrating the relative location of the several sections shall be drawn on each sheet.

311 Application Information and Plan Sheet Information:

- a. Name, address, and phone number of record owner;
- b. Name, address, and phone number of developer, if different than owner;
- c. Name of the proposed subdivision or development plan;
- d. Name of the municipality or municipalities within which plan is proposed;
- e. Names of all adjoining properties and recorded subdivision or land development plans;
- f. Name, address, license number, and seal of a registered engineer or surveyor responsible for the application plans;
- g. North point, graphic scale, written scale, and date including the month day and year that the original drawing was completed and the month, day and year that the original drawing was revised, for each revision;
- h. A location map, for the purpose of locating the property being subdivided or developed, drawn at a scale not smaller than one inch equals two thousand feet and showing the relation of the property to adjoining property and to all streets, roads, and township boundaries, within one mile of any part of the property;
- i. The current total tract boundary lines of the parent lot, parcel of land and/or property (tract) being subdivided or developed. Boundaries of the adjacent parcels which intersect the boundaries of the plan or subdivision shall be shown but are not required to be field surveyed;
- j. In the case of a subdivided parcel, a statement of the total area of the resulting tract(s) shall also be on the plat or plan;
- k. Tax map sheet, block, and lot numbers within the proposed subdivision or land development;

- l. The zoning district or districts within which the proposed subdivision or development is located;

312 Existing Features

- a. All existing buildings or other structures;
- b. All existing streets, including streets recorded but not constructed, on or adjoining the subject property, including street names, rights-of-way widths, pavement widths and approximate grades;
- c. All existing sewer lines, stormwater lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railways, or other man-made features within the proposed subdivision or development and those features within two hundred feet of the boundaries of the proposed subdivision or development;
- d. Location, width and purpose of existing easements and utility rights-of-way within two hundred feet of the boundaries of the proposed subdivision or development;
- e. Contour intervals, except for subdivision applications, of not more than two feet for land with average natural slope of five percent or less, and at intervals of not more than five feet for land with average natural slope exceeding five percent. Location and elevation of the datum to which contour elevations refer shall be the closest United State Geologic Survey established benchmark, where available.

313 Proposed Features

- a. Location and width of all streets and rights-of-way, with a statement of any conditions governing their use;
- b. Proposed street names;
- c. Utility easement locations;
- d. Building setback lines along each street and property line, as required by the Township Zoning Ordinance;
- e. Lot lines, with approximate dimensions;
- f. A statement of the intended use of all lots and parcels;
- g. Lot numbers, a statement of total number of lots and parcels, and lot size in square feet and acres for each lot;
- h. Sanitary and stormwater facilities with the size and material of each indicated, and any proposed connections to existing facilities;

- i. Parks, playgrounds, and other areas to be dedicated or reserved for public or common use, with any conditions governing such use;
- j. Location, width and purpose of proposed easements and utility rights-of-way;
- k. Copies of any proposed deed restrictions and protective and restrictive covenants or rights-of-way; and
- l. In the case of subdivision or land development plans to be developed in stages, sections, or phases, over a period of time, a map delineating each phase of the proposed subdivision of land development, consecutively numbered so as to illustrate phasing and a schedule indicating the approximate time for which the application for final approval of each phase is intended to be filed.

314 Additional Application Materials:

- a. Preliminary profiles, typical cross-sections, and specifications for proposed street, sanitary sewer, water system improvements, and storm drainage;
- b. A completed planning module for land development, including soil and representative percolation tests, where applicable, and information necessary for the Township to make a determination as to revising or supplementing the plan for sewage facilities;
- c. A storm water management plan that conforms to the Township design requirements;
- d. A landscape plan, where necessary to illustrate requirements of any Township ordinance; and
- e. Preliminary designs of any bridges or culverts that may be required. Such designs shall meet all applicable federal, state and local requirements.
- f. Written statement requesting any modifications or waivers to any applicable ordinance provision.

320 Application for Final Plan Approval

321 The following information shall be submitted with an application for final subdivision or land development approval, in addition to any information as required for preliminary approval:

- a. The latest source of title to the land as shown by the deed, page number and book of the County Recorder of Deeds;

- b. The current total tract boundary lines of the parent lot, parcel of land and/or property (tract) being subdivided or developed with accurate distances to hundredths of a foot and bearings to one quarter (1/4) of a minute. The length and bearing of all the parent parcel boundary lines shall be determined by an accurate field survey performed by a Professional Surveyor licensed in the Commonwealth of Pennsylvania. The field survey shall be balanced and closed with an error of closure not less than a foot (1') in ten thousand feet (10,000'). The Licensed Professional Surveyor shall certify to the accuracy of the survey and the drawn plat. The drawn plat shall clearly show all surveyed distances and bearing and any other information required to accurately define the parcel. A statement of the total surveyed areas of the parent parcel shall be on the plan. Boundaries of the adjacent parcels which intersect the boundaries of the plan or subdivision shall be shown but are not required to be field surveyed.
- c. In the case of a subdivided parcel, a statement of the total area of the resulting tract(s) shall also be on the plat or plan; the resulting tract(s) shall be defined by accurate bearings and distances and closed with an Error of Closure not less than 1' in 10,000'. Also, in the case of a Subdivision, the Licensed Professional Surveyor shall certify to the accuracy of the bearings and distances and Error of Closure as well as the location and elevation of the Plan Monuments. The Preliminary Plat/Plan shall clearly show all distances and bearings and any other information required to accurately describe the subdivision.
- d. All lot lines shall be completely dimensioned in feet if straight, and by designating length of arc and radius (in feet) and central angle (in degrees, minutes, and seconds) if curved. All internal angles within the lots shall be designated to within fifteen seconds;
- e. The proposed building setback and the proposed placement of each building;
- f. All easements or right-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan. Easements shall either be shown or specifically described on the plan. Easements shall be located in cooperation with the appropriate utility companies;
- g. Such private deed restrictions as may be imposed upon the property as a condition to sale, together with a statement of

- any restrictions previously imposed that may affect the title to the land being subdivided or developed;
- h. If the plan includes a proposed new access point to a state legislative route, the application for highway occupancy permit and associated materials shall be submitted;
 - i. A certification of ownership, acknowledgement of plan and offer of dedication shall be lettered on the plan, and shall be duly acknowledged and signed by the owner of the property and notarized;
 - j. A signature block for certification of review of the plan by the Washington County Planning Commission, which shall read as follows: "Reviewed by the Washington County Planning Commission is ___ day of ___, 20__" and signed by the Executive Director and Chairperson of the Commission;
 - k. Space shall be left, along the lower edge of the sheet, in order that the County Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented;
 - l. If the final plan requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.
 - m. Additional Application Materials
 - i. Location, size, and invert elevation of all sanitary sewer, water distribution, and storm drainage systems and the location of all manholes, inlets and culverts;
 - ii. Final profiles, cross sections, and specifications for proposed streets, sanitary sewers, water distribution systems, and storm drainage systems shall be shown;
 - iii. Evidence of a sewage planning module approval from the Pennsylvania Department of Environmental Protection.
 - iv. Home owner association by-laws and management plan, if applicable.
 - v. Documentation from the Sewage Enforcement Officer that each lot has been tested for on-lot sewage systems (where applicable).
 - vi. An erosion and sedimentation control plan developed in accordance with Pennsylvania Department of Environmental Protection standards.
 - vii. A legal description of all areas offered for dedication.
 - n. Performance guarantee.
 - i. A performance guarantee in the amount of one hundred ten (110) percent of the costs of all required improvements as required by the Nottingham

Township Subdivision and Land Development Ordinance, based upon an estimate of probable costs as reviewed and approved by the Township Engineer, in a form and with surety approved by the Township Solicitor, guaranteeing the construction and installation of all such improvements within a stated period. Where the final plan is submitted and approved in phases, the amount of the guarantee may also be provided in stages that are commensurate with the phases.

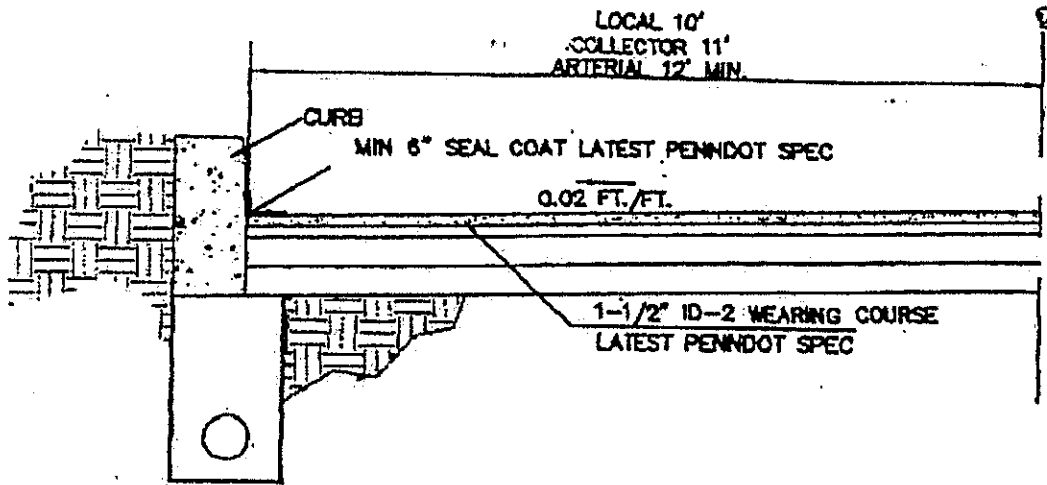
o. Maintenance guarantee.

- i. A maintenance guarantee in the amount of not less than fifteen percent (15) of the Township's estimate of the cost of all required improvements as required by the Nottingham Township Subdivision and Land Development Ordinance. This guarantee assures that the developer shall maintain all such improvements in good condition for a period of eighteen months after completion of the construction and installation of all such improvements and acceptance of all such improvements by the Township.

330 Revised application materials for applications that are already under consideration by the Township Planning Commission or Board of Supervisors must be submitted seven days prior to the Planning Commission or Board of Supervisors meeting at which the revised application materials are to be considered.

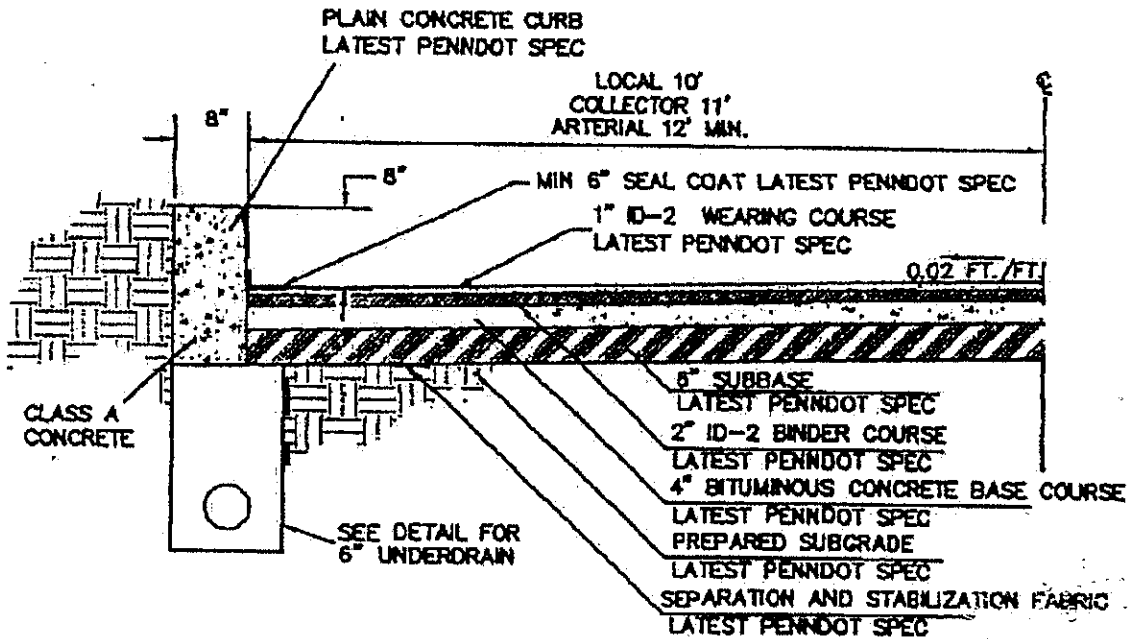
SECTION 3 Ordinance 32, Section 430, Street Design Standards, and Section 434, Street Design Specifications, are hereby amended by adding the following Street Design Standards and Specifications. Where conflicting provisions exist, the street design standards herein shall supersede any existing conflicting requirement.

	TYPE OF STREET *		
	Arterial Street	Collector Street	Local Street
Right-of-Way Widths (Radius)	80'	60'	50'
Cul-de-Sac Right-of-Way Radius	NA**	NA**	50'
Angle of Street Intersection	90°	75°-90°	60°-90°
Cartway Paving Width (Bottom of Curb to Bottom of Curb)	24'	22'	20'
Cul-de-Sac Paving Radius	NA**	40'	40'
Minimum Street Grade	1.5%	1.5%***	1.5%***
Maximum Street Grade	6.0%	10.0%	12.0%
Maximum Leveling Grade (For 25' before nearest right-of-way of street being intersected)	6.0%	6.0%	6.0%
Curb Return Radius	40'	30'	25'
Horizontal Curves			
Minimum Center Line Radius	500'	200'	125'
Vertical Curves	****	Must provide 200' sight distance	
Sidewalk Width (where provided)	5'	5'	5'
Curb Width, Wedge Type	1.5'	1.5'	1.5'
Residential Subdivision	1,600' maximum distance between street intersections		
	250' minimum distance between street intersections		
Maximum Grade, Cul-de-Sac	5% with a minimum grade at the gutterline of 1.5%.		

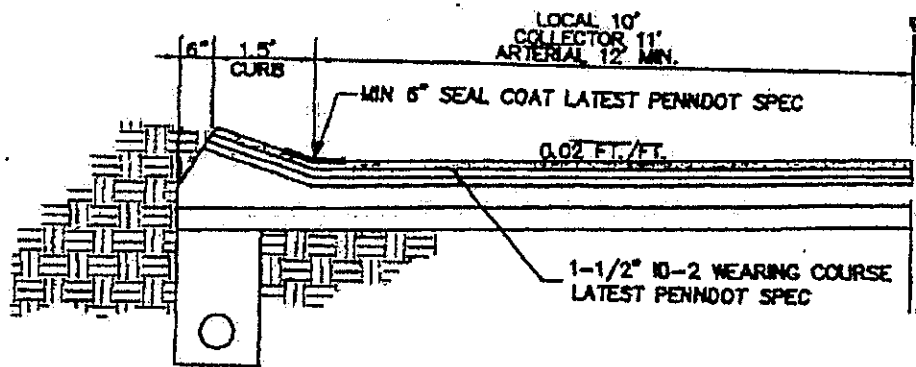


TYPICAL BITUMINOUS STREET SECTION WITH CONCRETE CURB
PHASE 2

NOTE: PHASE 2 PAVING TO BE COMPLETED UPON 100% BUILD OUT
OR 5 YEARS FROM PHASE 1 COMPLETION WHICHEVER OCCURS FIRST.

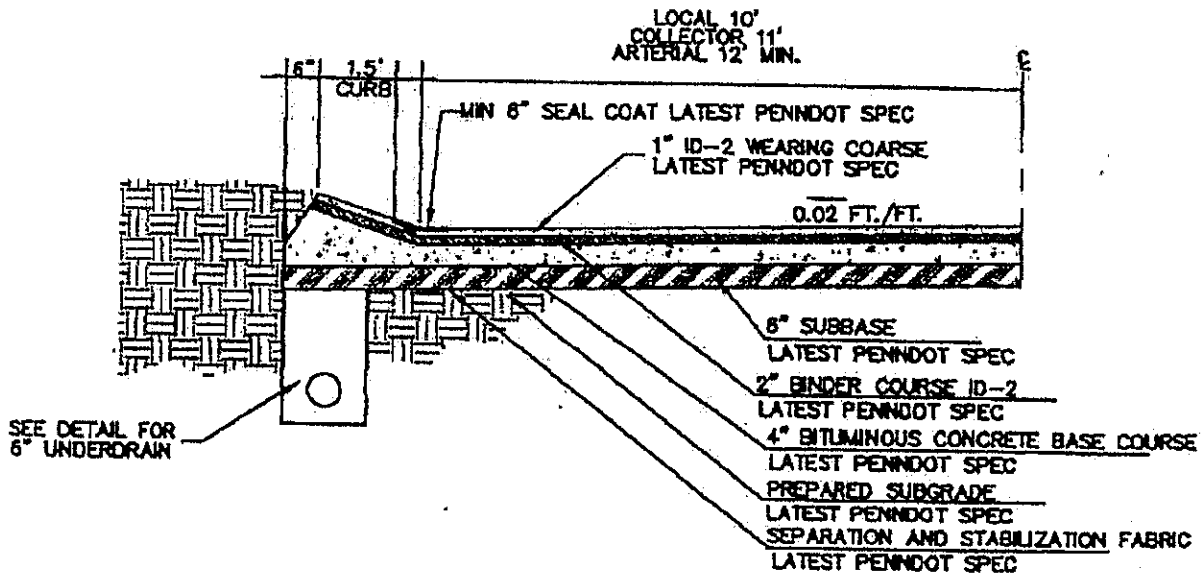


TYPICAL BITUMINOUS STREET SECTION WITH CONCRETE CURB
PHASE 1

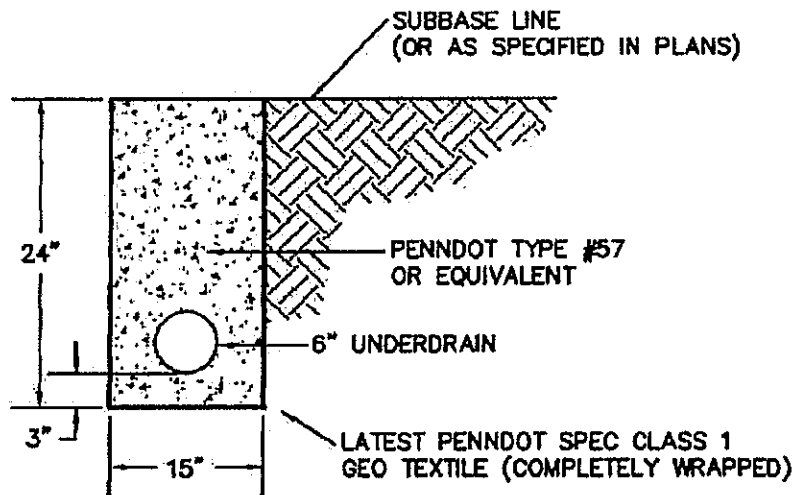


TYPICAL BITUMINOUS STREET SECTION WITH WEDGE CURB
PHASE 2

NOTE: PHASE 2 PAVING TO BE COMPLETED UPON 100% BUILD OUT OR 5 YEARS FROM PHASE 1 COMPLETION WHICHEVER OCCURS FIRST.



TYPICAL BITUMINOUS STREET SECTION WITH WEDGE CURB
PHASE 1



6" UNDERDRAIN DETAIL

SECTION 4. Ordinance 32, Section 437, Cul-de-sacs, is hereby amended by adding the following:

437.6 Cul-de-sac streets are prohibited except where the applicant can show that such a street design is required as a result of unique topographic or other natural features that prohibit the design and construction of a connecting street system, as reviewed and confirmed by the Township Engineer.

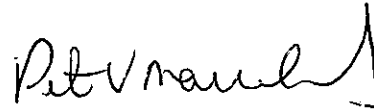
SECTION 5. Repealer: All ordinances, code sections or parts thereof in conflict herewith are hereby repealed to the extent of such conflict, and Amendments G, H, I, J and K to Ordinance 32 are hereby repealed in their entirety.

SECTION 6. Severability: Should any sentence, section, clause, part or provisions of this Ordinance amendment be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Duly presented at a regular meeting of the Township of Nottingham Board of Supervisors, Washington County, Pennsylvania, the proposed ordinance amendment is hereby

ORDAINED AND ENACTED THIS 5th DAY of OCTOBER, 2015.

NOTTINGHAM TOWNSHIP
BOARD OF SUPERVISORS



Peter V. Marcoline, Jr. Chairman

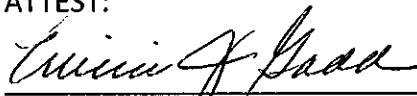


Todd E. Flynn, Vice Chairman



Douglas S. King, Member

ATTEST:



Emilie J. Gadd, Secretary