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THE SUB-DIVISION
AND
LAND DEVELOPMENT
ORDINANCE
OF
LANGHORNE BOROUGH

. Enacted: September 13, 2000

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ARTICLE I AUTHORITY AND PURPOSE

Section 100 Adoption

- (a) The Langhorne Borough Council, Commonwealth of Pennsylvania, adopted, pursuant to the Pennsylvania Municipalities Planning Code, regulations governing subdivision and development within Langhorne Borough.
- (b) These regulations shall become effective on September 13, 2000 after adoption by Borough Council and shall remain in effect until modified, amended, or rescinded by Borough Council.

Section 101 Title

An ordinance establishing rules, regulations, and standards governing the subdivision of land and the development of land within Langhorne Borough, Bucks County, Pennsylvania, pursuant to authority set forth in the Pennsylvania Municipalities Planning Code, setting forth the procedure to be followed by the Planning Commission and Borough Council in administering and applying these rules, regulations and standards, and providing penalties for the violation thereof.

Section 102 Short Title

This Ordinance shall be known and may be cited as "The Subdivision & Land Development Ordinance of Langhorne Borough".

Section 103 Purpose

The regulations are adopted to protect, promote and create conditions favorable to the health, safety, morals and general welfare of all the people, residents and visitors in Langhorne Borough by:

- (a) Assuring sites suitable for building purposes and human habitation;
- (b) Assisting and ensuring the orderly, harmonious, efficient, and integrated development and use of land;
- (c) Providing for the coordination of existing streets and public utilities with proposed streets and facilities;
- (d) Providing for open space for traffic, natural habitats, recreation, light and air;
- (e) Coordinating uses and development to avoid traffic congestion and overcrowding;
- (t) Providing for efficient and orderly extension of community services and facilities at minimum cost, maximum efficiency, maximum applicability and maximum convenience;

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- (g) Ensuring conformance of land utilization with the Four Borough's Comprehensive Plan, the Langhorne Borough Open Space Plan, and the Langhorne Borough Zoning Ordinance;
- (h) Protecting and preserving natural, scenic, ecological and historic resources;
- (i) Improving stormwater run-off and water quality of watercourses and impoundments; and,
- (j) Assuring equitable handling of all subdivision and land development plans by providing uniform procedures and standards for observance by sub-dividers, land developers and municipal officials.

Section 104 Scope

From and after the effective date of this Ordinance, any subdivision and/or land development shall be in conformity with this Ordinance and all standards and specifications adopted as part of this Ordinance.

Section 105 Interpretation

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and the general welfare.

- (a) Whenever any regulations made under authority of this Ordinance require a greater width or size of yards, courts or other open spaces, or require a lower height of buildings or smaller number of stories, or require a greater percentage of land be left unoccupied, or impose other more restrictive standards than are required in or under any other statute, law, ordinance or regulation, the provisions of the regulations made under authority of this Ordinance shall govern.
- (b) Whenever the provisions of any other statute, law, ordinance or regulation require a greater width or size of yards, courts or other open spaces, or require a greater percentage of land be left unoccupied, or impose other higher standards than are required by any regulations made under authority of this Ordinance, the provisions of such statute, law, ordinance or regulation shall govern.
- (c) This Ordinance does not repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically or explicitly repealed by this Ordinance, or repeal, abrogate, annul or in any way impair or interfere with any private restrictions placed upon property by covenant, deed, or other private agreement unless repugnant hereto.

- (d) The provisions of the Langhorne Borough Historic and Architectural Zoning Ordinance shall supersede the provisions of this Ordinance when conflicts exist.
- (e) When the provisions of the Langhorne Borough Stormwater Management Ordinance require greater environmental protections, those regulations shall supersede the provisions of this Ordinance when conflicts exist.
- (f) When the provisions of the Langhorne Borough Natural Resource Protection Ordinance require greater environmental protections, those regulations shall supersede the provisions of this Ordinance when conflicts exist.

Section 106 Severability

It is hereby declared to be the intent of Borough Council that:

- (a) If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.
- (b) If a court of competent jurisdiction declares this Ordinance to be invalid or void in whole or in part, the provisions and standards of the Sub-division and Land Development Ordinance of 1982 shall be applied and shall remain valid.
- (c) If a court of competent jurisdiction finds the application of any provision or provisions of this Ordinance to any lot, building or other structure, or tract of land, to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property, or situations shall not be affected.

Section 107 Jurisdiction.

- (a) All subdivision and land development plats of land situated within Langhorne Borough shall be submitted to the Borough for review and recommendation by the Langhorne Borough Planning Commission and for approval by the Langhorne Borough Council. No subdivision of land or development of any use, lot, structure, boundary line, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main, common amenities or other improvements shall be laid out, constructed, opened or dedicated for public or common use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.

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- (b) Subdivision and Land Development Control. Sketch, Concept, Preliminary and Final Plans for subdivision or land development shall (1) have been prepared, signed, and sealed by a professional engineer or land surveyor duly and currently registered in the State of Pennsylvania; (2) submitted to and approved in writing thereon by the Borough Council; and (3) recorded in the Office of the Recorder of Deeds, Doylestown, Bucks County, Pennsylvania.
- (c) All applications for approval of a plan, whether sketch, concept, preliminary or final, shall be acted upon by Borough Council or the Borough Planning Commission within such time limits as may be fixed in this Ordinance. Except for sketch or concept plans where no time constraints apply, Borough Council and the Borough Planning Commission shall render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of Borough Council or the Borough Planning Commission (whichever first reviews the application) next following the date the application is filed, provided that should the said next regular meeting occur more than 30 days following the filing of the application, the said 90-day period shall be measured from the 30th day following the day the application has been filed.
- (1) The governing body shall render a written decision or, when no decision is called for, make a written findings on the application after the last hearing before the governing body.
 - (2) When the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons thereof. Conclusions based on provisions of the Municipalities Planning Code, this Ordinance or other Borough Ordinances shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.
 - (3) The decision of Borough Council or the Borough Planning Commission shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
 - (4) Failure of Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or to a change in the prescribed manner of presentation of communication of the decision in which case, failure to meet the extended time or the change in manner of presentation of communication shall have like effect.

(5) Changes in this Ordinance shall affect plans as follows:

- (i) From the time of submission of an application for review of a sketch or concept plan, any change or amendment of the zoning or subdivision ordinances shall affect the review of such application and the applicant shall be required to alter the submission to bring the plan into compliance with the change or amendment. Any acceptance or support of a sketch or concept plan by a Borough Council shall not entitle the applicant to approval of preliminary or final plans by a subsequent Borough Council nor shall it permit the applicant to present preliminary or final plans based on the regulations of this Ordinance as in effect at the time of the submission of the sketch or concept plan.
- (ii) From the time an application for approval of a plan, whether preliminary or final, is duly filed as provided in this Ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning or subdivision ordinances shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of these ordinances as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.
- (iii) When an application for approval of a plan, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the zoning or subdivision ordinances shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five years from such approval. The provisions of the Pennsylvania Municipalities Planning Code, held to be valid and effective by courts of law of competent jurisdiction, pertaining to the effect of appeals and sewer prohibitions shall be applicable.

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- (iv) Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the zoning or subdivision ordinances as they stood at the time when the application for such approval was duly filed.
 - (v) Where the applicant has substantially completed the required improvements as depicted upon the final plan within the aforesaid five-year limit, or any extension thereof as may be granted by Borough Council, no change of the zoning or subdivision ordinances enacted subsequent to the date of filing of the preliminary plan shall modify or revoke any aspect of the approved final plan pertaining to zoning classification or density, lot, building, street or utility location.
 - (vi) In the case of a preliminary plan calling for the installation of improvements beyond the five-year period, a schedule shall be filed by the applicant with the preliminary plan delineating all proposed sections as well as deadlines within which applications for final plan approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plan approval, until final plan approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of Borough Council in its discretion.
 - (vii) Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by Borough Council in its discretion. Provided the applicant has not defaulted with regard to or violated any of the conditions of the preliminary plan approval, including compliance with the applicant's aforesaid schedule of submission of final plans for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plan within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five year period the aforesaid protections shall apply for an additional term or terms of three years from the date of final plan approval for each section.

- (viii) Failure of the applicant to adhere to the aforesaid schedule of submission of final plans for the various sections shall subject any such section to any and all changes in zoning, subdivision and other governing ordinances enacted by the Borough subsequent to the date of the initial preliminary plan submission.
- (6) Before acting on any subdivision, land use or development plan, Borough Council or the Borough Planning Commission, as the case may be, shall hold a public hearing thereon after public notice.
- (7) No plan which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the plan contains a notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L.1242, No.428), known as the "State Highway Law", as amended and in effect at the time of application, before driveway access to a State highway is permitted. The department shall, within sixty days of the date of receipt of an application for a highway occupancy permit, (i) approve the permit, which shall be valid thereafter unless, prior to commencement of construction thereunder, the geographic, physical or other conditions under which the permit is approved change, requiring modification or denial of the permit, in which event the department shall give notice thereof in accordance with regulations, (ii) deny the permit, (iii) return the application for additional information or correction to conform with department regulations or (iv) determine that no permit is required in which case the department shall notify the Borough and the applicant in writing. If the department shall fail to take any action within the 60-day period, the permit will be deemed to be issued. The plan shall be marked to indicate that access to the State highway shall be only as authorized by a highway occupancy permit. Neither the department nor the Borough shall be liable in damages for any injury to persons or property arising out of the issuance or denial of a permit, or for failure to regulate any access point. Furthermore, the Borough shall not be held liable for damages to persons or property arising out of the issuance or denial of a permit by the department.
- (d) Before the approval of a plan by the Borough, a copy shall be transmitted to the Bucks County Planning Commission, and the County Commission shall make a report thereon to the Borough. Pending the receipt and consideration of such report, the Borough shall defer action thereon; but if such a report is not received by the Borough within forty-five (45) days from the submission of the plan to the County Commission, or within such further time as may be agreed upon by the Borough, the Borough may proceed to final action thereon.

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Section 108

Preventive Remedies

- (a) In addition to other remedies, the Borough 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.

- (b) The Borough 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 any governing ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:
 - (1) The owner of record, his heirs, successors or assigns, at the time of such violation.
 - (2) 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.
 - (3) The current owner of record, his heirs, successors or assigns, who acquired the property subsequent to the time of violation without regard as to whether such person had actual or constructive knowledge of the violation.
 - (4) 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.
 - (5) 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 Borough 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.

Section 109

Statement of Community Development Objectives

This Ordinance is intended to implement the policy goals of Langhorne Borough as follows:

(a) Regional Character

(1) Goals: To avoid intense urbanization, to promote the residential and historical character of the region, to preserve the quality of life through environmental preservation, and to guide the arrangement of activities to minimize the effects of incompatible land uses.

(2) Policies

- (i) Use the Four Boroughs Joint Comprehensive Plan of 1975 to guide development and changing land uses in order to achieve the desired regional character when not regulated by this Ordinance.
- (ii) Review and update the Four Boroughs Joint Comprehensive Plan of 1975, as amended, when deemed necessary and feasible.
- (iii) Develop, update and adopt ordinances that will aid in accomplishing the stated goals of the region, when applicable.

(b) Planning

(1) Goals: To insure that the Borough has the tools to guide growth, to deal with the surrounding developmental pressures, and to encourage the coordination of all units and agencies of government and private interests for a comprehensive approach to the collective problems of the region.

(2) Policies

- (i) When applicable, employ the Four Boroughs Joint Comprehensive Plan of 1975, as amended, to guide growth and change.
- (ii) Insure that the Borough has the necessary ordinances to regulate future development.
- (iii) Promote coordination of activities within the region.

(c) Traffic and Transportation

(1) Goals: To develop and regulate traffic systems in order to preserve and promote an historic, residential and small-town community.

- (2) Policies
 - (i) Moderate the flow of traffic to promote a pedestrian downtown area and maintain safe residential communities, especially for young, elderly and impaired residents.
 - (ii) Identify areas of present and future development, both within and surrounding the region, and use the information to evaluate intra-regional traffic.
 - (iii) Promote a regional by-pass system to relieve roadways designed for local use of intra-regional traffic.
 - (iv) Promote mass transportation as an alternative method of movement through the region by upgrading of rail services (provision of adequate parking, station improvements, etc.) and providing feeder bus service to connect rail stations with shopping centers and other high-intensity land uses in the surrounding areas.
 - (v) Promote a shuttle system for residents and tourists to provide transportation to local points of interest.
 - (vi) Work with Federal, State, County and other local agencies and governments and solicit the aid of Federal and State legislators to insure that the necessary transportation improvements are implemented.
- (d) Industrial Development
 - (1) Goals: To identify the types and location of industrial activities that will not detract from the residential character of the region and to upgrade existing areas.
 - (2) Policy: When industrial uses change or new industrial uses are established, insure that development plans include adequate consideration of access, streets and curbing, parking, waste disposal and other pertinent facilities.
- (e) Commercial Development
 - (1) Goals: To avoid the inefficient scattering of commercial activity throughout the region and along the highways, to identify local and regional centers for these activities, and to improve and enhance existing commercial areas in accordance with historic and environmental preservation principles.

- (2) **Policies**
 - (i) Identify specific areas, within or surrounding the Borough, which serves as regional shopping and business centers.
 - (ii) Designate the types and location of shops for neighborhood convenience shopping centers.
 - (iii) Consider parking alternatives in the Commercial District.

- (f) **Housing**
 - (1) **Goals:** To maintain a balanced mix of housing types of costs that accommodate the needs of the residents in the region, to protect the architectural integrity of the historic structures, and to improve the conditions in deteriorating areas
 - (2) **Policies**
 - (i) Periodically review regulations that provide for newer types of housing (e.g., preservation developments, cluster developments) which will provide for open space and aesthetic surroundings as well as needed housing.
 - (ii) Maintain and enhance dwellings of sound construction and good design.
 - (iii) Periodically review and update building codes and advise owners of historic properties (through the Historical Architectural Review Board) on ways of adapting historic properties, and methods and styles that will protect historic integrity.

- (g) **Recreation and Open Space**
 - (1) **Goals:** To provide a variety of recreational facilities and areas, to identify the remaining natural areas in the region and to preserve them as ecological zones.
 - (2) **Policies**
 - (i) Protect and preserve the existing natural resources of the Borough, including floodplains, wetlands, steep slopes and wooded areas.

- (ii) Protect and enhance the recreational and cultural resources of the Borough such as the Mayor's Playground, the Langhorne Heritage Farm (Julius Lojeski Acres) and the Community House Gardens.
- (iii) Protect and preserve existing open spaces of the Borough and encourage development plans that create new open spaces.
- (iv) Contact institutions in the area to investigate the possibility of establishing a cooperative arrangement for the use of educational and recreational facilities of the institutions.
- (v) Refer to the Bucks County National Resource Plan to consider criteria for the preservation of open space within the region.
- (vi) Investigate State and Federal programs that provide funds for open space protection and recreational development.

(h) Historical and Architectural Preservation

- (1) Goals: To develop a program for the preservation of historically, architecturally, culturally and environmentally significant structures and areas in the Borough.
- (2) Policies
 - (i) Maintain areas and structures indicative of the historic character of the Borough.
 - (ii) Support the Historical Architectural Review Board in investigations of areas which may be historically, culturally, environmentally and architecturally significant and research private and public programs which provide funds to restore and preserve these areas the buildings.
 - (iii) Continue to encourage the use of historical buildings in a manner that will not detract from the character of the structures of surrounding structures.
 - (iv) Periodically review the specific ordinances which will support historical, architectural, cultural and environmental preservation programs.

ARTICLE II DEFINITIONS

Section 200 General Terms

(a) Unless a contrary intention clearly appears, the following words and phrases shall have for the purposes of this Ordinance the meanings given in the following clauses.

(b) For the purpose of this Ordinance and when it makes sense in the context of the sentence or clause, words and terms used herein shall be interpreted as follows:

- (1) Words used in the present tense include the future.
- (2) The singular includes the plural and the plural includes the singular.
- (3) Words used in the masculine gender include the feminine and neuter.
- (4) The word "person" includes a corporation, partnership, association, or other legal entity, as well as an individual.
- (5) The word "lot" includes the words "plot" or "parcel".
- (6) The term "shall" is mandatory.
- (7) The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".
- (8) The word "Commission" and the words "Planning Commission" always mean the Langhorne Borough Planning Commission, unless otherwise stated.
- (9) The word "Board" or the words "Zoning Hearing Board" always mean the Langhorne Borough Zoning Hearing Board, unless otherwise stated.
- (10) The word "Council" or the words "Borough Council" always means the Langhorne Borough Council, unless otherwise stated.
- (11) The word "section" or the word "sub-section" always refers to a section or sub-section of this Ordinance, unless otherwise stated.
- (12) The words "Zoning Ordinance" always means the Langhorne Borough Zoning Ordinance of 1995, and all revisions, amendments or changes thereto. The Zoning Ordinance as in effect at the time of the application shall be applicable, unless otherwise specifically noted.

- (13) The words "Historical Architectural Review Board Ordinance" always means the Langhorne Borough Historical Architectural Review Board Ordinance of 1995, and all revisions, amendments or changes thereto. The HARB Ordinance as in effect at the time of the application shall be applicable, unless otherwise specifically noted.
- (14) The words "Stormwater Management Ordinance" always means the Langhorne Borough Stormwater Management Ordinance of 1993, and all revisions, amendments or changes thereto. The Stormwater Management Ordinance as in effect at the time of the application shall be applicable, unless otherwise specifically noted.
- (15) The words "Natural Resource Protection Ordinance" always means the Langhorne Borough Natural Resource Protection Ordinance of 2000, and all revisions, amendments or changes thereto. The Natural Resource Protection Ordinance as in effect at the time of the application shall be applicable, unless otherwise specifically noted.
- (c) Any word or term not defined herein shall be used with a meaning of standard usage.

Section 201 Definitions

Agent - Any person, other than the subdivider, the applicant or the developer, who, acting for or apparently acting for the subdivider, the applicant or the developer, submits to the Borough sketch, concept, preliminary or final plans.

Alley - A right-of-way which provides secondary service access for vehicles to the side or rear of abutting properties and not intended for general circulation.

Applicant - Any person, including a landowner, sub-divider or developer, who submits a sketch, concept, preliminary or final plan for sub-division, land use or development including heirs, successors and assigns.

Application for Development - Every application, whether sketch, concept, 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, for a land use change or expansion or for the approval of a development plan.

Appointing Authority - The Borough Council, or as may be designated in the law providing for the form of government or the responsibility for appointment.

Area -

(a) Lot Area: The area contained within the property lines of the individual parcels of land shown on a subdivision plan or required by this Ordinance, excluding any area within an existing or designated future street right-of-way or any area required as open space under this Ordinance, and including the area of any easements. See Table 603 of the Langhorne Borough Zoning Ordinance of 1995 for required lot areas.

(b) Average Lot Area per Dwelling Unit: The average lot area for all dwelling units of a single type. Individual lots may be smaller or larger than the average, provided that the average size is maintained and that all other standards of this Ordinance and the Zoning Ordinance are met.

(c) Building Area: The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings.

(d) Floor Area: The sum of the areas of the several floors of building structure, including areas for human occupancy, basements, attics, and penthouses, as measured from the exterior faces of the walls. It shall not include cellars, unenclosed porches, attics, areas not used for human occupancy, motor vehicle parking space in accessory or principal buildings intended and designed to meet parking requirements of this Ordinance, or floor space intended and designed for accessory heating, cooling and ventilating equipment.

Architect - A professional architect currently registered by the Commonwealth of Pennsylvania.

Authority - Langhorne Borough, a municipal corporation, created pursuant to the Act of May 2, 1945 (P.L.382, No.164), known as the "Municipality Authorities Act of 1945.

Basement - A story partly below grade level but having at least one-half of its height (measured from floor to ceiling) above the average level of adjoining ground. A basement shall be counted as a story for the purpose of height measurement and for determining square footage if the vertical distance between the ceiling and the average level of adjoining ground is more than four (4) feet or if it is used for business or dwelling purposes.

Block - An area bounded by three (3) or more streets.

Borough Council - The elected, governing body of the Borough of Langhorne.

Borough Engineer - A professional engineer currently licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for Langhorne Borough.

Borough Solicitor - An attorney currently licensed as such in the Commonwealth of Pennsylvania, duly appointed as the Solicitor for Langhorne Borough.

Buffer - An area of land, including landscaping and berms, that is located between land uses of different character and is intended to mitigate the impact of the uses of different character.

Building Height - The vertical distance measured from the elevation of the finished grade at the street side of the building to the highest point of the roof, including all appurtenants, antennas, chimneys, mechanical systems or building service equipment.

Building Setback Line - The line established by the required front yard, defining the minimum required distance between any building or structure or portion thereof to be erected or altered and an adjacent right-of-way or street line. Such line shall be measured at right angles from the street right-of-way line and shall be parallel to said right-of-way line. For tracts of land that are not adjacent to a right-of-way or street line, such line shall be measured from the boundary line that is parallel to the street right-of-way line.

Cartway (Roadway) - The portion of a street right-of-way, paved, or unpaved, intended for vehicular use.

Cellar - A story partly underground and having more than one-half of its clear height below the average level of adjoining ground. It shall not be used for dwelling purposes. It shall not be considered in determining the permissible number of stories or square footage:

Clear Sight Triangle - An area of unobstructed vision at: i) street intersections; ii) driveway and street intersections; or iii) entrance and street intersections, defined by lines of sight between points at a given distance from the intersection of the street right-of-way lines and/or the curb cuts.

Common Open Space or Open Areas - A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development or to protect and preserve environmental features, not including streets, off-street parking areas, and areas set aside for public facilities.

Condominium - A condominium is an ownership arrangement and not a land use. Therefore, it is allowed and under the same restrictions of the residential land use that comprises it. A condominium is a dwelling unit which has all of the following characteristics, required by Title 68, of the Real and Personal Property Act of Pennsylvania (also known as the Uniform Condominium Act):

- (a) A condominium is real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.
- (b) The unit may be any permitted dwelling type.

Flood Plain Soils - Areas subject to periodic flooding, as defined and delineated by the provisions of the Langhorne Borough Natural Resource Protection Ordinance.

Floor Area - The sum of the horizontal areas of the several floors of the building or structure as measured from the exterior faces of the walls: including areas used for human occupancy, required for the conduct of the business or use, basements, stairwells, attached garages, enclosed porches, attics and penthouses; but not including cellars, unenclosed porches, attics, any floor space in an accessory building nor floor space intended and designed for accessory heating, cooling and ventilating equipment.

Floor Area Ratio - The ratio of the floor area to the lot area, as determined by dividing the floor area by the lot area.

Forest - Areas, groves, or stands of mature or largely mature trees (i.e., greater than six inches (6") caliper) consisting of six (6) individuals or more covering an area of at least one-quarter (1/4) of an acre, and also defined and delineated by the provisions of the Langhorne Borough Natural Resource Protection Ordinance.

Front Elevation Plan - A plan, drawn to scale, evidencing the front facade of all structures on the lot or tract. It shall show all aspects of the proposed structure, including mechanical systems and equipment, antennas, chimneys, cupolas and widow's walks.

Governing Body - The Langhorne Borough Council.

Impervious Surface - Impervious surfaces are those that do not absorb precipitation and surface water. All buildings, parking areas, driveways, roads, sidewalks, whether paved or not, and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Borough Engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.

Impervious Surface Ratio - The impervious surface ratio is a measure of the intensity of use of a piece of land. It is measured by dividing the total area of all impervious surfaces within the site by the net buildable site area.

Improvements Specifications - Regulations adopted pursuant to this Ordinance imposing minimum standards for the construction of Required Improvements.

Lakes and Ponds - Natural or artificial bodies of water which retain water substantially year-round and as also defined and delineated by the provisions of the Langhorne Borough Natural Resource Protection Ordinance. Artificial ponds and lakes may be created by dams, or may result from excavation. The shoreline of such water bodies shall be measured from the maximum condition rather than the permanent pool if there is any difference. For the purposes of this Ordinance, a lake shall be considered to be any such water body which is two and one-half (2.5) acres or larger; a pond is any such water body of less than two and one-half (2.5) acres, but greater than one-eighth (1/8) of an acre.

Land Development - Any of the following activities:

- (a) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants-or tenure;
 - (2) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
 - (3) the conversion of a residence into two (2) or more dwelling units; or,
 - (4) the addition of greater than 1,000 square feet of floor area to any building.
- (b) A subdivision of land.
- (c) Development in accordance with Section 107(a) of the Pennsylvania Municipalities Planning Code.

Landscape Architect - A professional landscape architect currently registered in the Commonwealth of Pennsylvania.

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

Lighting Plan - A plan, drawn to scale, evidencing the fayades of all structures on the lot or tract, including signs, canopies, light standards, or windows, which are planned to or are capable of being lit. It shall show all aspects of lighting in the proposed tract and shall indicate the type and intensity of said lightings and the iso-foot candle plot of each light.

Lot -

- (a) Lot: A designated parcel, tract or area of land established by a plan or plat or otherwise as permitted by law and to be used, developed or built upon as a unit.
- (b) Lot Area: The area contained within the property lines of the individual parcels of land shown on a subdivision plan or required by this Ordinance, excluding any area within an existing or designated future street right-of-way, or any area required as open space under this Ordinance, and including the area of any easements, as determined by application of Table 603 of the Zoning Ordinance.

Marker - A metal pipe or pin of at least one-half inch (1/2") diameter (preferred 3/4" or 7/8") and at least twenty-four inches (24") in length (preferred 30" to 36") or other marker approved by the Borough Engineer and Borough Council.

Mediation - A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in exploring and settling their differences, culminating in a written agreement which the parties consider acceptable, as defined in and utilizing the procedures set forth in Section 908.1 of the Pennsylvania Municipalities Planning Code.

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 arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Mobile Home Lot - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

Mobile Home Park - A parcel or contiguous parcels of land so designated and improved to contain two or more mobile home lots for the placement thereon of mobile homes.

Modular Dwelling Unit - A generally standard construction dwelling unit in which some or all of the structural skin or service units (kitchens, baths) are manufactured off-site, transported to the site and tied in and erected on a foundation and prepared on-site. The term includes module, pre-fab, factory-built, panel-built, etc. units. The completed unit must meet the standards of the Borough Building Code and shall be treated the same as a conventional stick-built dwelling.

Municipal Authority - Langhorne Borough, a municipal corporation, authorized and created pursuant to the Municipality Authorities Act of 1945 (P.L.382, No.164).

Municipality - Langhorne Borough.

Monument - A stone or concrete monument or other monument approved by the Borough Engineer and Borough Council.

Open Space or open area - Open space or open area is land used for recreation, resource protection, or amenity, is freely accessible to designated residents, and is protected by the provisions of this Ordinance or the Langhorne Borough Natural Resource Protection Ordinance to ensure that it remains in such uses. Open space or open area does not include land occupied by buildings, buffers, roads, or road rights-of-way; nor does it include the yards or lots of single or multifamily dwelling units or parking areas as required by the provisions of this Ordinance or the Langhorne Borough Natural Resource Protection Ordinance. Open space or open area shall be left in a natural state except in the case of recreation uses that may contain some impervious surfaces. Such impervious surfaces shall be included in the calculation of the impervious surface ratio.

- (h) Plan Record - An exact copy of the approved Final Plan on opaque linens or mylars of standard size, in the form required by the Bucks County Recorder of Deeds Office, prepared by the applicant for necessary signatures and recording with the Bucks County Recorder of Deeds.
- (i) Plan Sketch (Concept Plan) - A conceptual subdivision, land use and/or development plan, drawn approximately to scale, indicating salient existing features of the tract and showing approximate street and lot layout as a basis of consideration, and any supplementary data required by the provisions of this Ordinance, the Langhorne Borough Natural Resource Protection Ordinance, and the Historic Architectural Review Ordinance, for consideration by Borough Council prior to preparation of a Preliminary Plan.

Plat - The map or plan of a subdivision, land use or land development, whether preliminary or final.

Planning Commission - The Planning Commission of Langhorne Borough, Bucks County, Pennsylvania, unless otherwise stated.

Public Grounds - Includes:

- (a) parks, playgrounds, trails, paths, and other recreational areas open to the public;
- (b) sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities;
- (c) publicly or quasi-publicly owned or operated scenic, environmental and historic sites; or,
- (d) publicly or quasi-publicly owned or use open space or open area.

Public Hearing - A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance or the Pennsylvania Municipalities Planning Code.

Public Meeting - A forum held pursuant to notice under the act of July 3, 1986 (P.L.388, No.84), known as the "Sunshine Act."

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

Reserve Strip - A parcel of ground in separate (sometimes public) ownership separating a street from other adjacent properties, or from another street.

Resubdivision - A re-platting or new division of land. Re-plattings shall be considered as constituting a new subdivision of land. See also Subdivision.

Reverse Frontage Lot - A lot extending between and having frontage on a major street and a minor street with vehicular access solely from the latter. See also Double Frontage Lot.

Review - An examination of a sketch plan, a concept plan, a preliminary plan, or a final plan by the Borough Planning Commission and the Borough Council to determine compliance with this Ordinance and the administrative regulations, design standards and improvement specifications enacted pursuant thereto and with other applicable Borough Ordinances.

Right-of-way

(a) Right-of-way: The total width of any land set aside, dedicated or reserved for use as a street, alley, crosswalk or other means of travel or for other public or semi-public purposes.

(b) Existing Right-of-way: The legal right-of-way as established by the Commonwealth or other appropriate governing authority and currently in existence.

(c) Future Right-of-way: The right-of-way deemed necessary as appropriate to provide adequate width for future street improvements, also known as ultimate right-of-way.

(d) The right-of-way line.

Roadway - See Cartway.

Runoff - The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil, but runs off the surface of the land.

Sedimentation - The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity, whether occurring naturally or as a result of man-made action or activities. Once this matter is deposited (or remains suspended in water), it is usually referred to as "Sediment."

Setback - See Building Setback Line.

Sewer - Public Sewer: A "public sewer" is any governmentally owned or privately owned sewer system in which sewage is collected from buildings and piped to an approved sewage disposal plant or central septic tank disposal system. It may also be referred to as "off-lot" or "off-site" sewer. This shall include capped sewers when installed to Borough specifications. Private Sewer: An "on-lot" septic tank disposal system. Private sewers are not permitted within the Borough.

Sight Distance - The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurement shall be made from a point four and one-half feet (4.5') above the centerline of the road surface to a point one-half foot (0.5') above the centerline of road surface.

Sign - Any letter, number, symbol, figure, character, mark, plane, design, picture, stroke, stripe, trademark, or combination of these which is constructed, attached, placed, painted, erected, fastened, or manufactured in any manner whatsoever; which is used to convey information or attract the public to any place, subject, person, firm, corporation, public performance, article, or merchandise; which is displayed in any manner whatsoever so that it can be seen from the right-of-way of a public street or highway; and, which includes signs installed within a building or structure and window signs placed in or on windows which may attract attention of those outside the building in the public right-of-way.

Site - The site shall be defined as a parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

Site Area - All land area within the site as defined in the deed. Area shall be from an actual site survey rather than from a deed description.

Site Area, Base - A calculated area determined by application of Section 603 of the Langhorne Borough Zoning Ordinance.

Site Area, Not Buildable - A calculated area determined by application of Section 603 of the Langhorne Borough Zoning Ordinance.

Steep Slopes - Areas where the average slope exceeds eight percent (8%) which, because of this slope, are subject to high rates of storm-water runoff, and therefore erosion, and as also defined and delineated by the provisions of the Langhorne Borough Natural Resource Protection Ordinance.

Street - A public or private strip of land used or intended to be used for passage or travel by motor vehicles. If private, such way must be used or intended to be used as the principal means of access to an abutting lot or lots or to more than two (2) dwelling units on lots on which a private way is exclusively used. The term includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

Streets are further classified according to the functions they perform:

- (a) Expressway: A roadway designed to carry high volumes of traffic.
- (b) Arterial:

- (c) Collector: A roadway designed and located to provide a means to drain traffic off local streets before the volumes get too high and to provide access for through traffic between neighborhoods and districts. Pine Street is classified as a collector street.
- (d) Primary Street: A roadway designed to carry a moderate volume of traffic, to intercept secondary streets, and to provide access to abutting properties. Future rights-of-way shall be at least sixty feet (60') in width. Bellevue Avenue (south of Winchester), Maple Avenue, Richardson Avenue and Winchester Avenue are classified as primary streets.
- (e) Secondary Street: Designed to provide access to abutting properties and to primary streets. Future rights-of-way shall be at least fifty feet (50'). All other streets are classified as secondary streets.
- (f) Cul-de-sac Street: A minor street, open at one end for vehicular and pedestrian access and terminating in a vehicular turnaround at the other end.
- (g) Half (Partial) Street: A street, generally parallel and adjacent to a property line, having right-of-way width less than normally required for improvement and use of the street.
- (h) Service Street: See alley.
- (i) Driveway: Generally a private street for the use of vehicles and pedestrians, providing access between a public street and a parking area within a lot or property.

Street Line -

- (a) The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way provided that where a future right-of-way width for a road or street has been established, then that width shall determine the location of the street line.
- (b) Street Right-of-way Line is: (1) Thirty feet (30') from the centerline of Winchester Avenue, Maple Avenue, Pine Street and Bellevue Avenue from Winchester Avenue south to the Langhorne Borough line; and (2) twenty-five feet (25') from the center line of all other streets in the Borough.

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

Subdivider – A person who undertakes the development or subdivision of land, as defined by this Ordinance or the landowner, including agents, tenants with the permission of landowner, heirs, successors and assigns.

Subdivision - The division or redivision of a lot, tract or parcel of land by any means 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 ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Subdivision, Major and Minor -

- (a) Major Subdivision: The division of a lot, tract or parcel of land or part thereof into three (3) or more lots, tracts, or parcels of land for the purpose, whether immediate or future, of leasing or transfer of ownership or of building development.
- (b) Minor Subdivision: A division of a lot, tract or parcel of land into two (2) lots, sites, or other divisions of land which meets the following criteria:
 - (1) Does not involve the extension of any municipal facilities, including:
 - (i) New streets
 - (ii) Paving or other improvements of existing streets
 - (iii) Shade trees or buffer yards
 - (iv) New or improved public utility lines
 - (v) New or improved public facilities
 - (vi) Areas covered by the Natural Resource Protection Ordinance
 - (2) Does not, in the opinion of the Borough Council, adversely affect the development of the remainder of the parcel by:
 - (i) Restricting access of street frontage
 - (ii) Creating awkward or difficult to develop parcels by reason of shape, size, location, or physical characteristics of the site
 - (iii) Unduly restricting the types of potential uses of the remainder of the tract due to shape, parking requirements or other characteristics of the site
 - (3) Does not, in the opinion of the Borough Council, adversely affect adjoining property by reason of:
 - (i) Possible nuisance factors of noise, smoke, glare, odor, intensity and time of operation, privacy invasion, etc.
 - (ii) Excessive traffic generation
 - (iii) Interference with or destruction of natural features
 - (iv) An adverse effect upon existing drainage patterns

- (4) Does not adversely affect the present or future development of the Borough by reason of:
- (i) Conflict with the proposals of the Four Boroughs Comprehensive Plan or the Langhorne Borough Open Space Plan regarding types of land use, intensity of land use, density of population, circulation requirements, community facilities, open space preservation, recreation needs
 - (ii) Conflict with any provision of the Official Map
 - (iii) Conflict with any provision of the Zoning Ordinance
 - (iv) Conflict with any provision of the Natural Resource Protection Ordinance
 - (v) Conflict with any portion of this Ordinance.
- (5) Does not constitute a subdivision or a resubdivision of any lot, tract, site, parcel or other division of land, or portion thereof which had previously been subdivided (1) subsequent to passage of this Ordinance; or (2) within the five years prior to the submission of the subdivision application, whichever is less. If such prior subdivision has taken place, both the prior subdivision and the application for additional subdivision shall be considered a single application for the purpose of classification.
- (c) In the instance where a subdivision contains not more than three (3) lots, sites, or other divisions of land, but fails to meet no more than two of the criteria for a minor subdivision, the Borough Council may, at their discretion, classify the subdivision as minor.
- (d) Any application that does not qualify as a minor subdivision shall be considered as a major subdivision.

Substantially Completed - Where, in the judgment of the Borough Engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to Section 902 of this Ordinance or Section 509 of the Pennsylvania Municipalities Planning Code) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

Surveyor - A licensed surveyor currently registered by the Commonwealth of Pennsylvania.

Trailer - See Mobile Home. A dwelling unit manufactured in one or more sections, designed for long-term occupancy; containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electric connections provided for attachment to outside systems and designed to be transported after fabrication on its own wheels, or on flatbed or other trailers; arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and

assembly operations. For purposes of this Ordinance, travel trailers and recreational vehicles are not considered as mobile homes. Mobile homes will be permitted as single-family detached dwellings in the R-2 District and shall conform to all requirements as specified in this Ordinance for single-family detached dwellings. Mobile homes will not be permitted as single-family detached dwellings as contained in the Langhorne Borough Zoning Ordinance of 1995 in Section 405 (B3), Single-family Detached Cluster or Section 405 (B4), Performance Standard Development, nor in the Historic District.

Use -

- (a) Any purpose for which a lot, building, or other structure or tract of land may be designated, arranged, intended, maintained, or occupied.
- (b) Any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

Utilities, Private - All lines and facilities related to the provision, distribution, collection, transmission, or disposal of: a) private water, stormwater run-off and sanitary sewage systems; b) private power, information, microwave, telecommunications and cable systems; or, c) such other similar mass- or jointly-used systems for private enterprise.

Utilities, Public - All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, electricity, oil, gas, power, information, telecommunications and telephone cable when erected for public use and regulated as a public utility or public enterprise.

Water Course - A stream of water, river, brook, creek, and channels or ditches for water, whether natural or man-made.

Water Supply or System, Public - A "public water system" is any municipal water supply system, or any private system dedicated to the public. Such systems shall include any existing private franchise area and the entire system; or a water supply capable of supporting the entire development, or a standpipe or water storage system meeting Borough specifications.

Water Survey - An inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Borough.

Wetlands - Those areas that are inundated, undrained and saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas and as also defined and delineated by the Borough Engineer and the provisions of the Langhorne Borough Natural Resource Protection Ordinance. Such areas shall not be altered, regraded, filled, piped, diverted or built upon except where state and federal permits have been obtained.

Yard -

- (a) Yard: An open space unobstructed from the ground up, on the same lot with a structure, extending along a lot line or street line and inward to the structure. The size of a required yard shall be measured as the shortest distance between the structure and a lot line or street line.

- (b) Yard, Front: A yard between a structure and a street line (or the boundary line parallel to the street line) and extending the entire length of the street line to the front of the primary structure. In the case of a corner lot, the yards extending along all streets are front yards. In the case of a lot other than a corner lot that fronts on more than one street, the yards extending along all streets are front yards.

ARTICLE III ADMINISTRATION

Section 300 Applicability

The following are subject to the regulations of this Ordinance:

- (a) Any subdivision which involves the division of a parcel of land into two or more parcels;
- (b) Any land development involving the improvement of one or more contiguous lots or parcels of land;
- (c) Any division of land for the development of separate buildings, buildings structurally joined together or separate areas within a building which will result in separate occupancy or tenancy by separate families, individuals, businesses, corporations or other entities under a lease, rental or other arrangement;
- (d) Any such division of a parcel of land which involves the installation of streets and/or alleys not to be dedicated for acceptance by the Borough;
- (e) Any such division of a parcel of land in which certain parcels might not be divided immediately for purposes of transfer, sale, lease, or any other form of conveyance;
- (f) Any realignment of two or more parcels involving a resubdivision or replotting of an existing approved plan even though such plan was recorded prior to the enactment of this Ordinance; or,
- (g) Any lot line adjustment between neighboring parcels.

Section 301 Enforcement

The Borough Council may appoint a professional engineer as the Borough Engineer to enforce the provisions of this Ordinance and the accompanying design standards and improvement specifications. The engineer shall be qualified in a general engineering background and have planning experience. It shall be the Borough Engineer's duty to examine all applications under this Ordinance and to forward each with his comments or endorsement to the Borough Council and Borough Planning Commission.

Inspection of actual compliance with the approved subdivision plan shall be the sole responsibility of the Borough Engineer, under the oversight of the Borough Council, which shall undertake reasonable measures to provide an adequate inspection of all projects.

Any action inconsistent with the provisions of this Ordinance shall be subject to a cease and desist order by the Borough Engineer or any other person so designated by Borough Council to issue violation notices and subject to any other appropriate measures by the Borough Council.

Section 302 Fees

Borough Council shall establish, by resolution, a schedule of fees and a collection process for all applications and other matters pertaining to this Ordinance. The applicant shall be responsible for direct payment of all other fees required by other reviewing agencies.

Section 303 Restrictions

No lot, unit, or other section of a subdivision may be sold, leased, or otherwise transferred, or a building permit issued unless a Final Plan has been approved by the Langhorne Borough Council and recorded in the office of the Bucks County Recorder of Deeds.

Section 304 Hardship, Modifications and Waivers

- (a) The Borough Council may grant a modification of the requirements of one or more provisions if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the ordinance is observed. Financial hardship shall not be grounds for a modification or waiver of the requirements of this Ordinance.
- (b) All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.
- (c) The request for modification may be referred to the Borough Planning Commission for advisory comments.
- (d) The granting of waivers or modifications shall be included in the record of decision of the Borough Council or the Planning Commission, as the case may be, to provide a written record of all action on all requests for modifications.

ARTICLE IV PROCEDURE

Section 400 General Procedure

- (a) In order to discharge the duties imposed by law, the Borough has adopted the following procedures, which shall be observed by all applicants and their agents.
- (b) The review process for the plans required by this Ordinance shall include no more than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed or the date an order of the court remanding an application or plan is received at Borough Hall by the Borough Manager, provided that should said next regular meeting occur more than thirty (30) days following the date of application, the ninety day period shall be measured from the thirtieth day following the day the application has been filed. The applicant may agree to waive the time requirement by written request.
- (c) The submission of preliminary or final plans shall constitute a new and separate submission.
- (d) The review process for revised plans by the Borough shall be included within the ninety (90) day review period for the preliminary or final plan, as per the separate stage of approval. A revised plan must be accompanied by a complete application form, all required information and appropriate fees. With a revised plan, the applicant must submit a written withdrawal of the previously submitted plan.
- (e) The submission of sketch plans or concept plans shall not require formal review and decision by the Borough or the Planning Commission and shall not start any time table for review and approval. Said submissions are informative in nature only.
- (f) The separate stages of approval may require the submission of Preliminary Plans and Final Plans. These plans differ in their purpose and the required level of detail. The tables below indicate the required plan for the different types of submission. All subdivisions not specifically classified as a minor subdivision shall be consider a major subdivision.

Plan	Minor Subdivision ¹	Major Subdivision	Land Development
Sketch	Not Required	Not Required	Not Required
Preliminary	Not Required	Required	Required
Final	Required	Required	Required
Record	Required	Required	Required

¹ - Includes Lot Line Adjustments and Land Use applications

- (g) The owner of the parcel of land to be subdivided or developed shall submit written statement granting the Borough, the Borough Engineer or designee, its authorized agents and representatives, the Planning Commission, and the representatives of County and municipal departments and agencies having responsibility for review and/or approval under this Ordinance the right to enter the parcel of land for the purpose of inspection and enforcement of the requirements, terms and conditions imposed herein.
- (h) It shall be the duty of the applicant to make timely and proper applications to the Bucks County Planning Commission, the Bucks County Conservation District and other review agencies.
- (i) Applications for all stages of the review process shall be submitted to the Borough Manager or person so designated by Borough Council to receive applications, twenty-one (21) days prior to a regularly scheduled meeting. Proper fees and all other plan requirements of this Ordinance shall be included. The Borough Manager shall check the application for completeness. If the application is complete, the applicant will be notified in writing and the Borough Manager shall formally submit the application at the next Borough Planning Commission meeting.
- (j) Written notice shall be provided by the applicant to all adjoining property owners at least seven (7) days prior to the date of the meeting at which the application will be discussed. Such notice shall be provided only once, at the time of initial submission.
- (k) Decisions on each application shall be made at regular or special meetings of the Planning Commission and/or Borough Council.

Section 401 Sketch Plan

A sketch plan is a conceptual plan, drawn approximately to scale, indicating salient existing features of the tract and showing approximate street and lot layout as a basis of consideration. The purpose of the Sketch Plan is to establish informal discussion between the applicant and the Borough. It should provide sufficient general information to make the plans comprehensible and to permit informed discussions. Submission of a Sketch Plan shall not constitute official submission of a plan to the Borough.

- (a) The Sketch Plan and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these regulations.
- (b) Deposit and Application Fee. Application fees and escrow deposits for the different types of subdivision and land development submissions are listed in the Langhorne Borough Fee Schedule, as revised.

(c) Procedure

- (1) The applicant prepares Sketch Plan application form.
- (2) The applicant submits twenty (20) copies of the Sketch Plan and application form to the Borough Manager, twenty-one (21) days prior to a regularly scheduled Planning Commission meeting.
- (3) The applicant submits application fees and escrow deposit according to the Langhorne Borough Fee Schedule, as revised.
- (4) The applicant submits two (2) full copies of all supporting documents, including a conceptual Front Elevation Plan, a general Lighting Plan, a designation of any Stormwater Management areas or issues, a general delineation of Natural Resource Protection areas, Wetland Determination, Langhorne Zoning Hearing Board Decisions, Appellate Court Decisions, a proposed description of Commercial, business and/or Industrial uses, Condominium uses and/or Open Space proposals.
- (5) The applicant submits two (2) copies of any review or report submitted by an outside review agency.
- (6) The applicant submits a statement regarding the compliance of the plan with Borough ordinances or a list of variances and/or waivers necessary to develop the property in the manner shown on the Sketch Plan.
- (7) The Borough Manager checks submission against checklist for completeness and if submission is incomplete immediately notifies the applicant in writing indicating the deficiencies. If submission is complete, the applicant is notified in writing and the Borough Manager submits the plan to the Planning Commission for review.
- (8) The Borough Manager shall immediately distribute copies of the Sketch Plan, as follows:

Langhorne Borough Planning Commission	9 copies
Langhorne Borough Land Use Consultant	1 copy
Borough Engineer	1 copy
Borough Council	5 copies
Shade Tree Commission	1 copy
Historical Architectural Review Board*	1 copy
Borough Solicitor	1 copy
Zoning Officer	1 copy

* For proposed development in the Historic District.

- (9) At the discretion and direction of Borough Council, the Borough Engineer may review the engineering considerations in the Sketch Plan and present his comments to Borough Council or the Planning Commission.
- (10) Following acceptance of the plans by the Borough Manager, the Planning Commission shall review the Sketch Plan to determine whether the Plan meets the objectives and requirements of the Langhorne Borough Subdivision and Land Development Ordinance and other ordinances and discuss the plans with the applicant .
- (11) After review of the Sketch Plan by the Planning Commission, Borough Council shall review the recommendations of the Planning Commission and Borough Engineer, determine whether the Plan meets the objectives and requirements of the Langhorne Borough Subdivision and Land Development Ordinance and other ordinances and discuss the submission with the applicant. Borough Council may, but is not required to, make suggestions or comments concerning its opinion of the Sketch Plan.
- (12) Support or opposition to the Sketch Plan does not constitute approval or disapproval of the Plan. It is only advisory. Such advice is not binding on the Planning Commission, Borough Council or other municipal agencies.
- (13) The applicant may present alternate Sketch Plans at the same time or a different times.

Section 402

Preliminary Plan - Major Subdivision or Land Development, including Conversions and Dwellings-in-Combination

The purpose of the Preliminary Plan is to establish the criteria for the Final Plan and to require formal approval of that criteria. This enables the applicant to proceed to the final approval stage knowing that changes or revisions in the plan will be minor.

- (a) The Preliminary Plan and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these regulations.
- (b) Deposit and Application Fee. Application fees and escrow deposits for the different types of subdivision and land development submissions are listed in the Langhorne Borough Fee Schedule, as revised.
- (c) Procedure
 - (1) The applicant prepares Preliminary Plan application form.

- (2) The applicant submits twenty (20) copies of the Preliminary Plan and application form to the Borough Manager, twenty-one (21) days prior to a regularly scheduled meeting.
- (3) The applicant submits application fees and escrow deposits according to the Langhorne Borough Fee Schedule, as revised.
- (4) The applicant submits two (2) full copies and eighteen (18) summary copies of all supporting documents, including Front Elevation Plan, Lighting Plan, Erosion and Sediment Control Narrative, Environmental and Community Impact Assessment Report, Stormwater Management Report, Natural Resource Protection Report, Traffic Study, Zoning Hearing Board Decisions, Court Decisions, Legal Description of any land to be dedicated, Description of commercial, business or industrial uses for non-residential developments, Condominium and/or Open Space Agreements.
- (5) The applicant submits twenty (20) copies of any review or report submitted by an outside review agency.
- (6) The applicant submits a statement regarding the compliance of the plan with Borough ordinances or a list of variances and/or waivers necessary to develop the property in the manner shown on the Preliminary Plan.
- (7) The applicant provides evidence that he has notified all adjoining property owners at least seven (7) days prior to the date of the meeting at which the application will be discussed.
- (8) The Borough Manager checks submission against checklist for completeness and if submission is incomplete immediately notifies the applicant in writing indicating the deficiencies. If submission is complete, the applicant is notified in writing and the Borough Manager submits the plan to the Planning Commission for review.
- (9) The Borough Manager shall immediately distribute copies of the Preliminary Plan, as follows:

Langhorne Borough Planning Commission	9 copies
Borough Land Use Consultant	1 copy
Borough Engineer	1 copy
Borough Council	5 copies
Shade Tree Commission	1 copy
Historical Architectural Review Board*	1 copy
Borough Solicitor	1 copy
Zoning Officer	1 copy

* For all development in the Historic District.

- (10) The applicant shall distribute additional plans, immediately after making application to the Borough, as follows:
- | | |
|-------------------------------------|--------|
| Middletown Township Water Authority | 1 copy |
| Bucks County Planning Commission | 1 copy |
| Bucks County Conservation District | 1 copy |
| Bucks County Sewer Authority | 1 copy |
| Fire Marshall+ | 1 copy |
| Pa. Dept. of Transportation* | 1 copy |
- + May be waived by the Borough Council.
 * Required for all plans that enter a state highway.
- (11) The Bucks County Planning Commission reviews the Preliminary Plan and forwards one copy of the plan to the Soil Conservation Service. A report is prepared and sent to the Planning Commission within thirty days.
- (12) The Borough Engineer shall within thirty (30) days following official acceptance of the Preliminary Plan:
- (i) Review the engineering considerations, including natural resource protection considerations and stormwater management issues.
 - (ii) Prepare a report for the Borough.
- (13) The Borough Zoning Officer shall review the Preliminary Plan to determine its conformance to the Borough Zoning Ordinance, the applicability of the Historical Architectural Review Board Ordinance and submit a written report. The Zoning Officer shall check all zoning data submitted to determine if it meets the requirements of this Ordinance, the Zoning Ordinance, and the latest amendments to both Ordinances.
- (14) Following official acceptance of the plans by the Borough Manager, the Planning Commission shall within sixty (60) days following acceptance of the Preliminary Plan by the Borough:
- (i) Review all applicable reports from the Bucks County Planning Commission, Borough Engineer, Borough Land Use Consultant, Soil Conservation Service, Fire Marshall, and Zoning Officer.
 - (ii) Determine whether the Preliminary Plan meets the objectives and requirements of the Langhorne Borough Subdivision and Land Development Ordinance and other ordinances.
 - (iii) Discuss the submission with the applicant.
 - (iv) Recommend approval or disapproval of the Preliminary Plan in a written report to the Council.

- (15) Borough Council shall within ninety (90) days following acceptance of the Preliminary Plan:
- (i) Review reports of the Borough Planning Commission and those agencies listed in (9) and (10) above.
 - (ii) Determine whether the Preliminary Plan meets the objectives and requirements of the Langhorne Borough Subdivision and Land Development Ordinance and other ordinances.
 - (iii) Discuss the submission with the applicant.
 - (iv) Approve or disapprove the Preliminary Plan. If disapproved, the Borough Council shall state the reasons for this action.
 - (v) The decision of Borough Council shall be in writing and shall be communicated to the applicant, or his agent, personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
 - (vi) When the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons thereof. Conclusions based on provisions of the Pennsylvania Municipalities Planning Code, this Ordinance or any other Borough Ordinance shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.
 - (vii) The action of Borough Council, either approving or disapproving the Preliminary Plan, shall be noted with the date of such action and the signature of the Borough President and Secretary on two (2) sets of plans. One copy of the Plan shall be maintained for the permanent records of the Borough and one copy shall be sent to applicant at his last known address.
- (16) Approval of the Preliminary Plan shall constitute conditional approval of the subdivision or land development as to the character and intensity, but shall not constitute approval of the final plan or authorize the sale of lots or construction of buildings.
- (17) If the Preliminary Plan is disapproved, the applicant may file a revised Preliminary Plan with Borough Council. This shall be considered a new application, requiring the applicant to pay the application fees and re-starting the 90 day review period.

Section 403

Minor Subdivision, Land Use and Lot Line Adjustment Plan

- (a) Purpose. In the case of minor subdivisions, land use applications and lot line adjustment plans, it is the purpose of this section to provide a simplified procedure by which said plans may be submitted and approved. This Section shall not be applicable to applications for approval of major subdivisions and land developments and the applicant shall be required to comply with the relevant requirements of this Ordinance. All subdivisions not specifically classified as a minor subdivision shall be consider a major subdivision.

- (b) Deposit and Application Fee. Application fees and escrow deposits for the different types of subdivision and land development submissions are listed in the Langhorne Borough Fee Schedule, as revised.

- (c) Procedure
 - (1) The applicant shall submit a complete submission to the Borough Manager, twenty-one (21) days prior to a regularly scheduled meeting. A complete submission shall include:
 - (i) Twenty (20) copies of the plan.
 - (ii) Completed Borough Application form.
 - (iii) Payment of the application fee and escrow deposit, according to the Langhorne Borough Fee Schedule, as revised.

 - (2) The applicant submits two (2) full copies and eighteen (18) summary copies of all supporting documents, including Front Elevation Plan, Lighting Plan, Erosion and Sediment Control Plan, Natural Resources Protection Report, Environmental and Community Impact Assessment Report, Description of proposed commercial, business or industrial uses, Stormwater Report and Traffic Study.

 - (3) The applicant submits eighteen (18) copies of any review or report submitted by an outside review agency.

 - (4) The applicant submits a statement regarding the compliance of the plan with Borough ordinances or a list of variances and/or waivers necessary to develop the property in the manner shown on the Plan.

 - (5) The applicant provides evidence that he has notified all adjoining property owners at least seven (7) days prior to the date of the meeting at which the application will be discussed.

- (6) The Borough Manager checks submission against checklist for completeness and if submission is incomplete immediately notifies the applicant in writing indicating the deficiencies. If submission is complete, the applicant is notified in writing and the Borough Manager submits the plan to the Planning Commission for review.
- (7) The Borough Manager shall immediately distribute copies of the plan and application to:
- | | |
|--|----------|
| Langhorne Borough Planning Commission | 9 copies |
| Borough Land Use Consultant | 1 copy |
| Borough Engineer | 1 copy |
| Borough Council | 5 copies |
| Shade Tree Commission | 1 copy |
| Historical Architectural Review Board* | 1 copy |
| Borough Solicitor | 1 copy |
| Zoning Officer | 1 copy |
- * For development in the Historic District.
- (8) The applicant shall distribute additional plans, immediately after making application to the Borough, as follows:
- | | |
|-------------------------------------|--------|
| Middletown Township Water Authority | 1 copy |
| Bucks County Planning Commission | 1 copy |
| Bucks County Conservation District | 1 copy |
| Bucks County Sewer Authority | 1 copy |
| Pa. Dept. of Transportation* | 1 copy |
| Fire Marshall | 1 copy |
- * Required for all plans that enter a state highway.
- (9) Bucks County Planning Commission reviews plan and forwards one copy of the plan to the Soil Conservation Service. A report is prepared and sent to the Planning Commission within thirty (30) days.
- (10) The Borough Engineer shall within thirty (30) days following official acceptance of the plan:
- (i) Review the engineering considerations, including natural resource protection considerations and stormwater management issues.
 - (ii) Prepare and submit a report to the Borough.
- (11) The Borough Zoning Officer shall review the submission to determine its conformance to the Borough Zoning Ordinance, the applicability of the Historical Architectural Review Board Ordinance, and submit a written report. The Zoning Officer shall check all zoning data submitted to determine if it meets the requirements of this Ordinance, the Zoning Ordinance, and the latest amendments to both Ordinances.

(12) The Planning Commission shall, within sixty (60) days of the start of the review period as indicated in Section 400:

- (i) Review reports submitted by the other reviewing agencies and officials.
- (ii) Determine whether the Minor Subdivision Plan meets the requirements of this and other applicable ordinances.
- (iii) Recommend approval or denial of the Minor Subdivision Plan in a written report to Borough Council. When denial is recommended, the written report shall specify the defects found in the plan and describe the requirements which have not been met and, in each case, cite the provisions of the statute or ordinance relied upon.

(13) The Borough Council shall, within ninety (90) days of the start of the review period as indicated in Section 400:

- (i) Review reports submitted by the other reviewing agencies and officials. Borough Council shall not act until the written comments of the Planning Commission have been received or until a period of sixty (60) days has expired from the date of the start of the review period. Borough Council also shall not act until the report of the Bucks County Planning Commission has been received or until a period of thirty (30) days has expired from the date of the start of the review period.
- (ii) Listen to the applicant's presentation if requested by the applicant.
- (iii) Determine whether the Minor Subdivision Plan meets the requirements of this Ordinance and other applicable ordinances.
- (iv) Render its decision in writing. A report of the decision shall be mailed to the applicant at the address supplied on his application within fifteen (15) days of its action. When the plan is not approved in terms as filed, the decision shall specify the defects found and describe the requirements which have not been met and shall in each case cite the provisions of the ordinance that have been relied upon.
- (v) If approved by Borough Council, two (2) exact copies of the approved Record Plan on linen or mylar and two (2) paper copies shall be submitted by the applicant for the required signatures as specified in Section 504.

- (vi) When the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons thereof. Conclusions based on provisions of the Pennsylvania Municipalities Planning Code, this Ordinance or any other Borough Ordinance shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.
- (vii) The action of Borough Council, either approving or disapproving the Minor Subdivision Plan, shall be noted with the date of such action and the signature of the Borough President and Secretary on two (2) sets of plans. One copy of the Plan shall be maintained for the permanent records of the Borough and one copy shall be sent to applicant at his last known address.

Section 404

Final Plan - Major Subdivision and Land Developments including Conversions and Dwellings in Combination

- (a) Purpose. The purpose of the Final Plan is to require formal approval by Borough Council before plans for all subdivisions and land developments are recorded as required by this Ordinance. A Final Plan shall be submitted conforming to the changes recommended during the preliminary plan procedures. The Final Plan and all information and procedures relating thereto shall in all respects be in compliance with the provision of this Ordinance and all other applicable Borough Ordinances, except where variation therefrom may be specifically approved in writing by Borough Council with preliminary plan approval.
- (b) Deposit and Application Fee. Application fees and escrow deposits for the different types of subdivision and land development submissions are listed in the Langhorne Borough Fee Schedule, as revised.
- (c) Procedure.
 - (1) The applicant shall submit a complete submission to the Borough Manager, twenty-one (21) days prior to a regularly scheduled meeting. A complete submission shall include:
 - (i) Twenty (20) copies of the Plan.
 - (ii) Completed Borough application form.
 - (iii) Payment of the application fee and escrow deposit according to the Langhorne Borough Fee Schedule, as revised.

- (2) The applicant submits two (2) full copies and eighteen (18) summary copies of all supporting documents, including Front Elevation Plan, Lighting Plan, Erosion and Sediment Control Narrative, Natural Resource Protection Report, Environmental and Community Impact Assessment Study, Stormwater Management Report and Traffic Study.
- (3) The applicant submits eighteen (18) copies of any review or report submitted by an outside review agency.
- (4) The applicant submits a statement regarding the compliance of the plan with Borough ordinances or a list of variances and/or waivers necessary to develop the property in the manner shown on the Plan.
- (5) The Borough Manager checks submission against checklist for completeness and if submission is incomplete immediately notifies the applicant in writing indicating the deficiencies. If submission is complete, the applicant is notified in writing and the Borough Manager submits the plan to the Planning Commission for review.
- (6) The Borough Manager shall distribute copies of the plan and application to:
- | | |
|--|----------|
| Langhorne Borough Planning Commission | 9 copies |
| Borough Land Use Consultant | 1 copy |
| Borough Engineer | 1 copy |
| Borough Council | 5 copies |
| Shade Tree Commission | 1 copy |
| Historical Architectural Review Board* | 1 copy |
| Borough Solicitor | 1 copy |
| Zoning Officer | 1 copy |
- * For development in the Historic District.
- (7) The applicant shall distribute additional plans, immediately after making application to the Borough, as follows:
- | | |
|-------------------------------------|--------|
| Middletown Township Water Authority | 1 copy |
| Bucks County Planning Commission | 1 copy |
| Bucks County Sewer Authority | 1 copy |
| Pa. Dept. of Transportation* | 1 copy |
| Fire Marshall | 1 copy |
- * Required for all plans that enter a state highway.
- (8) The Borough Engineer shall within thirty (30) days following official acceptance of the plan:
- (i) Review the engineering considerations, including natural resource protection considerations and stormwater management issues, in the applicant's submission.

- (ii) Prepare and submit a report to the Borough.
- (9) The Borough Zoning Officer shall review the Final Plan to determine its conformance to the Borough Zoning Ordinance and submit a written report. The Zoning Officer shall check all zoning data submitted to determine if it meets the requirements of this Ordinance, the Zoning Ordinance , and the latest amendments to both Ordinances.
- (10) The Planning Commission shall, within sixty (60) days of the start of the review period as indicated in Section 400:
- (i) Review reports submitted by the other reviewing agencies and officials.
 - (ii) Determine whether the Final Plan meets the requirements of this and other applicable ordinances.
 - (iii) Recommend approval or denial of the Final Plan in a written report to Borough Council. When denial is recommended the written report shall specify the defects found in the plan and describe the requirements which have not been met and, in each case, cite the provisions of the statute or ordinance relied upon.
- (11) Borough Council shall, within ninety (90) days of the start of the review period as indicated in Section 400:
- (i) Review reports submitted by other agencies and officials. Borough Council shall not act until the written comments of the Planning Commission have been received or until a period of sixty (60) days has expired from the date of the start of the review period.
 - (ii) Listen to the applicant's presentation if requested by the applicant.
 - (iii) Determine whether the Final Plan meets the requirements of this Ordinance and other applicable ordinances.
 - (iv) Render its decision in writing. A report of the decision shall be mailed to the applicant at the address supplied on his application within fifteen (15) days of its action. When the plan is not approved in terms as filed, the decision shall specify the defects found and describe the requirements which have not been met and shall in each case cite the provisions of the ordinance that have been relied upon.

- (v) When the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons thereof. Conclusions based on provisions of the Pennsylvania Municipalities Planning Code, this Ordinance or any other Borough Ordinance shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.
- (vi) The action of Borough Council, either approving or disapproving the Final Plan, shall be noted with the date of such action and the signature of the Borough President and Secretary on two (2) sets of plans. One copy of the Plan shall be maintained for the permanent records of the Borough and one copy shall be sent to applicant at his last known address.
- (12) If approved by Borough Council, two (2) exact copies of the approved Record Plan on linen or mylar and four (4) paper copies shall be submitted for the required signatures as specified in Section 504. If the plans have more than one sheet, two (2) of the paper copies shall be complete sets: one (1) for the Borough and one (1) for the Borough Engineer. The applicant shall submit all required contracts as required by this Ordinance and any other applicable Ordinances. The linen or mylar copies of the plan for recording purposes shall not be recorded until the guarantees and contracts specified in Article IX have been approved by Borough Council.

ARTICLE V APPLICATION AND PLAN REQUIREMENTS

Section 500 Application Requirements

For the purpose of having a subdivision plan, land use application or land development plan considered and approved by the Planning Commission and Borough Council, the applicant shall file with the Borough Zoning Officer Manager the following:

- (a) A signed application form with the number of copies specified in Article IV, setting forth the following:
 - (1) The name, address and telephone number of the owner of record of the land being developed.
 - (2) The proposed name of the subdivision or development.
 - (3) The area of land being developed.
 - (4) A list of all encumbrances and if of record, the book and page number.
 - (5) The district zoning classification of the land.
 - (6) A statement setting forth in detail the character of the improvements the applicant proposes to make on the property to be developed.
 - (7) A copy of all restrictions, covenants, etc., if any, under which lots are to be sold.
 - (8) The name and address of the engineer or surveyor responsible for the plan.
 - (9) If the applicant is represented by an agent or attorney, the name, address and telephone number of such agent or attorney.
 - (10) Date of application and owner's signature.
- (b) The appropriate number of plans for each step in plan approval.
- (c) All required completed application forms, fees and Act 537 information.
- (d) All revised plans shall include a revision date and a note of all revisions made.
- (e) A statement by the applicant granting permission for Borough Council, the Planning Commission, their officials, inspectors, delegates, agents, and consultants to periodically enter the property to evaluate the existing conditions of the property with respect to the application, the plans, and revised plans.

Section 501 Sketch Plan

The sketch plan shall show or be accompanied by the following information:

- (a) Drafting Standards
 - (1) The plan shall be drawn at an appropriate scale.
 - (2) Each sheet shall be numbered and shall show its relationship to the total number of sheets.
 - (3) Where any revision is made, a new sketch plan shall be presented indicating that it is a revision of a previously submitted plan and shall show the date of the previously submitted sketch plan.
 - (4) The plan shall indicate clearly which features are existing and which are proposed.
 - (5) The boundary line of the property to be developed shall be shown as a solid heavy line.

- (b) General information to be shown on all sheets:
 - (1) Proposed name of subdivision or land development.
 - (2) Name and address of the owner/applicant.
 - (3) Name and address of the registered engineer or surveyor responsible for the plan, if applicable.
 - (4) Zoning classification as existing and as proposed.
 - (5) Total acreage of the tract.
 - (6) Date, north point and scale.
 - (7) Delineations required by the Natural Resource Protection Ordinance and the Stormwater Management Ordinance.
 - (8) The plan shall be labeled "SKETCH PLAN".

- (c) Existing Features
 - (1) Outline survey of the property to be subdivided or developed shall be provided showing all tie-ins to all adjacent intersections.

- (2) Location of existing buildings, species and size of large trees (greater than 6" in caliper) standing alone, established stands of trees or shrubs, forests and quarries.
 - (3) Buildings of historical or architectural interest within four hundred feet (400') of the site shall be shown.
- (d) Proposed Layout. The design of the proposed layout shall encourage preservation of existing natural features and minimize site disturbance by limiting extensive regrading and cutting of large trees, established stands of trees or shrubs on the site.
- (1) The layout of streets.
 - (2) The layout and dimensions of lots.
 - (3) The arrangement of buildings and parking areas, total dwelling units, number of buildings, proposed density, total parking spaces, building coverage and the bedroom ratio shall be on the plan.
 - (4) The layout of open spaces and placement of street trees.
 - (5) Lots intended for non-residential use shall be indicated.
 - (6) The total area, number of lots, lot area for each lot, and length of proposed streets shall be noted on the plan and each lot numbered.
 - (7) Building set back lines, established by the Zoning Ordinance.
 - (8) Where the sketch plan covers only a part of the applicant's entire holding, the sketch plan shall include a perspective layout for the remainder.

Section 502 Preliminary Plans

The preliminary plan shall show or be accompanied by the following information:

- (a) Drafting Standards
 - (1) The plan shall be drawn at an appropriate scale.
 - (2) Dimensions shall be set in feet and inches, and bearings in degrees, minutes and seconds.

- (3) Each sheet shall be numbered and shall show its relationship to the total number of sheets.
 - (4) Where any revision is made, or when the plan is a revision of a previously approved plan, dotted lines shall be used to show features or locations to be abandoned and solid lines used to show the currently proposed features.
 - (5) The plan shall be so prepared and bear an adequate legend to indicate clearly which features are existing and which are proposed.
 - (6) The boundary line of the property to be developed shall be shown as a solid heavy line.
 - (7) Plans shall be on sheets of a size and type acceptable to and recordable by the Bucks County Recorder of Deeds. All lettering shall be so drawn as to be legible if the plan should be reduced to half size.
- (b) General information to be shown on all sheets:
- (1) Proposed name of subdivision or land development.
 - (2) Name and address of the owner/applicant.
 - (3) Name and address of the registered engineer or surveyor responsible for the plan.
 - (4) Type of water supply and proposed sewer connection.
 - (5) Zoning requirements including applicable district, lot size and yard requirements, and proof of any variances or special exceptions which may have been granted.
 - (6) Zoning classification as existing and as proposed.
 - (7) A location map for the purpose of locating the site to be subdivided at a scale of not less than eight hundred feet (800') to the inch, showing the relation of the tract to adjoining property and to all streets, roads, and municipal boundaries existing within 1/2 mile of any part of the property proposed to be subdivided.
 - (8) Total acreage of the tract.

- (9) Site capacity calculations listed in Article VI. Maps shall illustrate each set of criteria; slope map; water resources map showing streams, alluvial soils, floodway area and flood fringe, general and special flood plain areas, lakes and ponds, lake and pond shoreline areas, wetlands wetland margin areas; vegetation map showing forests, woodlands, vegetation or cultural areas and agricultural soils. A composite map showing all natural restrictions on the site and areas of the site not restricted shall be part of this set of plan sheets.
 - (10) Date, north point and scale.
 - (11) Vertical datum base.
 - (12) The plan shall be labeled "PRELIMINARY PLAN".
- (c) Existing Features
- (1) Complete outline survey of the property to be subdivided or developed shall be provided, showing all courses, distances and area, and tie-ins to all adjacent intersections.
 - (2) The location, names and widths of streets, the location of property lines and names of owners, the location of water courses, sanitary sewers, storm drains and similar features within two hundred feet (200') of any part of the land to be subdivided or developed, or additional distance as deemed necessary by the Borough Engineer.
 - (3) Contours shall be shown at vertical intervals of two feet (2'). Such slopes shall be determined by on-site survey, not interpretation of U.S.G.S. maps.
 - (4) Location, size and ownership of all underground utilities, and any right-of-way or easements within the property, and all existing monuments.
 - (5) The applicant shall provide the information required by the Natural Resource Protection Ordinance and in Section 601 and Section 602 of the Langhorne Borough Zoning Ordinance.
 - (6) Location of existing buildings, species and size of large trees (greater than 6" in caliper) standing alone, established stands of trees or shrubs, forests and quarries.
 - (7) Buildings of historical or architectural interest, including but not limited to those listed in the Historical Architectural Review Board Ordinance, within four hundred feet (400') of the site shall be shown.

- (12) Where the preliminary plan covers only a part of the applicant's entire holding, a sketch plan shall be submitted of the perspective building layout and street layout for the remainder.
- (13) When a detailed engineering study is required to determine the level of a 100-year frequency flood, the following criteria shall be used to determine the number and location of cross sections:
 - (i) Abrupt changes in topography
 - (ii) Changes of stream bed grade
 - (iii) Bridge, dam and encroachment constrictions or detention effects
 - (iv) Existing flood plan development and/or damage
 - (v) Tributary influence. In any event, a sufficient number of cross-sections shall be done, as determined by the Borough Engineer, to adequately establish a flood plain line for the entire length of the stream on the property.
- (14) Method of calculating the total number of off-street parking spaces.
- (15) An encroachment map which illustrates (1) all the natural features as required by Section 601 of the Zoning Ordinance and by the Natural Resource Protection Ordinance; and (2) a preliminary regrading plan which illustrates all disturbance of the identified natural feature areas. The amount of each natural feature disturbed shall be calculated and illustrated on the encroachment map.
- (16) A Front Elevation Plan for each proposed building or structure, indicating all facades and features and clearing showing the exact height and elevation of each building or structure "as built" and showing placement of any mechanical systems, equipment or components, cupolas, antennas, chimneys, vent pipes, widow's walks, balconies, roof screens or other fixtures or structures evident from the front of the building or structure.
- (17) If the application pertains to areas within the Historic District or individually protected structures, the Plan, as approved by the Historical Architectural Review Board with the signature of the Chairperson and the date of approval, of the façade, clearly detailing type, color and location of materials and meeting all requirements of the Historical Architectural Review Board Ordinance.

- (d) Proposed Layout. The design of the proposed layout shall encourage preservation of existing natural features and minimize site disturbance by limiting extensive regrading and cutting of large trees, established stands of trees or shrubs on the site.
- (1) The layout of streets, including width of the streets, alleys and crosswalks.
 - (2) The layout and dimensions of lots.
 - (3) The arrangement of buildings and parking areas, total dwelling units, number of buildings, proposed density, total parking spaces, building coverage and the bedroom ratio shall be on the plan. All data needed to substantiate compliance with performance standards, including density, open space ratio, impervious surface ratio, mix of dwelling unit type, and size of units, in bedrooms, shall be included.
 - (4) A plan for the layout of open spaces or open areas, the types of planting or maintenance of open space or open areas, and a planting sketch.
 - (5) Plans indicating erosion and sedimentation control, as well as, storm and waste water management on the site. Guidelines for preparation and information to be included on these plans can be found in the latest editions of the Erosion and Sedimentation Control Handbook and the Best Management Practices Handbook prepared by the Bucks County Conservation District.
 - (6) Tentative typical cross-sections and centerline profiles shall be provided for each proposed street shown on the preliminary plan.
 - (7) Lots for which other than a residential use is intended shall be indicated.
 - (8) A plan of proposed planting shall be provided showing the locations and types of street trees and the landscape treatment and reverse frontage lots and any required buffer strips.
 - (9) The total area, number of lots, lot area for each lot, and length of proposed streets shall be noted on the plan and each lot numbered.
 - (10) Building set back lines, established by the Zoning Ordinance.
 - (11) Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities or other reasons.

- (6) Same requirements as Section 502 (b)(6).
- (7) Same requirements as Section 502 (b)(7).
- (8) Same requirements as Section 502 (b)(8).
- (9) Same requirements as Section 502 (b)(9).
- (10) Same requirements as Section 502 (b)(10).
- (11) Same requirements as Section 502 (b)(11).
- (12) The plan shall be labeled "FINAL PLAN".

(c) Existing Features

- (1) Same requirements as Section 502 (c)(1).
- (2) Same requirements as Section 502 (c)(2).
- (3) Same requirements as Section 502 (c)(3).
- (4) Same requirements as Section 502 (c)(4).
- (5) Same requirements as Section 502 (c)(5).
- (6) Same requirements as Section 502 (c)(6).
- (7) Same requirements as Section 502 (c)(7).

(d) Proposed Layout

- (1) The layout of streets, including width of the streets, alleys and crosswalks, with complete bearings, distances, radii, etc.
- (2) The layout of lots with complete dimensions by bearings and distances.
- (3) Same requirements as Section 502 (d)(3).
- (4) A plan for the layout of open space. The details are to be included with the planting plan required by and set forth in Articles VII and VIII.
- (5) Plans indicating erosion and sedimentation control and stormwater management as approved by the Bucks County Conservation District.

- (18) A Lighting Plan for each proposed building or structure, including all facades, signs, canopies, windows or light standards, which are planned to be or are capable of being lit. The plans shall show the type, placement and intensity of all features which are capable of being lit and shall include an iso-foot candle plot for each light.
- (e) A general proposal for maintenance of open space, the method of management and the form or organization proposed shall be submitted.
- (f) A traffic impact study shall be submitted in accordance with Section 605.
- (g) An environmental and community impact assessment report shall be submitted in accordance with Section 606.

Section 503 Final Plan

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

- (a) Drafting Standards
 - (1) Same requirements as Section 502 (a)(1).
 - (2) Same requirements as Section 502 (a)(2).
 - (3) Same requirements as Section 502 (a)(3).
 - (4) Same requirements as Section 502 (a)(4).
 - (5) Same requirements as Section 502 (a)(5).
 - (6) Same requirements as Section 502 (a)(6).
 - (7) Same requirements as Section 502 (a)(7).
- (b) General information to be shown:
 - (1) Same requirements as Section 502 (b)(1).
 - (2) Same requirements as Section 502 (b)(2).
 - (3) Same requirements as Section 502 (b)(3).
 - (4) Same requirements as Section 502 (b)(4).
 - (5) Same requirements as Section 502 (b)(5).

(h) Construction Improvement Plan:

- (1) The construction improvement plans shall be at any appropriate scale including but not limited to:

Horizontal	Vertical
40'/inch	4'/inch
50'/inch	5'/inch

Cross-sections shall be at the same horizontal and vertical scales.

- (2) Horizontal Plan (streets). The horizontal plan shall show details of the horizontal layout, including:

- (i) Centerline stationing with bearings of tangents.
- (ii) Horizontal curve data.
- (iii) Right-of-way, and curb lines with radii at intersections.
- (iv) Location and size of all drainage structures, sidewalks, public utilities, lighting standards, and street name signs.

- (3) Profile (streets). Profiles shall be in accordance with Section 502 (d)(6) with special attention to:

- (i) Profile of existing ground surface along center line of street.
- (ii) Proposed center line grade with percent on tangents and elevations at fifty foot (50') intervals, grade intersection and either end of curb radii.
- (iii) Vertical curve data including length, elevations and minimum sight distance as required by the engineer.

- (4) Cross-sections (streets). Cross sections shall be provided in accordance with Borough Construction Standards if requested by the Borough Engineer at Preliminary submission.

- (5) Profiles (storm drains and sanitary sewers). These shall be provided if not adequately shown on the roadway plans and profiles, and in either case shall show:

- (6) Centerline profiles prepared in accordance with PennDOT and Borough Construction standards shall be provided for each proposed street and/or adjacent street shown on the final plan. Profiles shall show all existing and proposed utilities and features which are in the street rights-of-way (except individual water service connections). Typical cross sections for all streets where paving and/or repaving will be required shall be shown. Proposed gutter elevations shall be shown on grading plans at intersections.
- (7) Same requirements as Section 502 (d)(7).
- (8) A plan of proposed planting shall be provided, showing the locations for street trees and the landscape treatment and reverse frontage lots and any required buffer strips. A tabulation of number, species and size of all plantings shall be included on the plan.
- (9) The total area, number of lots, lot area for each lot; length of proposed streets shall be noted on the plan and each lot numbered. Areas shall be shown to the nearest one ten-thousandth (1/10,000) of an acre.
- (10) Same requirements as Section 502 (d)(10).
- (11) Same requirements as Section 502 (d)(11).
- (12) Method of calculating the total number of off-street parking spaces.
- (13) Same requirements as Section 502 (d)(16).
- (14) Same requirements as Section 502 (d)(17).
- (15) Same requirements as Section 502 (d)(18).

(e) The formal documents defining maintenance of open space or open areas, method of management, and the form of organization; said documents becomes part of the final approved plan and shall be specifically referenced in the record plan as a note.

(f) A new traffic impact study shall not be required if the traffic analysis submitted for the preliminary plan approval was accepted and the design implications addressed in the final plan.

(g) A new environmental and community impact assessment report shall not be required if the report submitted for the preliminary plan approval was accepted and the implications addressed in the final plan.

- (i) Profile of existing ground surface with elevations at top of manholes or inlets.
 - (ii) Profile of storm drain or sewer showing type and size of pipe, grade, cradle, manhole, and inlet locations.
- (h) Natural Resource Protection Plans and specifications required by the Natural Resource Protection Ordinance or supporting any alterations impacting protected areas.
- (i) Stormwater Management Plans and specifications required by the Stormwater Management Ordinance, or supporting any alterations impacting regulated areas.

Section 504 Minor Subdivision Plan

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

- (a) Drafting Standards
 - (1) The plan shall be drawn at an appropriate scale.
 - (2) Dimensions shall be in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
 - (3) Where any revision is made, or when the plan is a revision of a previously approved plan, dotted lines shall be used to show features or locations to be abandoned and solid lines shall show the currently proposed features. All revisions shall be noted in a revision block with the revision date, a note of explanation and reference to the page on which the revision is to be found.
 - (4) Plans shall be on sheets of a size and type acceptable to and recordable by the Bucks County Recorder of Deeds. All lettering shall be so drawn as to be legible if the plan should be reduced to half size.
- (b) General information to be shown:
 - (1) Proposed name of subdivision
 - (2) Name and address of owner and applicants
 - (3) Name and address of the engineer or surveyor responsible for the plan.
 - (4) Zoning classification and requirements, as existing and proposed.

- (5) Date, north point and scale.
 - (6) A location map for the purpose of locating the site at a scale of not less than eight hundred feet (800') to the inch.
- (c) Existing Features
- (1) Complete outline survey of the property to be subdivided, showing all courses, distances, and area, and tie-in to nearest street intersection.
 - (2) The location, name and widths of streets, the location of property lines and names of adjacent owners, the location of water courses, sanitary sewers, storm drains, easements or rights-of-way, and similar features.
 - (3) The location and use of existing buildings, wooded areas, and other natural resource or physical features of the site.
- (d) Proposed Layout
- (1) Proposed lot layout.
 - (2) Lots numbered.
 - (3) Building setback lines.
 - (4) Total area of the tract and area lot size for each lot.
 - (5) An encroachment map which illustrates (1) all the natural features as required by Section 601 of the Zoning Ordinance and by the Natural resource Protection Ordinance and (2) a preliminary regrading plan which illustrates all disturbances to identified natural areas. The amount of each natural feature disturbed shall be calculated and shown on the map.
 - (6) A Front Elevation Plan for each proposed building or structure, indicating all facades and features and clearing showing the exact height and elevation of each building or structure "as built" and showing placement of any mechanical systems, equipment or components, or other fixtures or structures evident from the front of the building or structure.
 - (7) If the property is within the Historic District or involves individually protected structures, the Plan shall be approved by the Historical Architectural Review Board. The Plan shall indicate the signature of the Chairperson, the date of approval, the façade, clearly detailing type, color and location of materials and shall meet all requirements of the Historical Architectural Review Board Ordinance.

- (8) A Lighting Plan for each proposed building or structure, including all facades, signs, canopies, windows or light standards, which are planned to be or are capable of being lit. The plans shall show the type, placement and intensity of all features which are capable of being lit and shall include an iso-foot candle plot for each light.
- (9) An environmental and community impact assessment report shall be submitted in accordance with Section 606.

Section 505 Record Plan

The Record Plan shall be an exact copy of the approved Final Plan, shall be a clear and legible blue or black line print on white opaque linen or mylar and one paper print, and shall be in the form required by the Bucks County Recorder of Deeds Office, prepared by the applicant for necessary signatures and recording with the Bucks County Recorder of Deeds.

The following information shall appear on the Record Plan, in addition to the information required in Section 503 for the Final Plan:

- (a) **Seals**
 - (1) The impressed seal of the licensed engineer or surveyor, who prepared the plan.
 - (2) The impressed corporate seal, if the subdivider is a corporation.
 - (3) The impressed seal of a notary public or other qualified officer acknowledging owner's statement of intent.
 - (4) The impressed seal of Langhorne Borough shall be applied following application of all other required seals.
- (b) **Acknowledgments**
 - (1) A statement to the effect that the applicant is the owner of the land proposed to be subdivided and that the subdivision shown on the final plan is made with his free consent and that he desires to record the same.
 - (2) An acknowledgment of said statement before a notary public.
- (c) The following signatures shall be placed directly on the plan in black ink:
 - (1) The signatures of the owner or owners of the land. If the owner of the land is a corporation, the signatures of the president and secretary of the corporation shall appear.

- (2) The signature of the notary public, acknowledging the owner's statement of intent.
 - (3) The signatures of the licensed engineer or surveyor who prepared the plan.
 - (4) The signature of two officers of the Borough Planning Commission.
 - (5) The signature of the Borough Engineer.
 - (6) The signatures of the Borough Council President and the Borough Manager.
- (d) The Record Plan shall include a note that the Plan was approved under, and is subject to, the terms and conditions set forth in a Record of Decision. The Note shall indicate the date of the Record of Decision and that a copy of the Record may be obtained at Borough Hall.
- (e) Upon approval of the final plan, the applicant shall within ninety (90) days of such final approval or the date the approval of Borough Council is noted on the Record Plan, whichever is later, record the Record Plan in the Office of the Bucks County Recorder of Deeds.

ARTICLE VI PERFORMANCE STANDARDS

Section 600 Compliance

All uses and activities established after the effective date of this Ordinance shall comply with these standards.

Section 601 Environmental Performance Standards

The applicant shall determine the presence of environmental or natural features on the site and shall meet the following standards of environmental protection. Site alterations, regrading, filling, soil disturbance or clearing of vegetation or trees prior to submission of the plans for development shall be a violation of this Ordinance.

The standards of this Ordinance, the Langhorne Borough Natural Resource Protection Ordinance or Article VI of the Langhorne Borough Zoning Ordinance, each as last amended, which require the greatest degree of environmental protection shall apply if a conflict or inconsistency exists.

Section 602 Resource Protection Calculation Sources

The following sources shall be utilized for site capacity calculation purposes. All calculations are subject to review by Borough Council, the Borough Engineer or others retained by the Borough to assist them in the approval process. Plans shall not be approved prior to the certification of a complete and correct calculation form.

- (a) Flood Plains: As delineated in the Flood Zone Map in the Zoning Ordinance, as determined by on-site survey and by application of the Langhorne Borough Resource Protection Ordinance.
- (b) Flood Plain Soils and Margins: As delineated in the Soil Survey of Bucks and Philadelphia Counties, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service, as last revised, as delineated in the Flood Zone Map in the Zoning Ordinance, as determined by on-site survey and by application of the Langhorne Borough Resource Protection Ordinance.
- (c) Lakes or Ponds: As determined by on-site survey and by application of the Langhorne Borough Resource Protection Ordinance.
- (d) Lakeshore or Pond shore: As determined by on-site survey and by application of the Langhorne Borough Resource Protection Ordinance.
- (e) Wetlands. Those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

- (1) **Delineation:** Wetland boundaries shall be determined by application of the Langhorne Borough Resource Protection Ordinance and delineated through an on-site assessment which shall be conducted by a professional soil scientist or others with qualifications meeting the specifications of F.E.M.A., or the federal agency in charge of assessing wetland areas. Such person shall certify that the methods used correctly reflect currently accepted technical concepts, including the presence of wetland vegetation, hydric soils and/or hydrolic indicators. A study shall be submitted with sufficient detail to allow a thorough review by Borough Council. The study must be approved by Borough Council on the recommendation of the Borough Engineer.
- (2) **Federal and State Regulations:** In addition to the requirements above, any applicant proposing a use, activity or improvement which would entail the regrading or placement of fill in wetlands shall provide the Borough with proof that the Pennsylvania Department of Environmental Protection (Bureau of Dams and Waterway Safety and Bureau of Water Quality Management) and the U.S. Army Corps of Engineers have been contacted to determine the applicability of state and federal wetland regulations.
- (f) **Wetland Margin.** Wetland margins are the transitional area extending from the outer limit of the wetland. For the purposes of this Ordinance, the wetland margin determined by application of the Langhorne Borough Resource Protection Ordinance and shall extend one-hundred (100) feet from the wetland boundary or to the limit of the hydric soils, whichever is more. The limit of the hydric soils shall be as mapped in the Soil Survey of Bucks and Philadelphia Counties, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service, July 1975, unless reclassified by a Certified Soil Scientist.
- (g) **Steep Slopes:** As determined by application of the Langhorne Borough Resource Protection Ordinance and by on-site survey mapping the tract at two foot (2') contour intervals.
- (h) **Forest:** As determined by application of the Langhorne Borough Resource Protection Ordinance and by on-site survey.
- (i) **Other Protected Areas:** As determined by this Ordinance, the Zoning Ordinance or the Langhorne Borough Natural Resource Protection Ordinance.

Section 603 Site Capacity Calculation

The requirements of Section 602 of the Zoning Ordinance and Article IV of the Langhorne Borough Natural Resource Protection Ordinance shall apply.

Section 604

Erosion and Sediment Controls

(a) General

- (1) No changes shall be made in the contour of the land, and no grading, placing, storing, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced, until such time that a plan for minimizing erosion and sedimentation has been processed and reviewed by the Bucks County Conservation District and the Borough Engineer.
- (2) Measures used to control erosion and reduce sedimentation shall as a minimum meet the standards and specifications of the Bucks County Conservation District. The Borough Engineer may recommend more restrictive measures in sensitive areas. The Borough Engineer shall ensure compliance with the appropriate specifications, copies of which are available from the District.
- (3) Final plans for minimizing erosion and sedimentation as approved will be incorporated into the agreement and bond requirements as required by Borough Council.

No subdivision or land development plan shall be approved unless:

- (i) There has been an erosion and sedimentation plan approved by the Borough Engineer and the Bucks County Conservation District that provides for minimizing erosion and sedimentation and an improvement bond or other acceptable security is deposited with the Borough in the form of an escrow guaranty which will ensure installation and completion of the required improvements; or
 - (ii) There has been a determination by Borough Council that a plan for minimizing erosion and sedimentation is not necessary. Borough Council may waive the above requirement for security for minor subdivisions.
- (b) Performance Principles. The following measures are effective in minimizing erosion and sedimentation and shall be included where applicable in the control plan:
- (1) Development plans shall preserve natural features, keep embankment operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.

- (2) Stripping of vegetation, regrading, or other development shall be done in a way that will minimize erosion.
 - (3) Whenever feasible, natural vegetation shall be retained, protected, and supplemented.
 - (4) The disturbed area and the duration of exposure shall be kept to a practical minimum.
 - (5) Disturbed soils shall be stabilized as quickly as practicable. Disturbed soil shall be stabilized within 20 days.
 - (6) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
 - (7) The permanent (final) vegetation and mechanical erosion control and drainage shall be installed as soon as practical in the development.
 - (8) Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Where necessary, the rate of surface water runoff will be mechanically retarded.
 - (9) Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps, or similar measures.
 - (10) Tire cleaning areas shall be provided and properly maintained at each point of egress from the development site.
- (c) **General Grading Standards.** In order to provide more suitable sites for building and other uses, improve surface drainage, and control erosion, the following requirements shall be met:
- (1) All lots, tracts or parcels shall be graded to provide proper drainage away from buildings, structures and permanent improvements, and dispose of it without ponding, and all land within a development shall be graded to drain and dispose of surface water without ponding.
 - (2) All drainage provisions shall be of such design as to completely handle the surface runoff and carry it to the nearest suitable outlet such as a curbed street, storm drain, or natural water course. All drainage provisions shall be of such design as to improve water quality and stormwater management in the area.

- (3) Concentration of surface water runoff shall only be permitted in swales or watercourses. Subject to the approval of the Borough Engineer, swales shall be sodded, utilizing jute matting or other similar measures approved by the Borough, to insure proper growth.
- (4) Edges of slopes shall be a minimum of five feet from property lines or right-of-way lines in order to permit the normal rounding of the edge without encroaching on the abutting property.
- (5) During grading operations, necessary measures for dust control shall be exercised.
- (6) In general, lot slope shall not be flatter than 2%.
- (7) Swales for surface runoff shall have a minimum slope of 2%.
- (8) Garage floor elevations shall be shown on the proposed grading plan. First floor elevations shall be based on architectural details of the proposed building.
- (9) A fifteen-foot protection slope around the building shall be provided with at least a six-inch fall.
- (10) Perimeter grades at the corners of the building shall be shown on the grading plan.
- (11) Proposed spot elevations for swale high points and at lot corners shall be shown on the grading plan.
- (12) Where inlets are proposed at low points in streets or lot grading, adequate relief shall be provided to prevent excessive ponding in the event of inlet clogging.
- (13) The grading plan shall not allow concentrated runoff on adjoining properties.
- (14) Drainage swales necessary to control surface drainage between lots shall be centered about the common property lines.
- (15) On-lot drainage swales shall be designed to provide positive conveyance of surface water from the individual lot. Each individual lot shall convey stormwater from the individual lot. Each individual lot shall convey stormwater from the lot to a storm sewer system, street or major drainage way without crossing or combining with stormwater from more than the adjacent lot.

(16) Drainage ways for major surface runoff (swales) shall be confined to open areas or along property lines. Drainage ways on or adjoining private property require drainage easements for maintenance purposes.

(d) Excavations and fills.

- (1) Cut and fill slopes shall not be steeper than 4:1 unless stabilized by a retaining wall or curbing.
- (2) Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations and the sloping surfaces of fills.
- (3) Cut and fill shall not endanger adjoining property.
- (4) Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
- (5) Fills shall not encroach on natural water courses, lakes, ponds or constructed channels. Fill shall not encroach in floodplain areas, floodplain fringes, wetlands, wetland margins, lake shores or pond shores.
- (6) Fills placed adjacent to natural water courses or constructed channels shall have suitable protection against erosion during periods of flooding or heavy rainfall..
- (7) Grading shall in no case be done in such a way so as to divert water onto the property of another landowner or into a public right-of-way.
- (8) Grading equipment will not be allowed to cross live streams. Provision shall be made for the installation of temporary culverts or bridges.

(e) Responsibility

- (1) Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses, to repair any damage at his expense as quickly as possible and to restore the affected area to a better condition.
- (2) Maintenance of all drainage facilities and watercourses, both existing and proposed, within any proposed subdivision or land development shall be the responsibility of the applicant until such time as one of the following is accomplished:

- (i) A right-of-way for these facilities is offered for dedication by the applicant and is accepted by Borough Council; it shall then be the responsibility of the Borough.
 - (ii) An easement acceptable to Borough Council is established. The maintenance shall then be the responsibility of the individual lot owners over whose property the easement passes. For land developments, the maintenance shall then be the responsibility of the owner.
 - (iii) A homeowners' association, approved by Borough Council, is funded and assumes responsibility for the maintenance of the development, including the maintenance of the watercourses and/or drainage facilities.
- (3) It is the responsibility of any person, corporation, or other entity doing any act on or across a communal stream, watercourse or swale, or upon the floodplain or right-of-way during the period of the activity to return it to a better condition after such activity is completed.
- (4) No person, corporation, or other entity shall block, impede the flow of, alter, construct any structure or deposit any material or thing or commit any act which will affect normal or flood flow in any communal stream or watercourse without having obtained prior approval from Borough Council and the PA Department of Environmental Protection.
- (5) Each person, corporation or other entity which makes any surface changes shall be required to:
- (i) Collect on-site surface runoff and dispose of it to the point of discharge into the common natural watercourse of the drainage area at a rate of infiltration that shall not impact nor affect the watercourse or the drainage pattern in the area, but shall improve water quality and stormwater management.
 - (ii) Handle existing off-site runoff through his development by designing it to completely handle storm runoff from a fully developed area upstream.
 - (iii) Pay his proportionate share of the total cost of off-site improvements to the common natural watercourse, based on a fully developed drainage area.

- (iv) Provide and install at his expense, in accordance with Borough requirements, all drainage and erosion control improvements (temporary and permanent) as required by the Erosion and Sediment Control Plan.

(f) Compliance with Regulations and Procedures

- (1) The Borough Council in its consideration of all preliminary plans of subdivision and land development shall condition its approval upon the execution of erosion and sediment control measures as contained in subsections (b), (c), (d) and (e) of this Section.
- (2) The installation and design of the following erosion and sediment control measures shall, as a minimum, be in accordance with standards and specifications found in latest editions of the Erosion and Sediment-Control Handbook and the Best Management Practices Handbook available through the Bucks County Conservation District:
 - (i) Detention Basin
 - (ii) Grade stabilization structure
 - (iii) Grassed waterway or outlet
 - (iv) Mulching
 - (v) Sodding
 - (vi) Temporary cover on critical areas
 - (vii) Temporary diversion (urban and residential)
 - (viii) Permanent diversion (urban and residential)
 - (ix) Permanent grass and legume cover on critical areas with prepared seedbed
 - (x) Permanent grass and legume cover on critical areas with unprepared seedbed
 - (xi) Stream channel construction, bank erosion structures, bench terrace and other temporary or permanent measures deemed appropriate by Borough Council

- (3) Final approval of plans and specifications for the control of erosion and sedimentation shall be concurrent with the approval of the final plans of subdivision or land development, and become a part thereof.
- (4) At the time a building permit is applied for, a review shall be conducted by the Borough Engineer to insure conformance with the plan as approved. During the construction, further consultative technical assistance will be furnished, if necessary, by the Borough Engineer and the Bucks County Conservation District. During this development phase, the Borough Engineer shall inspect the development site and enforce compliance with the approved plans.
- (5) Permission for clearing and grading prior to recording of plans may be obtained under temporary easements or other conditions satisfactory to Borough Council and the Borough Engineer.
- (6) In the event the applicant proceeds to clear and grade prior to recording plans, without satisfying conditions specified under sub-paragraph (5), Borough Council may revoke its approval of any plans approved or permits issued.
- (7) Borough Council and the Borough Engineer shall be entitled to enter the property and to periodically inspect areas designed to control erosion, sedimentation and stormwater run-off after construction has been completed. Such right shall be permanent and shall run with the land.

Section 605 Traffic and Utility Capacity Determinants

The requirements of Section 604 of the Zoning Ordinance shall apply.

Section 606 Environmental and Community Impact Assessment Report

- (a) Every application for subdivision or land development shall be accompanied by an Environmental Impact and Community Assessment Report. The Report shall be text, tables, photographs, maps, plans, narratives and analysis submitted for the purpose of allowing the Borough to evaluate the application.
- (b) The report shall be prepared by a registered or certified professional or other individual acceptable to Borough Council. Such professional may be a registered engineer, geologist, architect or landscape architect. The individual may also be a certified planner. Individuals lacking the above qualifications may submit their academic credentials and experience to Borough Council for consideration. Borough Council may consider individuals having academic credentials in any of the natural sciences, or individuals who demonstrate experience preparing competent and acceptable reports to other municipalities in the area.

- (c) Applications for Minor Subdivision shall be accompanied by a report prepared in accordance with the sub-section (d) below. Applications for Major Subdivisions and/or Land Developments shall be accompanied by a report prepared in accordance with sub-section (e) below. The applicant shall submit the seventeen (17) copies of the Report.
- (d) Report to accompany an application for Minor Subdivision shall contain the following information:
- (1) A statement of the intention of the property owner, reflecting the current state of the property and the intended state of the property after the plan is implemented.
 - (2) A plan drawn at a scale appropriate to the report (8-1/2" x 11" or 11" x 17") that shows the layout of lots and other intended actions.
 - (3) A plan, or plans, that show the natural environment of the property. The plan shall illustrate the following:
 - (i) Vegetation, including the location of individual trees, shrubs, planting beds, lawn, woods and fields.
 - (ii) Wildlife, including the location of the habitat and nesting site for species of birds and mammals.
 - (iii) Water resources, including rivers, streams, springs, wetlands, floodplains, fringe and margin areas, alluvial soils, ponds and wells.
 - (4) Topography, as per United States Geological Survey.
 - (5) The location of other important features, such as rock outcrops, etc.
 - (6) A plan or plans, that show the occurrence of man-made objects or structures on the property. Such plans shall illustrate the following:
 - (i) Outbuildings, foundations, root cellars, etc.
 - (ii) Adjoining properties within 200 feet classified by land use category: residential, office, retail, institutional or vacant, as defined in the Zoning Ordinance.

- (iii) Encumbrances on the site such as underground utilities, public uses, rights-of-way, easements, covenants and/or other deed restrictions.
- (7) A photographic survey of the site, with photos taken from all aspects, including panoramic and close-up photos, as is necessary to illustrate the report.
- (8) A narrative that provides an inventory and analyzes the vegetation found on the site that accompanies the vegetation plan required by sub-section (d)3(a) above. The vegetation shall be identified by scientific name and common name. The writer shall use the latest edition of the Pennsylvania Natural Diversity Index to determine if endangered species exist on the site and the Bucks County Historic Tree Inventory, as maintained by the Bucks County Audubon Society.
- (9) A narrative that provides an inventory and analyzes the wildlife found on the site, by scientific name and common name. The writer shall use the latest edition of the Pennsylvania Natural Diversity Index to determine if endangered species exist on the site.
- (10) A narrative that provides an inventory and analyzes the water resources of the site. The narrative shall draw upon available information regarding flooding, seasonal or permanent springs.
- (11) A description of the history of the property, including prior owners. If a structure exists on the property, provide the name of the builder and the year built, if known. The style of architecture and a description of construction features of the building shall be provided.
- (12) A narrative and map of the conditions found that would restrict or limit the development of the site.
- (13) Alternative designs or layouts that would protect the natural resource or other condition.
- (14) A summary narrative and plan of the selected alternative.
- (e) Report to accompany an application for Major Subdivision or Land Development shall contain all of the information contained in sub-section (d) above for Minor Subdivisions and the following information:
 - (1) A plan, or plans, that show the natural environment of the property. The plan(s) shall illustrate the following:

- (i) Soil phases, including a table of characteristics for each phase.
 - (ii) Geology, including a description of each geologic formation found on the site, the location of any rock outcrop and an interpretation of each geologic formation.
 - (iii) In place of topographic information requested on sub-section (d)(3) above, the applicant shall provide a field survey showing contours at one (1) foot interval and a slope analysis showing slopes steeper than 8%.
- (2) A plan or plans, that show the occurrence of man-made objects or structures on the property. Such plans shall illustrate the following:
- (i) Historic or culturally significant properties, as defined by the Historical Architectural Review Board Ordinance, such as cemeteries, and/or structures over 50 years old within 200 feet of the property, identified by the type of site and if a structure, the name of the original owner and the date of construction. If this evaluation results in the identification of any historic property or structure over 100 years old, no excavation shall occur until the completion and evaluation by the Borough of an Archeological Study, prepared by a certified archeologist.
 - (ii) Scenic resources, including scenic views identified in the Langhorne Borough Open Space Plan.
 - (iii) Utilities, including an evaluation of all utilities proposed to be used by the development, including, but not limited to sanitary sewer, water supply, fire protection and street lights.
- (3) Demographics of the site before and after development, including the number of families, family members, employees and/or customers. Estimates of the age-sex breakdown of the resident population.
- (4) An estimate of the number of resident school age children, before and after development, classified by elementary, middle and high school age cohorts. Documentation from the Neshaminy School District that classroom space exists for the additional students.
- (5) An estimate of vehicular traffic generated from the site, before and after development, using current methods and procedures of the Institute of Traffic Engineers (ITE).
- (6) An analysis of the parking requirements of the site as proposed to be used.

- (7) A narrative of the proposed development's compatibility with the plans and policies expressed in the Bucks County Comprehensive Plan and the current functional County plans, such as the Transportation Plan, the Recreation Plan and the Natural Resources Plan. Also, the applicant shall consider the plans and policies expressed in the Four Boroughs Comprehensive Plan, the Langhorne Borough Open Space Plan and the Statement of Community Goals and Objectives found in the Langhorne Borough Zoning Ordinance.

ARTICLE VII DESIGN STANDARDS

Section 700 Application

- (a) The following subdivision, land use and land development principles, standards and requirements will be applied in evaluating plans for proposed subdivisions, land uses and land developments.
- (b) The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety and general welfare. The Borough, where special conditions or characteristics exist, may require the application of greater standards.

Section 701 General Standards

- (a) All portions of a tract being subdivided or developed shall be taken up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created.
- (b) Reserve strips controlling access to lots, public rights-of-way, public lands or adjacent private lands are not permitted.
- (c) In general, lot lines shall follow Borough boundary lines rather than cross them.
- (d) The applicant shall conform to all applicable performance standards.
- (e) Subdivisions, land uses and land developments shall be laid out so as to avoid the necessity for excessive cut or fill.
- (f) Land subject to flooding or other hazards to life, health, or property, and land deemed to be topographically unsuitable, shall not be platted for residential occupancy or for such other uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the subdivision plans. Such land within the subdivision, land use or land development shall be set aside on the plan for uses which shall not be endangered by periodic or occasional inundation and shall not produce unsatisfactory living conditions.
- (g) 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.

- (h) At a minimum, the environmental performance standards of Article VI of the Zoning Ordinance and the requirements of the Langhorne Borough Natural Resource Protection Ordinance shall be met. All design specifications shall be engineered to improve water quality and stormwater management. The standards requiring the greatest degree of environmental protection shall be applied where conflicts or inconsistencies exist.
- (i) By resolution of Borough Council, additional design requirements and specification may be adopted and shall become an appendix to this Ordinance. The requirements and specifications set forth in the Appendix are incorporated by reference as though set forth at length in the body of this Ordinance.

Section 702 Community Facilities

- (a) Areas provided or reserved for community facilities shall be adequate to provide for building sites, landscaping and parking as appropriate to the use proposed.
- (b) Standards for community facilities. The following standards shall apply to the provisions of recreation space and open 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 shall be located to serve all residents of the development, and in large developments more than one area may be required to serve the residents in close proximity to their dwellings. Access shall be provided from a street.
 - (2) Open space and open areas shall be provided as required by the Zoning Ordinance and the Natural Resource Protection Ordinance.
 - (3) Recreation areas shall be usable open space; not residual land remaining after the lot, structure and street layout. Recreational spaces shall have a minimum dimension of 20 feet and a minimum area of 10,000 square feet.
 - (4) Open space and passive areas shall be accessible open space rather than residual land remaining after the lot, structure and street layout. Open and passive spaces shall have a minimum dimension of twenty feet (20') and a minimum area of 1,000 square feet.

Section 703 Streets - General

- (a) Private streets may be approved only if they are designed to meet Borough street standards and comply with the standards necessary to secure an allocation of the liquid fuels tax.

- (b) Streets shall be logically related to topography so as to produce reasonable grades, appropriate visibility, satisfactory drainage and suitable building sites.
- (c) Residential streets shall be so laid out as to discourage through traffic and to alleviate difficult traffic areas; however, the arrangement of streets shall provide for the reasonable continuation of existing or platted streets and for proper access to adjoining undeveloped tracts suitable for future subdivision.
- (d) If lots resulting from original subdivision are large enough to permit re-subdivision, or if a portion of the tract is not subdivided, adequate street rights-of-way to permit further subdivision shall be provided as necessary.
- (e) Dead-end, cul-de-sac and stub streets shall be prohibited.
- (f) Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets.
- (g) Street names shall not be repeated within the Borough and shall not be similar to other streets in the Borough or in the immediate vicinity so as to prevent or lessen confusion. All street names shall be reviewed by the Chief of Police, the Fire Marshall, and the local Post Master and shall be subject to the final approval of Borough Council.

Section 704. Classification of Streets

- (a) Proposed streets shall conform to such County and State street and highway plans as have been prepared, adopted and/or filed as prescribed by law and to the requirements of any general plans of the area as developed by the Planning Commission and adopted by Borough Council, including the Official Map.
- (b) ADT's (Average Daily Traffic) generated by a proposed subdivision or land development shall be determined using Trip Generation, 6th Edition of the Institute of Transportation Engineers, or the latest edition thereof.
- (c) Existing streets are as classified in the Zoning Ordinance and as hereafter revised. In the absence of any said classifications, the following classifications shall apply:
 - (1) Expressways - none.
 - (2) Arterial Streets - none.
 - (3) Collector Streets - Pine Street
 - (4) Primary Streets - Maple Avenue, Bellevue Avenue, Winchester Avenue, Richardson Avenue
 - (5) Secondary Streets - All other streets.
 - (6) Alleys - All alleys, whether named or not.

Section 705

Street Standards

(a) The following charts and sketches are a general guide to the dimensional standards for the various classifications of roads.

(1) Basic Design Elements

	Design Speed	Wheel Load
Expressway	60-70 mph	16,000 lb+
Arterial	50-60 mph	12,000 lb
Collector	40-50 mph	9,000 lb
Minor*	35-45 mph	9,000 lb
Primary*	25-40 mph	7,000 lb
Secondary*	20-30 mph	5,000 lb

* The requirement to design for a specified speed shall not obligate the Borough to post said street at that specified speed. In order to protect historical structures and increase safety, the Borough may lower the rate of actual permitted speed of motor vehicles. (Ref. U.S. Army Corps of Engineers Manual, Part X, Chapter 1.)

(2) Streets, Design Standards

	Ultimate R.O.W.(ft)	Cartway(ft)	Curb	Sidewalks
Expressways	*	*	*	none
Arterials	100-200	*	*	*
Collectors	80	44	*	*
Primary	60	26***	**	**
Secondary	40	24****	**	**
Alley	16	12	none	none

* As recommended by the Pennsylvania Department of Transportation.

** Curbs and Sidewalks shall be installed to the specifications stated in Sections 721 and 722.

*** A thirty-six foot (36') width shall be required for parking purposes along the entire right-of-way where one or more lots of a subdivision front on a primary street.

**** Parking limitations may be required by Borough Council.

- (b) Additional rights-of-way and cartway widths may be required by the Borough Council in order to lessen traffic congestion, to increase visibility, to provide on-street parking, 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.
- (c) Where a subdivision abuts or contains an existing street, the applicant shall be required to improve said street to Borough Standards; and the ultimate right-of-way width shall be dedicated to conform to the standards set by Borough Council. If the Borough Engineer determines that core borings are necessary to determine the condition of the existing street, these shall be completed by the applicant at the applicant's expense.
- (d) New half or partial streets shall not be permitted.
- (e) 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.
- (f) Regrading of the entire right-of-way shall be mandatory unless stipulated by the Borough Council.
- (g) Private Streets: Private residential streets will be approved only if they are designed to meet Borough street standards. Private streets shall be indicated as such on the Record Plan and shall be subject to contract. The contract shall indicate the corporation, association, condominium, or other legal entity responsible for the maintenance of the private streets and include provisions, satisfactory to the Borough Solicitor, to provide long-term funding for repairs, maintenance, snow removal, and street replacement and to ensure long-term preservation and maintenance of any private streets, curbs or cartways.

Section 706 Street Alignment

- (a) Whenever street lines are deflected in excess of five degrees (5°), connection shall be made by horizontal curbs.
- (b) To ensure adequate sight distance, minimum center line radii for horizontal curbs shall be as follows:
 - (1) Secondary streets: One hundred feet (150').
 - (2) Primary streets: Two hundred feet (200').
 - (3) Collectors streets: Three hundred feet (300').
- (c) Except on secondary streets, a minimum tangent of one hundred feet (100') shall be required between curbs.

- (d) The approaches to an intersection shall follow a straight course for at least fifty feet (50').
- (e) Any applicant who encroaches within the legal right-of-way of a State highway is required to obtain a highway occupancy permit from the Pennsylvania Department of Transportation, Permits Office prior to approval of Preliminary Plans.

Section 707 Street Grades

- (a) Center line grades shall not be less than one-half percent (0.5%).
- (b) The maximum street grades shall be as follows:
 - (1) Secondary streets: five percent (5%).
 - (2) Primary and collector streets: three percent (3%).
- (c) Vertical curves shall be used at changes of grade exceeding one percent (1%) and shall be designed in relation to the extent of the grade change and to provide the following minimum sight distances:
 - (1) For over crests (summits), each four percent difference in gradients use one hundred and twenty-five foot (125') length of curve.
 - (2) For under crests (sags), each four percent difference in gradients use one hundred foot (100') length of curve.
- (d) Where the grade of any street at the approach to an intersection exceeds five percent (5%), a leveling area shall be provided having not greater than three percent (3%) grades. The leveling area length is to be 100 feet from the point of intersection of the edge of the cartways.
- (e) Maximum grade within any intersection shall not exceed three percent (3%).
- (f) In no case shall any combination of vertical or horizontal curve provide sight distances less than those required by the Minimum Sight Distances found in the latest edition of PA Chapter 441, PaDOT Access To and Occupancy of Highways By Driveways and Local Roads, or any successor classifications.

Section 708 Street Intersections

- (a) Streets shall be laid out to intersect at right angles for a minimum of 75 feet beyond the intersection of the right-of-way lines.

- (b) Multiple intersections involving junction of more than two (2) streets shall be prohibited.
- (c) In all districts, no structure, fence, planting or other structure shall be maintained between a plane two feet above curb level and a plane seven feet above curb level so as to interfere with traffic visibility across the corner within that part of the required front or side yard which is within a triangle bounded by the two street lines and a straight line drawn between points on each such lines fifty feet (50') from the intersection of said lines or extension thereof.
- (d) Primary and Secondary streets shall not intersect on the same side of a collector street or a minor collector street at an interval of less than eight hundred feet (800').
- (e) Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of one hundred twenty-five feet (175') between their center lines.
- (f) Curb radii. Curb lines shall be rounded by a tangential arc, the minimum radius of which shall be in accordance with the chart below. The curb line radius shall be concentric with that of the right-of-way line, excepting at the intersections of street having different widths between the curb and right-of-way lines.

Street Type	Required Curb Radius (feet)
Arterial	Meet PennDOT requirements
Collector, Primary	30
Secondary, Alley	20

Section 709 Street Access - Driveways

- (a) Driveway Location
 - (1) Where a subdivision abuts or contains an existing or proposed expressway, arterial, collector street, minor collector street, or alley, the following shall be used: marginal access streets, reverse frontage lots or such other treatment shall be required to provide protection for abutting properties, reduction in the number of intersections with the major street, and separation of local through traffic.
 - (2) In general, no driveway shall take access to an arterial or collector street.

- (3) Driveways shall be so located and designed as to provide a reasonable sight distance at street intersections. The standards set forth in Chapter 441 of the Pennsylvania Code 67, and its latest revisions (setting forth standards for safe locations and providing sight lines for safe entry), shall be used to determine what is a reasonable sight distance.
- (4) Residential driveways shall be located not less than forty (40) feet from the intersection corner, measured from the face of the curb or the edge of the pavement of the intersecting street. Any other driveway shall be located not less than sixty (60) feet from the intersection corner.
- (5) Driveways shall be setback at least five (5) feet from any structure, except at the garage entry.
- (6) Driveways shall provide access to the street of lower classification when a corner lot is bounded by streets of two different classifications.
- (7) A Pennsylvania Dept of Transportation Highway Occupancy Permit is required for all access drives entering a state highway.
- (8) Driveways shall meet the standards and requirements set forth in Chapter 441 of the Pennsylvania Code 67, and its latest revisions (setting forth standards for safe locations and providing sight lines for safe entry), but at a minimum shall be as follows:

	Classification of Development	Min. Width at Curb	Minimum Radius	Max. Width at Curb	Maximum Grade
A -	Single Fam. Det. Res.	10'	3' - 5'	12'	6%
B -	Other Residential not included in A.	12' (1-way) 24' (2-way)	10' 15'	12' 24'	4% 4%
C -	Any other dev. not incl. in A or B.	12' (1-way) 24' (2-way)	15' *	15' 24'	4% 4%

- (9) Double-wide driveways are permitted by conditional use in the C and C-1 Districts. Double-wide driveways are prohibited in the Historic District.
- (10) Access from alleys is encouraged in residential areas.

(b) Construction

- (1) At a minimum, construction of driveways will be in accordance with the BOCA Code and its latest revisions. All driveways shall be constructed of durable materials (i.e., asphalt, concrete, brick, etc.) for a minimum distance of ten (10) feet from the back edge of the sidewalk or if no sidewalk, from the right-of-way.

At the discretion of Borough Council, driveways servicing single-family residences may be constructed using stone aggregate as follows: (1) Top Course: 1" Thick Layer 3/8" crushed stone or gravel and (2) Base Course: 6" Thick Layer of 1-1/2" aggregate rolled with a 6 to 10 ton roller or compacted sub-grade. (Refer to the Appendix)

- (2) Grading and drainage of driveways shall be in accordance with the criteria contained in Section 717, Grading and Drainage.
- (3) Driveways shall be set back at least 6 feet from any property line. Driveways of existing single family residences may be placed up to within two feet of a property line only if there are no reasonable alternatives.
- (4) The minimum cross slope for driveways shall be no less than two (2%) percent.
- (5) The maximum centerline grade (slope) of driveways shall be eight (8%) percent for residential properties, except when the driveway abuts a collector or minor collector street, where the slope of the first twenty (20) feet from the edge of the cartway shall not exceed 5%.
- (6) Parking areas shall be laid out using the criteria outlined in Section 711, Parking Facilities - Design Standards and Section 714, Parking Facilities - Landscaping.
- (7) The angle of intersection of a driveway and a public street shall be no less than sixty (60) degrees.
- (8) The applicant shall make adequate provisions to maintain uninterrupted parallel drainage along a public street, where intersected by a driveway.

Section 710 Sight Distance

- (a) The control of grades, curvature, and obstructions at intersections is required to insure adequate sight distance for safe and efficient vehicular operation. There are three (3) types of sight distance:
 - (1) for stopping;
 - (2) for passing overtaken vehicles on two and three lane streets; and,
 - (3) for intersections to insure safe crossing or entering of an intersecting street.
- (b) The table below shows the minimum sight distance required for the three forms of sight distance on the varying street types:

	Expressway	Arterial	Collector	Primary	Secondary
Sight Distance	55 mph	50 mph	40 mph	30 mph	20 mph
Stopping	350'	350'	275'	200'	150'
Passing	To be determined by the Borough Engineer.				
Intersections	800'	750'	600'	500'	400'

Section 711 Parking Facilities - Design Standards

The design standards specified below shall be required for all off-street parking facilities with a capacity of three (3) or more vehicles built after the effective date of this Ordinance.

- (a) The minimum dimensions of stalls and aisles shall be as follows:

Angle of Parking	Parking:		Aisle:	
	Stall Width	Stall Depth	One-way	Two Way
90°	10'	20'	20'	24'
60°	10'	22'	18'	21'
45°	12'	22'	15'	18'
30°	12'	22'	12'	18'
Parallel	10'	22'	12'	18'

- (b) Parking areas shall be designed to 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) All parking spaces shall be marked so as to provide for orderly and safe parking.

- (d) At no time shall angle or perpendicular parking be permitted along public streets. All parking lots and bays permitting parking other than parallel shall be physically separated from the street and confined by curbing or other suitable separating device.
- (e) Except entrance and exit drives, all parking areas shall be set back from the future right-of-way line at least fifteen (15) feet. The distance between this required setback and the future cartway shall be maintained as a planting strip or planting strip and sidewalk.
- (f) No more than ten (10) parking spaces shall be permitted in a continuous row without being interrupted by landscaping.
- (g) No one area for off-street parking of motor vehicles shall exceed thirty-six (36) cars in capacity. Separate areas on a parcel shall be physically separated from one another by ten foot (10') planting strips.
- (h) Parking lots with less than twenty-four (24) spaces shall not have a grade exceeding five percent (5%). Parking lots with more than twenty-four (24) spaces shall not have a grade exceeding three percent (3%). No grade, cut, fill or height difference shall exceed four feet (4') and shall be subject to approval of the Borough Engineer.
- (i) In no case shall parking areas for three (3) or more vehicles be designed to require or encourage cars to back into a public street in order to leave the lot.
- (j) Entrances and exits to and from off-street parking areas shall be located so as to avoid interference with street traffic.
- (k) For the purpose of servicing any property held under single and separate ownership, entrance and exit drives crossing the street line shall be limited to two (2) along the frontage of any single street, and their center lines shall be spaced at least eighty feet (80') apart. On all corner properties, there shall be a minimum spacing of sixty feet (60'), measured at the curb line, between the center line of any entrance or exit drive and the street line of the street parallel to said access drive.
- (l) The width of entrance and exit drives shall be:
 - (1) a minimum of twelve feet (12') for one-way use only;
 - (2) a minimum of twenty-four feet (24') for two-way use,
 - (3) a maximum of forty feet (40') at the curb line.

- (m) Parking lots shall be designed to prevent vehicles from overhanging on any sidewalk area. Tire bumpers shall be compatible *to* the surroundings and made of a material other than concrete.
- (n) No less than a five foot (5') radius of curvature shall be permitted for all curb lines in all parking areas, entrances, and exits.
- (o) All dead-end parking areas shall be designed to provide sufficient back-up area for the end stalls of the parking area.
- (p) Raised pedestrian crosswalks and refuge islands shall be provided at intervals not exceeding two hundred feet (200') along the length of each parking area.
- (q) Pedestrian crosswalks in parking areas shall not be subject to passage or concentration of surface runoff.
- (r) Access drives and aisles within parking lots shall be graded and drained to keep the travel lanes free of stormwater.

Section 712 Lighting

(a) Residential Uses.

- (1) All parking areas for B-1, B-2, B-3, B-4, and B-7 Uses, as defined in the Zoning Ordinance, shall permit or make available adequately lighted areas for the parking of vehicles during after-dark hours.
- (2) Lights may be placed on structures or on light standards located within landscaped areas and not within the parking area.
- (3) The lighting plan shall provide for nonglare lights focused downward and shall provide illumination which shall not cause a spillover effect on adjacent properties.

(b) All Other Residential Uses, Parking Lots, and Non-residential Uses.

- (1) All parking areas shall be adequately lighted during after-dark operating hours.
- (2) The Lighting Plan shall provide for nonglare lights focused downward. The incident light intensity provided at ground level shall be a minimum of 0.5 foot-candle anywhere in the area to be illuminated, except where such illumination will cause a spillover effect on adjacent properties. Lighting shall be provided by fixtures with a mounting height not more than 20 feet.

- (3) All light standards shall be located within landscaped islands and be freestanding on secure bases and not on the parking surfaces.
 - (4) Any other outdoor lighting, such as building and sidewalk illumination, signs, canopies, windows, driveways with no adjacent parking and ornamental lighting, shall be shown on a Lighting Plan in sufficient detail to allow determination of the effects to adjacent properties, traffic safety and overhead sky glow.
- (c) The objective of these specifications is to reduce light pollution and to eliminate off-premises effects. No use shall produce glare off the premises by illumination originating on the premises. No bare or direct light source shall be visible beyond the lot lines. Only diffused or reflected lights shall be visible beyond the lot line. Illumination from light originating on the site shall not exceed 0.35 foot-candles at the lot line. No light shall shine directly into windows or onto streets and driveways in such manner as to interfere with or distract driver's vision.
- (d) All portions of buildings, façades, signs, windows, canopies or structures which shall be or are capable of being lit shall be clearly shown in the Preliminary and Final Plans and applicant shall submit a Lighting Plan.
- (e) Historic District and Historic Structures. Lighting requirements for structures, developments, land uses, and subdivisions for properties within the Historic District or involving historic structures may be reduced or modified to maintain the appearance and character of the area, upon recommendation of the Historical Architectural Review Board and approval of Borough Council. All proposed lighting shall be consistent with the Borough Historic Lighting Policy.

Section 713 Reduction of Non-Residential Parking Requirements

In order to prevent the establishment of a greater number of parking spaces than is actually required to serve the needs of non-residential uses, Borough Council, after consulting with the Planning Commission and Borough Engineer, may permit a conditional reduction of parking space if the following conditions are satisfied:

- (a) The design of the parking lot, as indicated on the plan, must designate sufficient space to meet the parking requirements of the Zoning Ordinance. The plan shall also illustrate the layout for the total number of parking spaces.
- (b) The conditional reduction shall provide for the establishment of no less than eighty percent (80%) of the required number of parking spaces, as specified in the Zoning Ordinance. This initial phase of the parking provision shall be clearly indicated on the plan.

- (c) The balance of the parking area conditionally reserved shall not include areas for required buffer yards, setbacks, or areas which would otherwise be unsuitable for parking spaces due to the physical characteristics of the land, or other requirements of this Ordinance. This parking area which is reserved shall be located and have characteristics so as to provide amenable open space should it be determined the additional parking spaces are not required. The applicant shall provide a landscaping plan for the reserved area with the plan.
- (d) The applicant shall enter into a written agreement with Borough Council that, after one (1) year following the issuing of the last occupancy permit, the additional parking spaces shall be provided at the applicant's or owner's expense, should it be determined that the required number of parking spaces are necessary to satisfy the need of the particular land development.
- (e) At the time of the above stated agreement, the applicant or owner shall post a performance bond or other securities to cover the expense of a traffic study to be undertaken by a registered traffic engineer of Borough Council's choosing who shall determine the advisability of providing the full parking requirement. With recommendations of the traffic engineer, the Borough Engineer and the Planning Commission, Borough Council shall determine if the additional spaces shall be provided by the applicant or if the area shall remain as open space.
- (f) Land which has been determined and designated by Borough Council to remain as open space rather than as required parking shall not be used to provide parking spaces for any addition or expansion but shall remain as open space.

Section 714 Parking Facilities - Landscaping

- (a) All parking areas shall have at least one (1) tree of three (3") caliper minimum for every five (5) parking spaces in single bays and one (1) tree of three (3") caliper minimum for every ten (10) parking spaces in double bays. Trees shall be planted in such a manner to afford maximum protection from the sun for parked vehicles. A minimum of ten percent (10%) of any parking lot facility over two thousand (2,000) square feet in gross area shall be devoted to landscaping, inclusive of required trees.
- (b) Plants shall be able to survive soot and gas fumes. 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. The plantings chosen should be of sufficient size to be effective the first year they are planted.
- (c) The Landscaping Plan shall be submitted to the Borough Shade Tree Commission and to the Borough Land Use Consultant for their review and recommendations.

Section 715

Off-Street Loading

Off-street loading shall be provided on any lot on which a building exceeding six thousand (6,000) square feet of gross floor area for non-residential uses is erected. Borough Council may waive off-street loading requirements for non-residential uses which do not have, and are not intended to have in the future, a need for off-street loading. Borough Council may reduce off-street loading requirements for non-residential uses to reduce truck traffic or to increase safety, may require that loading or unloading occur at specified hours, or further modify the requirements to increase environmental protection, water quality or stormwater management.

- (a) Every retail store, private or public utility, department store, retail establishment, storage warehouse, or wholesale establishment, care facility, industrial plant or manufacturing establishment exceeding six thousand (6,000) square feet shall have at least one (1) off street loading space. Where there is an aggregate gross floor area of twenty thousand (20,000) square feet or more arranged, intended or designed for such use, there shall be provided off-street truck loading or unloading berths in accordance with the following table:

Square Feet of Aggregate Gross Floor Area Devoted to Each Use				Required Number of Berths
6,000	up	to	19,999	1
20,000	up	to	79,999	2
80,000	up	to	127,999	3
128,000	up	to	191,999	4
192,000	up	to	255,999	5
For each additional 72,000 square feet				1 Additional Berth

- (b) Every auditorium, convention hall, exhibition hall, funeral home, multi-family dwelling of twenty (20) units or more, office buildings, restaurant, hotel, sports arena, or welfare institution exceeding six thousand (6,000) square feet shall have at least one (1) off-street loading space. Where there is an aggregate gross floor area of thirty thousand (30,000) square feet or more, arranged, intended or designed for such use, there shall be provided off-street truck loading and unloading berths in accordance with the following table:

Square Feet of Aggregate Gross Floor Area Devoted to Each Use				Required Number of Berths
6,000	up	to	44,999	1
45,000	up	to	119,999	2
120,000	up	to	197,999	3
For each additional 100,000 square feet				1 Add'l Berth

Section 716

Design and Layout of Off-Street Loading Facilities

- (a) Off-street loading facilities shall be designed to conform to the following specifications:
 - (1) Each required space shall be no less than fourteen feet (14') wide, fifty feet (50') long, and seventeen feet (17') high, exclusive of drives and maneuvering space, and located entirely on the lot being served.
 - (2) There shall be appropriate means of access to a street or alley as well as adequate maneuvering space.
 - (3) The maximum width of driveways and sidewalk openings measured at the street lot line shall be thirty-five feet (35'); the minimum width shall be twenty feet (20').
 - (4) All accessory driveways and entrance ways shall be graded, surfaced and drained to the satisfaction of the Borough Engineer, to the extent necessary to prevent nuisances of dust, erosion, or excessive water flow across public ways.
 - (5) Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, a hazard, or an unreasonable impediment to traffic.
 - (6) The lighting requirements of Section 712 shall be met when applicable.
- (b) All required loading facilities shall be provided and maintained in accordance with the following requirements:
 - (1) They shall be provided and maintained as long as the use exists which the facilities were designed to serve.
 - (2) They shall not be reduced in total extent after their provision, except when such reduction is in conformity with the requirements of this Article.
 - (3) Reasonable precautions shall be taken by the owner or sponsor of particular uses to assure the availability of required facilities to the delivery and pick-up vehicles they are designed to serve.

Section 717

Stormwater Management and Drainage

(a) **Applicability**

- (1) The stormwater management regulations apply to all areas of Langhorne Borough. However, specific criteria and requirements are given for those areas of the Borough which are located within the Neshaminy Creek drainage basin and delineated in the map titled "Stormwater Runoff Peak Rate Districts – Langhorne Borough Bucks County, PA" dated November 11, 1992 attached to the Langhorne Borough Neshaminy Creek Stormwater Management Ordinance, and its latest revisions.
- (2) The portion of the Borough which is not in the Neshaminy Creek drainage basin shall be regulated by the general stormwater provisions not specific to the Neshaminy Basin.
- (3) The cost and inspection provisions of the Stormwater Management Ordinance shall apply to all areas requiring stormwater management plans, unless specifically waived by Borough Council.

(b) The applicant shall construct and/or install such drainage structures, on-site and off-site as necessary to:

- (1) Prevent erosion damage and to satisfactorily carry off or detain and control the rate of release of surface waters.
- (2) Encourage all runoff control measures to percolate the stormwater into the ground to aid in the recharge of groundwaters.
- (3) Carry surface water to the nearest adequate street, storm drain, basin, natural watercourse or drainage facility.
- (4) Take surface water from the bottom of vertical grades, to lead water away from springs and to avoid excessive use of cross gutters at street intersections.
- (5) Control the anticipated peak discharge from the property being subdivided or developed as well as the runoff entering the site from adjacent properties, in accordance with the design criteria set forth herein and the provisions of the Borough Stormwater Management Ordinance.
- (6) Maintain and improve the natural stream channels. Accelerated bank erosion shall be prevented by controlling the rate and velocity of runoff discharge to these watercourses, so as to avoid increasing the occurrence of stream bank overflow.

- (7) Preserve the adequacy of existing culverts. Bridges and similar structures shall be preserved by suppressing the new flood peaks created by the plan.
 - (8) Improve water quality and stormwater management.
- (c) Retention of existing watercourses and natural drainage features.
- (1) Whenever a watercourse, stream or intermittent stream is located within a site, it shall remain open in its natural state and location and shall not be piped.
 - (2) The existing points of natural drainage discharge into adjacent properties shall not be altered without written approval of the affected landowners.
 - (3) No stormwater runoff or natural drainage shall be so diverted as to overload existing drainage systems or create flooding or the need for additional drainage structures on other private properties or public lands.
 - (4) Borough Council may require the applicant to provide a permanent easement along any watercourse located within or along the boundary of any property being subdivided or developed. The required width of any such easement shall be determined by the Borough Engineer, United States Army Corps of Engineers, Pennsylvania Department of Environmental Protection or other public agency having jurisdiction. The purpose is to maintain and improve the free flow of the watercourse.
- (d) Design criteria, general.
- (1) All plans and designs for stormwater management facilities shall determine the maximum expected discharge and runoff by use of the Soil Cover Complex Method as set forth in the latest edition of Urban Hydrology for Small Watersheds, Technical Release No. 55 and National Engineering Handbook, Section 4, Hydrology, as published by the United States Department of Agriculture, Soil Conservation Service, and their latest editions. The following rainfall intensities for the frequencies shown shall be used for the twenty-four hour, Type II distribution storm with average antecedent moisture conditions:

Time Period (years)	Rainfall (inches)
1	2.70
2	3.30
5	4.20
10	5.00
25	5.80
50	6.40
100	7.20

At the discretion of the Borough Engineer, the Rational Method may be used for watersheds or drainage areas of less than five (5) acres. The Modified Rational Method will then be used to design the detention basin facility. Application of these methods shall be in accordance with procedures set forth in the PaDEP Publication "Recommended Hydrologic Procedures for Computing Urban Runoff From Small Watersheds in Pennsylvania", as last revised.

- (2) All development shall limit the rate of stormwater runoff after development so that, at a minimum, no greater rate of runoff is permitted than that of the site in its natural condition for the same frequency storm. Wherever possible, stormwater management shall be improved. Stormwater management facilities shall be designed so that the one-year twenty-four hour post-development storm will be detained and discharged over a period of at least 24 hours for stormwater quality.
 - (3) The increased runoff which may result from subdivision or land development shall be controlled by permanent runoff measures. All runoff control measures shall be evaluated for their effectiveness to maintain the above standard for all storms with a return period of up to 100 years.
 - (4) Bridges and culverts shall be designed to meet current Pennsylvania Department of Transportation standards to support expected loads and carry expected flows. They shall be constructed to the full width of the right-of-way or as required by the Borough.
 - (5) Approval of the Division of Dams and Encroachments, Department of Environmental Protection and the Commonwealth of Pennsylvania is required when the area drained upstream of the point under consideration exceeds an area of $\frac{1}{2}$ square miles.
- (e) Design criteria, detention and retention basins
- (1) A stormwater collection system with capacity for the one-hundred year storm shall be provided to carry runoff to a basin. When the capacity of the storm drain pipe is exceeded, an overflow system shall have sufficient capacity to carry the runoff difference between the one-hundred year storm peak flow rate and the capacity of the storm drain pipe system. The one-hundred year storm peak shall be calculated by the Soil Cover Complex Method.

- (2) Unless permitted as a special exception by the Zoning Hearing Board, detention basins shall not be located within floodplain nor within areas of floodplain soils, with the exception that areas of alluvial soils may be utilized if proof is accepted by Borough Council that the area is not subject to flooding.
- (3) Basins shall be designed to facilitate regular maintenance, mowing and periodic de-silting and reseeding.
- (4) Whenever possible, the side slopes and basin shape shall conform to the natural topography. When such design is impracticable, the construction of the basin shall utilize slopes as flat as possible to blend the structure into the terrain.
- (5) In residential developments, shallow broad basins shall be provided. The maximum water depth measured from the invert of the lowest outlet orifice to the peak 100 year water surface elevation shall not exceed 5'-0".
- (6) The maximum slope of the earthen basin embankments shall be four horizontal to one vertical.
- (7) The top or toe of any slope shall be located a minimum of five feet from any property line.
- (8) The minimum top width of the basin berm shall be 10 feet.
- (9) In order to ensure proper drainage on the basin bottom, a minimum grade of 2% shall be maintained for areas of sheet flow. If low flow channels are provided, a minimum grade of 1% shall be maintained.
- (10) A collecting swale shall be provided to drain basins.
- (11) To the extent feasible, any in-lets or out-flows of the basin shall be designed to prevent entry by small children or medium sized animals.
- (12) If permanent ponds are used, the applicant shall demonstrate that such ponds are designed to protect the public health and safety. The following minimum design criteria shall be maintained:
 - (i) An aquatic safety bench shall be provided around the perimeter of the permanent water surface. The depth of the bench shall be a maximum of one foot (1') for a width of at least ten feet (10').

- (ii) An area at least fifteen feet (15') wide with slopes of 3:1 shall be provided from the edge of the safety bench toward the deep water portion of the pond.
- (iii) Slopes in the remainder of the pond, below the permanent pool elevation, shall be a maximum of 2:1.
- (iv) Slopes above the permanent water surface shall be in accordance with the design criteria set forth for basins within this ordinance.
- (v) Wet ponds shall have a deep water zone of at least eight feet (8') deep measured from the bottom of the wet pond to the top of the aquatic safety bench in order to prevent stagnation.
- (vi) Wet ponds shall be equipped with a manually operated drain that can be secured against unauthorized operation to allow the pond to be drained by gravity flow.
- (vii) Wet ponds shall be provided with a water source so that the permanent water surface can be maintained, as necessary, between periods of rainfall.
- (viii) Wet ponds shall be lined with 4" (thickness) of clay material in order to prevent excessive infiltration and to protect against saturation of, and seepage through, the berm.

(13) Emergency Spillways

- (i) Emergency overflow facilities shall be provided for detention facilities to handle runoff in excess of design flows.
- (ii) Whenever possible, the emergency spillway for detention basins shall be constructed on undisturbed ground.
- (iii) Emergency spillways shall be constructed of reinforced concrete or other material approved by the Borough Engineer.
- (iv) All emergency spillways shall be constructed so that the detention basin berm is protected against erosion.
- (v) The minimum capacity of all emergency spillways shall be the peak flow rate from the one-hundred year design storm after development.

- (vi) The construction material of the emergency spillway shall extend along the upstream and downstream berm embankment slopes.
 - (vii) The upstream edge of the emergency spillway shall be a minimum of three feet below the spillway crest elevation.
 - (viii) The downstream slope of the spillway shall, as a minimum, extend to the toe of the berm embankment.
 - (ix) The emergency spillway shall not discharge over earthen fill and/or easily eroded material.
 - (x) All basins shall have a minimum top of embankment one (1) foot above the maximum water surface elevation for the emergency spillway storm.
- (14) All basin embankments shall be placed in a maximum of eight inch (8") lifts compacted to a minimum of 95% of proctor density, as established by the latest edition of ASTM D-1557. Prior to proceeding to the next lift the compaction shall be checked by the Borough Engineer or a certified soils engineer. Compaction tests will be run on the leading and trailing edge of the berm along with the top of berm.
- (15) The length of the pond between the inflow and outflow points shall be maximized to prevent "short-circuiting" of runoff flowing through it.
- (16) A cutoff trench (keyway) of impervious material shall be provided under all embankments that require fill material. The trench shall be a minimum of eight feet (8') wide, two feet (2') deep, and have side slopes of 1:1.
- (17) Anti-seep collars.
- (i) Anti-seep collars shall be installed around the pipe barrel within the normal saturation zone of the detention basin berms.
 - (ii) The anti-seep collars and their connections to the pipe barrel shall be watertight.
 - (iii) The anti-seep collars shall extend a minimum of two feet beyond the outside of the principal pipe barrel.
 - (iv) The maximum spacing between collars shall be 14 times the minimum project of the collar measured perpendicular to the pipe.

- (v) A minimum of two anti-seep collars shall be installed on each outlet pipe.
- (18) Outlet pipes.
- (i) All outlet pipes through the basin berm shall be reinforced concrete pipe with watertight joints.
 - (ii) Energy-dissipating devices (rip-rap, end sills, etc.) shall be placed at all basin outlets.
 - (iii) Outlet pipes shall discharge to a defined watercourse having a capacity to carry proposed discharge flows.
- (19) Perforated risers.
- (i) A perforated riser shall be provided at each outlet of all basins during construction for sediment control.
 - (ii) The riser shall extend to a maximum elevation of two feet below the crest elevation of the emergency spillway.
 - (iii) The perforated riser shall be designed so that the rate of outflow is controlled by the pipe barrel through the basin berm when the depth of water within the basin exceeds the height of the riser.
 - (iv) Circular perforations with a maximum diameter of one inch shall be spaced 8 inches vertically and 12 inches horizontally.
 - (v) The perforations shall be cleanly cut and shall not be susceptible to enlargement.
 - (vi) All metal risers shall be suitably coated to prevent corrosion and wrapped with geotextile fabric to filter sediment.
 - (vii) A trash rack or similar appurtenances shall be provided to prevent debris from entering the riser.
 - (viii) All risers shall have a concrete base attached with a watertight connection.
 - (ix) The base shall be of sufficient weight to prevent flotation of the riser.

- (x) An anti-vortex device, consisting of a thin vertical plate normal to the basin berm, shall be provided on the top of the riser.

- (f) Design criteria, drainage channels and swales

Allowable Water Velocities Table
 (Permissible velocities for channels lined with vegetation (a))
 (The values apply to average, uniform stands of each type of cover)

Cover	Slope Range (b)	Permissible Velocity (feet per second)	
		Erosion Resistant Soils	Easily Eroded Soils
Bermuda grass	0% to 5%	3	6
	5% to 10%	7	5
	Over 10%	6	4
Buffalo grass, Kentucky bluegrass, Smooth brome or Blue grama	0% to 5%	7	5
	5% to 10%	6	4
	Over 10%	5	3
Grass mixture (b)	0% to 5%	5	4
	5% to 10%	4	3
Lespedeza sirecea(c) Weeping lovegrass (c) Yellow bluestem (c), Kudzo, Alfalfa (c) or crabgrass (c)	0% to 5%	3.5	2.5
Common lespedeza(d) or Sudangrass (d)	0% to 5%	3.5	2.5

NOTES:

- (a) Use velocities exceeding five feet per second only where good covers and proper maintenance can be obtained.
- (b) Do not use on slopes steeper than 10% except for side slopes on a combination channel.
- (c) Do not use on slopes steeper than 5% except for side slopes in a combination channel.
- (d) Annuals: used on mild slopes or as temporary protection until permanent covers are established. Use on slopes steeper than 5% is not recommended.

- (1) All drainage channels shall be designed to prevent erosion of the bed and banks.
 - (2) The maximum permissible flow velocity shall not exceed those outlined in the Table.
 - (3) Suitable stabilization shall be provided where required to prevent erosion of the drainage channels.
 - (4) Any vegetated drainage channel requiring mowing shall have a maximum grade of four horizontal to one vertical on those areas to be mowed.
 - (5) Because of the critical nature of vegetated drainage channels, the design of vegetated channels shall, as a minimum, conform to the design procedures outlined in the latest edition of TP-61, Handbook of Channel Design for Soil and Water Conservation, prepared by the Soil Conservation Service.
- (g) Design criteria, stormwater collection and pipe system.

- (1) Storm sewer, culverts and related installations shall be provided to:
 - (i) Permit the unimpeded flow of natural watercourses in such a manner as to protect the natural character of said watercourses and to provide regulated discharge.
 - (ii) Ensure adequate drainage of all low points along the line of streets.
 - (iii) Intercept stormwater runoff along streets at intervals reasonably related to the extent and grade of the area drainage and to prevent substantial flow of water across intersections.
- (2) The design discharge from drainage areas contributing to the system may be determined by use of the Rational Equation ($Q=CIA$) when the total drainage area does not exceed 10 acres.

(i) The following runoff factors shall be utilized for the rational equation:

Description of Area	Runoff Coefficient (C)
Residential	
2-acre single-family detached lots	0.40
1-acre single-family detached lots	0.46
½-acre single-family detached lots	0.50
¼-acre single-family detached lots	0.56
Two-family and multi-family	0.70

Description of Area	Runoff Coefficient (C)
Commercial	0.75
Industrial	0.80
Parks and cemeteries	0.38
Unimproved	0.35

Where the Table is not applicable the following factors may be used:

Roofs and all impervious surfaces	0.90
All other surfaces except forest	0.40
Forest	0.30

- (ii) The coefficients in the above tabulations are applicable for storms of ten-year frequency and less. The coefficients are based on the assumption that the design storm does not occur when the ground is frozen. Less frequent, higher intensity storms will require the use of higher coefficients.
- (iii) For less frequent storms, the coefficients can be used if they are multiplied by the following factors for the return frequency required:

Storm Frequency (years)	Factors
10 and less	1.0
25	1.1
50	1.2

- (iv) The rainfall intensity I curves presented in the latest edition of the PaDOT Design Manual Part 2, Pub. 13 shall be used in determining stormwater runoff.
- (v) Storm frequency.
 - a. A twenty-five year storm for the design of all stormwater systems.
 - b. In all cases where storm drainage is picked up by means of a headwall or inlet structure, a hydraulic inlet or outlet conditions control, the pipe shall be designed as a culvert for a twenty-five year storm.
- (vi) Storm duration.
 - a. A five-minute storm duration shall be used if this duration does not result in a maximum expected discharge that exceeds the capacity of a thirty-inch pipe.

- b. If a five-minute storm duration results in a pipe size exceeding 30 inches, the time of concentration approach shall be used in determining storm duration.
- c. If a five-minutes storm duration results in a pipe size exceeding 30 inches, within any run of pipe, the time of concentration approach may be used for sizing of pipes from that point on by adjusting the time of concentration.

(3) Pipes.

- (i) Pipe shall be sized by use of Manning's Equation with the pipes flowing full. The design shall be based on gravity (nonpressure) flow.
- (ii) The roughness coefficient (n) shall be in compliance.
- (iii) The minimum diameter of all storm drainage pipe shall be 18 inches or an equivalent thereto. Where headroom is restricted, equivalent pipe arches may be used in lieu of circular pipe.
- (iv) Increment size changes to storm drainage pipes shall be six inches in diameter.
- (v) Abrupt changes in direction or slope of storm drainage pipe shall be avoided. Where such abrupt changes are required, an inlet or manhole shall be placed at the point of change.
- (vi) The minimum grade of piping shall provide a minimum velocity of 2.5 feet per second and shall have a minimum slope of 0.5%.
- (vii) Storm sewers shall be placed within a street right-of-way, parallel to the cartway, and shall be designed as a combination storm sewer and underdrain. When located outside of a right-of-way, they shall be placed within an easement having a width of not less than 30 feet, if required by Borough Council.
- (viii) The top of storm drainage pipes beneath cartways shall be at least six inches below sub-grade elevation. Cast iron pipe may be placed within three inches of sub-grade elevation. Outside of cartways, all pipes shall have a minimum cover of two feet.

(4) Manholes.

- (i) Manholes shall neither be more than 300 feet apart on sizes up to 24 inches nor more than 450 feet apart on greater sizes.
- (ii) Inlets may be substituted for manholes, on approval of the Borough Engineer, at the same spacing as required for manholes.
- (iii) Manhole covers and frames shall conform to Pennsylvania Department of Transportation specifications, as last revised.

(5) Inlets.

- (i) At street intersections, inlets shall be placed in the tangent portion rather than the curved portion of the curbing.
- (ii) When there is a change in pipe size in an inlet, the elevation for the top of the pipes shall be the same or the small pipe shall be higher. A minimum drop of two inches shall be provided in the inlet between the lowest inlet pipe invert elevation and the outlet pipe invert elevation.
- (iii) If the capacity of the shoulder, swale, curb section or depressed median section exceeds the assumed inlet capacities, the inlet capacities shall govern the spacing of inlets.
- (iv) If the capacity of the shoulder, swale, curb section or depressed median section is less than the inlet capacities, then the shoulder, swale, curb section or depressed section capacity shall govern the spacing of inlets.
- (v) Type C inlets.
 - a. Type C inlets shall be installed in unmountable curbs.
 - b. In order to achieve greater efficiency, Type C inlets shall be spaced so as to permit 5% of the gutter flow to bypass the inlet.
 - c. The capacity of a Type C inlet at a low point of a street's vertical curve may be designed to accept four cubic feet per second (cfs) from each direction or a maximum of eight (cfs).
 - d. Inlet capacities shall be in accordance with the latest edition of the PaDOT Design Manual, Part 2, Publication 13.

(vi) Type M and Type S inlets.

- a. Type S inlets shall be installed in shoulder swale areas with back slopes of six horizontal to one vertical and steeper.
- b. Type M inlets shall be installed in swale areas where the back slope is flatter than six horizontal to one vertical.
- c. Inlet capacities shall be based on Type M and S Inlet Capacities (in Swale) Table:

Type M or S Inlet Capacities (in Swale) Table

Grade	2:1	4:1	6:1	12:1	Dike
1.0	3.2	3.6	3.9	4.1	9.1
2.0	3.5	3.5	3.5	3.7	8.3
3.0	2.5	2.8	3.5	3.5	7.4
4.0	1.6	2.0	3.4	3.2	6.4
5.0	1.6	2.0	3.5	3.0	6.3
6.0	1.6	2.0	3.3	2.8	6.1
7.0	1.5	2.0	3.0	2.6	6.0
8.0	1.5	2.0	2.8	2.4	5.8

- d. Where a drainage dike is used, the side slope of the dike shall be eight horizontal to one vertical or flatter.
 - e. The capacity of an inlet at a low point in a swale (sump condition) shall be 16 cfs maximum.
- (vii) Inlets shall conform to Pennsylvania Department of Transportation specifications, as last revised, with the exception that the use of red brick for inlet construction is not permitted.
- (viii) Shoulders in cut areas (without swales).
- a. Water flowing in the shoulder shall not encroach more than 2/3 the shoulder width during a ten-year frequency storm of five-minute duration.
 - b. The maximum velocity, as determined by Manning's Equation, shall not exceed the allowable velocities in the Table for the specific type of shoulder material.
 - c. Inlets shall be provided to control the shoulder encroachment and water velocity.

- (ix) Swales adjacent to shoulders.
 - a. Swales in cut areas shall be designed to prevent the passage of water onto the cartway during a ten-year frequency storm of five-minute duration.
 - b. The maximum velocity, as determined by Manning's Equation, shall not exceed the allowable velocities in the Table for the specific type of shoulder material.
- (x) Curbed sections.
 - a. The maximum encroachment of water on the cartway shall not exceed two inches in depth at the curb during a ten-year frequency storm of five-minute duration.
 - b. Inlets shall be provided to control the encroachment of water on the cartway.
- (xi) Detention basin maintenance fund.
 - a. After construction, Borough Council, the Borough Engineer, and their agents, consultants, inspectors or designates, may enter the property to perform periodic inspections and to require improvements or repairs. This right shall run with the land and shall be permanent.
 - b. If Borough Council deems it to be in the public interest to accept dedicated land for drainage detention or retention purposes, such acceptance shall be by adoption of a resolution of Borough Council and acceptance of a deed of dedication from the applicant. In addition, the applicant shall contribute to the Borough the sum of \$3,500 per acre (\$10,000 minimum) of the land dedicated, or the amount set by resolution of Borough Council. These fees shall be used by the Borough to maintain land and basins dedicated. The fee shall be paid upon acceptance of the deed of dedication.
 - c. Alternatively, the applicant shall establish a long-term Maintenance Annuity Instrument in an amount sufficient to generate a yearly annuity payable to Langhorne Borough equal to the present worth of replacement of the facilities over a twenty-year period and the present worth of maintenance of the facilities.

- d. Where the stormwater management facility is to be owned and maintained by an individual lot owner, multi-entity owner, homeowners association, etc., a long-term Maintenance Annuity Instrument sufficient to generate a yearly annuity payable to the entity having responsibility for Maintenance shall be established by the owner. That instrument and the funds generated shall be jointly controlled by the responsible entity and Langhorne Borough to insure that the funds are applied to maintain the stormwater management facility in a condition to perform its designed function and to replace the facilities every twenty years.
- e. It shall be the continuing obligation of the responsible entity or person to notify, prior to the sale of a residence subject to these requirements, each successive homeowner of the obligation to maintain the stormwater management facilities, equipment and landscaping and to fund or pay for stormwater management.

Section 718 Blocks

- (a) The length, width, and shape of blocks shall be determined with due regard to the following:
 - (1) Provision of adequate sites for type of buildings proposed.
 - (2) Zoning requirements as to lot sizes, dimensions, and minimum lot areas per dwelling unit.
 - (3) The limitations and opportunities of the topography.
 - (4) Requirements for safe and convenient vehicular and pedestrian circulation and access.
- (b) Blocks shall have a maximum length of sixteen hundred feet (1600') and so far as practical, a minimum length of five hundred feet (500'). In the design of blocks longer than eleven hundred feet (1100'), special consideration shall be given to the requirements of satisfactory fire protection.

Section 719 Lots

- (a) Lot dimensions and areas exclusive of easements and/or right-of-ways shall be not less than specified by provisions of the Zoning Ordinance.
- (b) Corner lots shall provide for equal setbacks on both streets.

- (c) Lots shall front on a street, existing or proposed.
- (d) Double-frontage lots are prohibited, except where employed to prevent vehicular access to major traffic streets.
- (e) Side lot lines shall be substantially at right angles or radial to street lines.
- (f) Building setback lines shall be not less than specified by the provisions of the Zoning Ordinance.
- (g) If any remnants of land exist after subdividing, they shall be incorporated into existing or proposed lots, or dedicated to the public use for recreation or open space, if acceptable to Borough Council.
- (h) The subdivision of a tract which creates non-conforming side and rear yard requirements for existing buildings will not be approved, except by allowance of the Zoning Hearing Board. Nonconforming front yards may be approved if necessary to obtain proper street alignment.
- (i) All residential uses and residential lots shall have a driveway.
- (j) Lots shall be numerically identified at time of application.

Section 720

Easements

- (a) Easements with a minimum width of twenty feet (20') shall be provided as necessary for utilities and drainage. Easements shall be monumented.
- (b) To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- (c) Unless specifically permitted by Borough Council in writing or a part of the Recorded Final Plan, nothing shall be permitted to be placed, planted, set or put within the area of an easement. The area shall be kept as lawn.
- (d) 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 twenty feet (20'), or as may be required or directed by Borough Council and/or the Department of Environmental Resources. The owner shall properly grade and seed slopes and fence any open ditches when it is deemed necessary by Borough Council.

- (e) Where storm water or surface water will be gathered within the property or the subdivision and discharged or drained in volume over lands within or beyond the boundaries of the subdivision or land development, the applicant or owner shall reserve or obtain easements over all lands affected thereby, which easements shall be adequate for such discharge, or drainage and for the carrying off of such water, and for the maintenance, repair and reconstruction of the same, including the right of passage over and upon the same by vehicles, machinery and other equipment for such purposes, and which shall be of sufficient width for such passage and work. The owner shall convey, free of charge or cost, such easements to the Borough upon demand.
- (f) No right-of-way or easement for any purpose whatsoever shall be recited or described in any deed unless the same has been shown on the approved plan. Nothing other than grass shall be permitted to be placed, planted, set or put within the area of an easement, except within easements used exclusively for buffers where plantings are permitted. Deeds to all lots containing easements of any nature shall carry a clause stating any and all restrictions on buildings and plantings within any easement area. The clause shall state to whom the easement is granted, the rights of ingress and egress and the rights to construct, maintain and renew any and all structures and/or plantings within the easement limits. All easements and rights-of-way shown on record plans shall be recited and recorded in the deed.

Section 721 Curbs

- (a) Curbs shall be provided along all streets. The owner, subdivider, developer or applicant shall construct concrete curbs along all existing and proposed streets. Borough Council may waive the requirement for curbs or may permit curbs of alternate materials if adequate safety and maintenance provisions are made a requirement of the plan.
- (b) Curbs shall be designed and constructed in accordance with the Borough Standards shown on the Typical Roadway Section in the Appendix.
- (c) Along the existing street on which the subdivision or the property abuts (hereinafter called "boundary streets"), curbs shall be constructed and the existing paved cartway shall be widened to the curb. The location of curbing along a boundary street shall be determined by the width of the required cartway of the road as established by this Article.
- (d) All curbs shall be designed with consideration to pedestrian traffic and shall provide adequate and reasonable access for the safe and convenient movement of physically handicapped persons in accordance with all federal and state regulations.

Section 722

Sidewalks

- (a) Sidewalks shall avoid pedestrian-vehicular conflict.
- (b) The minimum width of all sidewalks shall be four feet (4').
- (c) Sidewalks shall be located at least six feet (6') from the street curb.
- (d) Sidewalks shall be located within a public right-of-way or a public easement.
- (e) Curb cuts shall be provided at street crossings.
- (f) The grades and paving of sidewalks shall be continuous across driveways. Non-residential and performance standards developments and in certain other cases where heavy traffic volume exists, a special paving treatment may be required by Borough Council, upon recommendation of the Borough Engineer.
- (g) Sidewalks shall be laterally pitched at a slope of not less than one-quarter inch (1/4") per foot to provide for adequate surface drainage.
- (h) Sidewalks shall not exceed a seven percent (7%) grade. Steps or a combination of steps and ramps shall be utilized to maintain the maximum grades, where necessary. Where sidewalk grades exceed five percent (5%), a non-slip surface texture shall be used.
- (i) Sidewalks shall be constructed according to Borough specifications and in accordance with the recommendations of the Borough Engineer.
- (j) Sidewalks adjacent to angle parking areas shall be set back a minimum of five feet (5') to prevent car overhang from restricting pedestrian movement along the sidewalk.
- (k) In non-residential uses, multi-family uses and performance standard developments, sidewalks shall be of sufficient size and composition, when required by Borough Council, to allow infrequent access by emergency or maintenance vehicles to various portions of the open space land that may be used for recreation or other purposes. Borough Council may waive this requirement where its application would be infeasible or impractical.
- (l) In addition to the preceding requirements, all sidewalks shall provide ramps for adequate and reasonable access for the safe and convenient movement of the physically handicapped persons, including those in wheelchairs, across curbs at all pedestrian cross walks. These facilities shall be constructed in accordance with Chapter 8, "Pedestrian Facilities" of the PennDOT Design Manual Part 2, as last revised or amended.

- (m) On-lot walkways are required for convenience and access to all non-residential uses and all dwelling units and other principal buildings designed for human occupancy from streets, driveways, parking areas or garages and for convenient circulation and access to all project facilities. The minimum width of on-lot walkways shall be four feet (4').

Section 723 Street Tree Planting

- (a) Within any land development or subdivision, street trees shall be planted along all streets where suitable street trees do not exist. Borough Council may waive or alter the requirements of this Section when their application would be infeasible or impractical.
- (b) Street trees shall be in keeping with the area and in proportion to the scale and size of development. Tall trees shall be used in lower density residential areas. Upon recommendation of the Shade Tree Commission, smaller trees may be used in other developments.
- (c) Street trees shall be planted at intervals of not more than forty feet (40'). Smaller street trees, upon recommendation of the Shade Tree Commission, may be planted at intervals of not less than thirty feet (30'). Upon recommendation of the Shade Tree Commission, an equivalent number may be planted in an informal arrangement.
- (d) Where the tree lawn (the area between the street curb and the sidewalk) exceeds six feet (6') in width, street trees shall be planted in the tree lawn. Where the tree lawn is less than 6' in width, street trees shall be planted in the front yard.
- (e) At intersections, trees shall be located no closer than thirty feet (30') from the intersection of the street right-of-way.
- (f) Street trees shall be of nursery stock. They shall be of symmetrical growth, free of insects, pests and disease, and suitable for street use and durable under the maintenance contemplated.
- (g) The minimum trunk diameter, measured at a height of six inches (6") above the finished grade level shall be three inches (3") in caliper.
- (h) Adequate protection shall be provided to ensure the long-term preservation and survival of street trees. The criteria established by the Shade Tree Commission for tree plantings, protection and maintenance shall apply.

- (i) The Shade Tree Commission shall maintain a list setting forth the trees which are considered preferable. In the absence of such a list, the trees set forth below are considered generally acceptable. Changes in variety, susceptibility to disease, and current usage may prevent the use of species set forth below. The Shade Tree Commission shall recommend, subject to approval by Borough Council, the variety and placement of trees.

Large Trees

Acer rubrum - Red Maple
Acer saccharum - Sugar Maple
Fraxinus Pennsylvania laceolata - Green Ash
Gleditsia tricanthos inermis - Thornless Honeylocust
Liquidamber styraciflua - Sweet Gum
Plantanus acerifolia - London Plane Tree
Quercus alba - White Oak
Quercus borealis - Red Oak
Quercus coccinea - Scarlet Oak
Quercus palustris - Pin Oak
Quercus phellos - Willow Oak
Tilia - Linden - All species hardy to the area
Zelkova serrata - Japanese zelkova

Smaller Trees

Crataegus phaenopyrum - Washington Hawthorn
Ginkgo biloba - Ginkgo (male only)
Prunus kwanzan - Kwanzan Cherry
Pyrus calleryanna bradford - Callery Pear
Sophora japonica - Japanese Pagodatree

- (j) After planting, Borough Council, the Shade Tree Commission, and their agents, consultants or designates, may enter the property to perform periodic inspections and to require maintenance or replacement of trees. This right shall run with the land and shall be permanent.
- (k) It shall be the continuing obligation of the responsible entity or person to notify, prior to the sale of a residence subject to these requirements, each successive homeowner of the obligation to maintain and replace street trees and to fund or pay for street tree maintenance or replacement.

Section 724

Single-family Cluster and Performance Standard Development

- (a) Single family cluster are residential uses where permitted. The development district was designed to permit all dwelling unit types in planned residential developments. From time to time new dwelling types develop which are appropriate to the area. These are intended to be incorporated with the listed types, subject to dimensional requirements developed by the Borough Planning Commission and adopted by Borough Council.
- (b) Preliminary approval of the site plan must be obtained for the entire proposed single-family cluster or PSD. Final approval may be obtained section by section, but such sections shall be specified on the preliminary plan and must be numbered in the proposed order that they are to be developed. Such order of development must be adhered to, and if changes are required, plans must be refiled and reviewed and approved.
- (c) Platting of individual lots in single-family and PSD shall be avoided in favor of a comprehensive design of the land to be used for such purposes.
- (d) Design Standards
 - (1) Attached dwelling types should incorporate varied designs, architectural modes and setbacks, and shall in no case exceed 140 feet in length.
 - (2) An overall structure of attached dwelling units shall not be permitted with one common roofline or with equal front and rear yard setbacks for all dwelling units. Similarly, the appearance of the front and rear of the buildings shall have a distinction between dwelling units by varying the unit width or height, providing different exterior materials on the facade or changing the roof lines. No more than two (2) units shall have a common building frontage and minimum setbacks of two feet (2') shall be provided for every two (2) units.
- (e) Access and Circulation
 - (1) Access to the dwellings and circulation between buildings and other important project facilities for vehicular and pedestrian traffic shall be comfortable and convenient for the occupants.
 - (2) 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.

- (3) Walking distance from the main entrance of a building to a street, driveway or parking area shall usually be less than one hundred feet (100'); exception to this standard should be reasonably justified by compensating advantages, such as desirable views and site preservation through adaption to topography. In no case shall the distance exceed two hundred and fifty feet (250').

(f) Grading

- (1) Grading shall be designed for buildings, lawns, paved areas and other facilities, to assure adequate surface drainage, safe and convenient access to and around the buildings and for the screening of parking and other service areas and the conservation of desirable existing vegetation and natural ground forms.
- (2) Grading around buildings shall be designed to be in harmony with natural topography.

(g) Driveways

- (1) Driveways shall be provided on the site where necessary for convenient access to the living units, garage compounds, parking areas, service entrances of buildings, collection of refuse and all other necessary services. Driveways shall enter public streets at safe locations.
- (2) Driveways shall be planned for convenient circulation suitable for traffic needs and safety.
- (3) All driveways shall be surfaced with concrete or bituminous paving and constructed in accordance with Borough standards.

(h) Refuse Collection Stations

- (1) Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided. Expense for this type of trash removal shall not be borne by the Borough.
- (2) Collection stations shall be located so as to be separated adequately from habitable buildings to avoid being offensive, but at the same time be convenient for both collectors and residents and shall be screened and landscaped adequately.
- (3) Where a collection station is required, the cost of trash removal shall not be borne by the Borough.

- (i) **Planting.** The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features. Additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen out objectionable features.
- (j) **Professional Requirements.** The applicant shall use the professional talents of qualified planners, registered landscape architects, registered architects and registered civil engineers in different stages of the preparation necessary to effect a single-family cluster or PRD.
- (k) **Conflict.** Where the provisions of the Zoning Ordinance require a more restrictive development plan, those requirements shall apply and shall supersede the requirements set forth in this Ordinance.

Section 725 Non-Residential Developments

- (a) Lotting of individual lots for commercial purposes shall be avoided in favor of a comprehensive design of the land to be used for such purposes.
- (b) Additional width of streets adjacent to areas proposed for nonresidential use may be required as deemed necessary by Borough Council to assure the free flow of through-traffic from vehicles entering or leaving parking areas.
- (c) When two (2) adjacent lots proposed for non-residential uses front on a collector or minor collector street, the applicant may be required to provide common ingress and egress, as well as common parking facilities.
- (d) Alleys or service streets shall be required in commercial and industrial districts, except where other adequate provision is made for off-street loading and required parking consistent with the use proposed.
- (e) Dead-end alleys shall be avoided; but where this proves impossible, they shall be terminated with a paved turn-around of adequate dimensions.
- (f) Adjacent residential areas and historic areas shall be protected from potential nuisance of the proposed non-residential developments, including the provisions of extra depths in parcels backing up on existing or potential residential developments and provisions for a permanently landscaped evergreen buffer strip.
- (g) Streets carrying non-residential traffic shall not normally be extended to the boundaries of the adjacent existing or potential residential areas, nor connected to streets intended for predominantly residential traffic.

- (h) Parking areas shall be designed and located in a manner to visibly screen them at eye level from the surrounding area. Grading to depress the parking area, raised berms, landscaping, or fencing are acceptable methods to create visible seclusion.
- (i) Outdoor collection stations shall be provided for refuse removal when indoor collection is not provided. Collection standards shall be located to avoid being offensive and shall be screened from view and landscaped. Where a collection station is required, the cost of trash removal shall not be borne by the Borough.

Section 726 Buffer Yards

- (a) Buffer yards are required for all subdivisions, land use applications and land developments, as well as between zoning districts, zoning uses or along roads. General width and planting requirements for buffer yards are also set forth in the Zoning Ordinance, the Historical Architectural Review Board Ordinance, and the Natural Resource Protection Ordinance.
- (b) Buffering serves to soften the outline of buildings, to screen glare and noise, and to create a visual and/or physical barrier. All circulation drives, parking, and structures shall be excluded from the buffer yard. Entrance and exit drives may pass through the buffer yard.
- (c) The Shade Tree Commission shall maintain a list setting forth planting materials which are considered preferable. In the absence of such a list, the planting materials set forth below are considered generally acceptable. Changes in variety, susceptibility to disease, and current usage may prevent the use of species set forth below. The Shade Tree Commission shall recommend, subject to approval by Borough Council, the variety and placement of planting.

Non-flowering

- Acer rubrum - Red Maple
- Acer saccharum - Sugar Maple
- Fraxinus Pennsylvania lanceolata - Green Ash
- Ginkgo biloba - Ginkgo (male only)
- Gleditsia triacanthos inermis - Thornless Honeylocust
- Liquidamber styraciflua - Sweet Gum
- Phellondendron amurense - Amur Cork Tree
- Plantanus acerifolia - London Plane Tree
- Quercus alba - White Oak
- Quercus borealis - Red Oak
- Quercus coccinea - Scarlet Oak
- Quercus palustris - Pin Oak
- Quercus phellos - Willow Oak
- Sophora Japonica - Japanese Pagodatree
- Tilia - Linden - all species hardy to the area

Flowering

Amelanchier canadensis - Shadblow Serviceberry
Cornus florida - Flowering dogwood
Cornus kousa - Kousa Dogwood
Cornus mas - Cornelian Cherry
Crataegus phaenopyrum - Washington Hawthorn
Hamamelis vernalis - Vernal Witch Hazel
Hamamelis virginiana - Common Witch Hazel
Koelreuteria paniculata - Golden Rain Tree
Oxydendron arboreum - Sourwood
Prunus kwanzan - Kwanzan Cherry
Prunus yedoensis Yoshino Cherry
Viburnum dentatum Arrowwood Viburnum
Viburnum lantana Wayfaringtree Viburnum

Evergreen

Picea - Spruce - all species native to the area
Pinus nigra - Austrian Pine
Pinus strobus - White Pine
Pseudotsuga menziesii - Douglas Fir
Tsuga canadensis - Canada Hemlock

Berm with evergreen or flowering planting as listed above.

Hedge

Acer campestre - Hedge Maple
Crataegus intricata - Thicket Hawthorn
Euonymus alatus - Burning Bush or Winged Euonymus
Forsythia intermedia - Border Forsythia
Viburnum alatus - Viburnum

Section 727 Open Space Designation

All land held for open space shall be so designated on the plans. The plans shall contain the following statement for lands in Categories (a), (b), (c) or (d) below: "Open space land may not be separately sold, nor shall such land be further developed or subdivided." All plans shall further designate the use of open space, the type of maintenance to be provided, funding for maintenance and a detailed planting plan or schedule. In designating use and maintenance, the following classes may be used:

- (a) **Lawn:** A grass area with or without trees which may be used by the residents for a variety of purposes and which shall be mowed regularly to insure a neat and tidy appearance.
- (b) **Natural Area:** An area of natural vegetation undisturbed during construction, or replanted. Such areas may contain pathways. Meadows shall be maintained as such and not left to become weed infested. Maintenance may be minimal, but shall prevent the proliferation of weeds and undesirable plants, such as, honeysuckle, brambles or poison ivy. Litter, dead trees and brush shall be removed, and streams shall be kept in free-flowing condition.
- (c) **Open Area:** A small strip or area of land, in grass or natural vegetation, designed to remain free of pedestrian and vehicle traffic.
- (d) **Recreation Area:** An area designated for recreation use, including but not limited to playgrounds, tennis courts, swimming pools, shuffle boards, playfield, or tot lot. Such areas shall be maintained so as to avoid creating a hazard or nuisance, and shall perpetuate the proposed use.
- (e) **Agricultural Area:** An area designated for family vegetable plots or to be leased or sold for an agricultural use as specified in Section 405 of the Zoning Ordinance.

Section 728 Conveyance and Maintenance of Open Space

All open space, shown on the Final Development Plan as approved by Borough Council and subsequently recorded in the Office of the Recorder of Deeds of Bucks County, must be conveyed in accordance with one or more of the following methods:

- (a) **Dedication in fee-simple to the Borough of Langhorne:**
 - (1) **The Borough may, but shall not be required to, accept any portion or portions of the non-agricultural open space, provided:**
 - (i) Such land is freely accessible to, and of benefit to the general public of Langhorne Borough.
 - (ii) There is no cost involved.
 - (iii) The Borough agrees to and has access to maintain such lands.
 - (iv) It must be acceptable with regard to size, shape, location and improvement.

- (v) If the Borough Council deems it to be in the public interest to accept land dedicated for open space, such acceptance shall be by adoption of a resolution of the Borough Council and acceptance of a deed of dedication from the Applicant. In addition, the applicant shall contribute to the Borough the sum of \$3,500 per acre (\$10,000 minimum) of the land dedicated, or the amount set by resolution of Borough Council. These fees shall be used by the Borough to maintain the land dedicated. The fee shall be paid upon acceptance of the deed of dedication.
 - (vi) Alternatively, the applicant shall establish a long-term Maintenance Annuity Instrument that shall be in an amount sufficient to generate a yearly annuity payable to the Borough of Langhorne equal to the present worth of replacement of planting materials and maintenance of the land for a twenty-year period.
- (b) By conveying title (including beneficial ownership) to a corporation, association, funded community trust, condominium, conservation trust or other legal entity.
- (1) The terms of such instrument of conveyance must include provisions suitable to Borough Council for guaranteeing:
 - (i) The continued use of such land for the intended purpose.
 - (ii) Continuity of proper maintenance for those portions of the open space requiring maintenance.
 - (iii) The availability of funds required for such maintenance.
 - (iv) Adequate insurance protection.
 - (v) Recovery for loss sustained by casualty, condemnation, or otherwise.
 - (vi) Provisions for payment of applicable taxes.
 - (vii) Such other covenants and/or easements that the Borough shall deem desirable to fulfill the purposes and intent of this Ordinance.

- (2) The following are prerequisites for such a corporation or association:
- (i) It must be set up before any homes or dwelling units are sold or leased or otherwise conveyed. Potential purchasers must be informed, in writing, prior to entry into an agreement of sale, that ownership is subject to a continuing requirement to maintain open space and that said obligation will create expenses owed by property owners in the development.
 - (ii) Membership must be mandatory for each buyer and/or lessee and any successive buyer and/or lessee.
 - (iii) It must be responsible for liability insurance, taxes, recovery for loss sustained by casualty condemnation or otherwise, and the maintenance of recreational and other facilities.
 - (iv) Members or beneficiaries must pay their pro-rata share of the costs, and the assessment levied can become a lien on the property.
 - (v) It must be able to adjust the assessment to meet conditions.
 - (vi) The corporation or association shall not be dissolved nor shall it dispose of open space without written approval of Borough Council.
 - (vii) Borough Council may require that the applicant purchase and the corporation or association maintain a long-term Maintenance Annuity Instrument sufficient to generate a yearly annuity payable to the entity having responsibility for maintenance and replacement of planting materials and maintenance of the open space. That instrument and the funds generated shall be jointly controlled by the responsible entity and the Borough to insure that the funds are applied to maintain the open space in an acceptable condition.
- (3) The dedication of open space, streets, or other lands in common ownership of the corporation, association or other legal entity, or to the Borough, shall be absolute and not subject to reversion for possible future use for further development.
- (4) All documents pertaining to the conveyance and maintenance of the open space shall meet the approval of the Borough Solicitor as to legal form and effect and to Borough Council as to suitability for the proposed use of the open space.

- (c) By imposing the obligation to maintain natural areas or open areas upon the private land owner. Said obligation shall be clearly conveyed in writing, prior to the entry into an agreement of sale, to future prospective land owners. In the event the land owner fails to so inform the future landowner, said land owner shall remain liable for the maintenance and cost of said maintenance.
- (d) Easement or other device: The Commonwealth of Pennsylvania or the County of Bucks, under provisions of Act 442 of 1968, the "Conservation and Land Development Act," may acquire and resell any interest in the land for the purpose of agricultural or open space preservation. Subject to Borough approval, this may be considered a suitable means of preserving open space.
- (e) After construction, Borough Council, the Borough Engineer, the Shade Tree Commission, and their agents, consultants, inspectors or designates, may enter the property to perform periodic inspections and to require maintenance, repairs or replacement of vegetation and trees. This right shall run with the land and shall be permanent.
- (f) It shall be the continuing obligation of the responsible entity or person to notify, prior to the sale of a residence subject to these requirements, each successive homeowner of the obligation to maintain open space and to fund or pay for open space maintenance.

Section 729 Traffic control signals, signs and markings.

The applicant shall be responsible for furnishing and installing all traffic control signals, signs and markings that are deemed necessary by Borough Council. The applicant shall install such signals, signs and markings prior to the issuance of the first building permit or as otherwise the streets become open to traffic. All traffic control signals and markings signs shall comply with the specifications of the Pennsylvania Department of Transportation Regulations for Traffic Signs, Signals and Markings, as last revised or amended (Pennsylvania Department of Transportation, Publication 68).

ARTICLE VIII REQUIRED IMPROVEMENTS

Section 800 Purpose

- (a) The purpose of this article is to establish and define the public improvements and common amenities which will be required by the Borough to be constructed or cause to be constructed by the applicant.
- (b) All required improvements shall be constructed in accordance with all applicable federal, state, county and borough specifications and regulations.

Section 801 Application

The required improvements included in this Article are minimum requirements and the Borough reserves the right in any case to increase the same if conditions so warrant.

Section 802 Revision of Plans

When changes from the accepted drawings and specifications become necessary during construction, written acceptance by Borough Council, with the advice of the Borough Engineer, shall be secured before the execution of such changes.

Section 803 Maintenance

- (a) Adequate provisions for the satisfactory maintenance of all public improvements shall be made prior to dedication to, and acceptance for maintenance by, the Borough, or by other acceptable means.
- (b) Adequate provisions for the satisfactory maintenance of all common amenities shall be made prior to release from construction obligations by the Borough.
- (c) After acceptance of construction, the Borough, the Borough Engineer, the Shade Tree Commission, and their agents or designates, may enter the property to perform periodic inspections and to require maintenance, repairs or modifications to the required improvements. This right shall run with the land and shall be permanent.
- (d) It shall be the continuing obligation of the responsible entity or person to notify, prior to the sale of a residence subject to these requirements, each successive homeowner of the obligation to maintain common amenities required by this Ordinance.
- (e) It shall be the continuing obligation of the responsible entity or person to notify, prior to sale of a residence, each successive homeowner of the obligation to fund and pay for common amenities required by this Ordinance.

Section 804

Streets

- (a) The construction of streets, roads, lanes, driveways, cartways and alleys, as shown upon final plans and as contained in contract agreements, shall in every respect conform to such requirements as the Borough may by resolution require for the construction of streets.
- (b) Unless otherwise specified, the minimum requirements for improvements shall be the specifications contained in the latest edition of the Pennsylvania Department of Transportation's Specifications, Form 408.
- (c) All streets shall be graded to:
 - (1) The grades shown on the street profiles and cross-section plan submitted and approved with the final plan.
 - (2) The full width of the right-of-way. In wooded areas this may be modified to preserve the trees.
- (d) Along the existing street on which a subdivision or land development abuts (hereinafter called a boundary street) improvements shall be made to the street. The improvements to the boundary street shall be determined by the width of the required cartway and built to the specifications established by the Borough.
- (e) An escrow account shall be established for use by the Borough to ensure the improvement of streets to the required standards. Funds shall not be released until all improvements are accepted by the Borough Engineer and Borough Council.

Section 805

Street Signs

- (a) The applicant shall erect at every street intersection a street sign or street signs meeting Borough approval, having thereon the names of the intersecting streets. At intersections where streets cross, there shall be at least two (2) such street signs and at the intersections where one (1) street ends or joins another street, there shall be at least one (1) such street sign. Prior to the erection of any sign, the applicant shall submit, by drawing and in writing, the design of the sign, including the color of the sign and the lettering, the style or type of sign, the size of the sign and the lettering, the height of the sign, and the material used to construct the sign and the pole. Said design shall be reviewed by the Borough Engineer and approved by Borough Council.
- (b) Street signs are to be erected when the first dwelling on the street is occupied. Temporary street signs may be erected on the approval of the Borough but shall be made permanent before a certificate of occupancy is issued for the first dwelling unit to be occupied on the street.

- (c) All traffic control signs required within the development and along the frontage, as determined by the Borough Engineer, shall be the responsibility of the applicant.

Section 806 Street Lights

- (a) The applicant shall install or cause to be installed, at the applicant's expense, metal pole street lights serviced by underground conduits in accordance with a plan to be prepared by the applicant's engineer and approved by the Borough Engineer.
- (b) The applicant shall be responsible for all costs involved in lighting the streets until such time that the streets are accepted or condemned as public streets by the Borough or are taken over by the homeowners association.
- (c) Prior to the erection of any street light, the applicant shall submit, by drawing and in writing, the design of the street light, including the style or type of street light, the type and capacity of the illumination, the color of the street light, the size of the street light, the height of the pole, and the material used to construct the street light and the pole. Street lights shall be installed of a type and height consistent with the Borough's historic street light policy. The requirement of metal poles may be waived in such instances as approved by Borough Council, upon recommendation of the Borough Engineer and the Borough Planning Commission. Said design shall be reviewed by the Borough Engineer and approved by Borough Council.
- (d) Provision shall be made for energizing said lighting prior to the issuance of the first occupancy permit in a given subdivision or land development or section of a subdivision or land development.
- (e) Street lights shall be located at all intersections of new streets and at the intersections of new streets with existing collectors streets or other streets.

Section 807 Monuments

- (a) Monuments shall be placed in each change in direction of boundary; two (2) to be placed at each street intersection and one (1) on one side of each street at angle points and at the beginning and end of curves. Utility easements shall be monumented at their beginning and at their end; and areas to be conveyed for public use shall be fully monumented at their external boundaries.
- (b) Monuments shall be placed in the ground after final grading is completed, at a time specified by the Borough Engineer. The monument shall be concrete and the size and length approved by the Borough Engineer. With the approval of Borough Council, the Borough Engineer may recommend alternate monuments.

- (c) The accuracy of all monuments shall be certified by the applicant's engineer and shall be checked for accuracy by the Borough Engineer. Accuracy of monument shall be within three one-hundredth of a foot (3/100').

Section 808 Sidewalks

- (a) Sidewalks shall be constructed as required by Section 722. These standards shall apply on all new streets and on existing streets, unless in the opinion of the Borough they are unnecessary for public safety and convenience.
- (b) All sidewalks shall be constructed in accordance with Section 722, the specifications contained in the Appendix, and the requirements of other applicable Borough Ordinances.
- (c) It is required to install sidewalks, on-site walks and curbs for convenience and access to all primary structures from streets, driveways, parking areas or garages, and for convenient circulation and access to all project facilities.
- (d) Width, alignment and gradient of walks shall provide safety, convenience and appearance for pedestrian traffic.
- (e) The alignment and gradient of walks shall be coordinated with the grading plan to prevent the passage of concentrated surface water on or across the walk and to prevent the pocketing of surface water by walks.

Section 809 Curbs

- (a) Curbs shall be provided as required in Section 708 and 721.
- (b) Curbs, where required, shall be the vertical type.

Section 810 Storm Sewerage System

The applicant shall construct storm water drainage facilities, including curbs, basins and inlets, storm sewers, culverts, road ditches, open channels and other structures in order to prevent erosion, flooding and hazards to life and property. All facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow and the size, type, and installation of all storm drains and sewers shall be in accordance with the plans. It is the desire of the Borough to encourage the percolation of storm water into the ground whenever feasible. The applicable provisions of Section 717 and the Langhorne Borough Stormwater Management Ordinance shall apply.

Runoff calculations shall be based, at a minimum, on 100-year, 24-hour storms, using the method of calculations contained in U. S. Department of Agriculture, Soil Conservation Engineering Field Manual Notice - 4, of April 30, 1971, as amended . Where the runoff calculations would require greater protections, the runoff calculations set forth in the applicable provisions of Section 717 and the Langhorne Borough Stormwater Management Ordinance shall be applied.

Section 811 Water Supply

- (a) The applicant shall construct water mains in such a manner as to make adequate water service available to each lot, building or dwelling unit within the subdivision or land development. A minimum pressure of thirty (30) pounds per square inch shall be provided at each house 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 Resources.
- (b) The system shall also be designed with adequate capacity and appropriate spaced fire hydrants for fire-fighting purposes. Review and approval by the Borough Engineer and Fire Marshall shall be required in order to insure that adequate fire protection is provided.

Section 812 Public Sanitary Sewers

- (a) Sanitary sewers shall be installed and connected to the Sanitary Sewer System servicing the Borough..
- (b) All public sanitary sewers shall be designed and constructed in accordance with the latest edition of a sewerage manual issued by the Pennsylvania Department of Environmental Resources, or any successor agency..
- (c) No public sanitary sewer shall be constructed until plans and specifications have been submitted to the Pennsylvania Department of Environmental Resources, or any successor agency, and the Borough and approved in accordance with existing laws.
- (d) The applicant shall pay to the Borough, or to the provider of services, the sum of \$1,300 per E.D.U. within the development, which sum shall be used to pay the lateral connection fee of \$300 per E.D.U. to the sewer service provider and the connection fee of \$1,000 per E.D.U. to the Bucks County Water and Sewer Authority, or the fee in effect at the time of the application. In lieu of making a direct payment to the Borough, the applicant may arrange payment of the connecting fees directly to the authorities involved. Such required payments shall be made to any successor service providers.

Section 813 Electric, Telephone and Communication Facilities

- (a) All electric, telephone and communication service facilities, both main and service lines, should be provided by underground cables, installed in accordance with the prevailing standards and practices of the utility and other companies providing such services.
- (b) All utilities shall be located within street right-of-ways; otherwise, easements or right-of-ways of sufficient width for installation and maintenance shall be provided.
- (c) Final plans shall show locations of all utilities and shall be coordinated with required street tree and other required planting.

Section 814 Grading

Grading shall conform in all respects to the **approved** final plan.

Section 815 Planting

- (a) Street trees and other required planting shall be in accordance with Sections 723 and 726.
- (b) Street trees and other required planting shall not be planted until the finished grading of the property has been accepted by the Borough Engineer.
- (c) Plans for proposed street tree planting or buffer zone plantings shall be reviewed and approved by the Borough Shade Tree Commission.
- (d) Street trees and other required planting shall be guaranteed for a period of eighteen (18) months from the issuance of certificates of occupancy or the acceptance of a certificate of completion by Borough Council, whichever is later, and shall be guaranteed to be alive and healthy as determined by Borough Council, after advice from the Borough Shade Tree Commission, at the end of the guarantee period. Should a disagreement arise as to whether the planting is alive and healthy, a certified arborist shall be retained by Borough Council, at the expense of the applicant, to make a final determination.
- (e) The applicant shall replace, in accordance with landscaping plans, any plantings that die or, in the opinion of Borough Council, after advice from the Borough Shade Tree Commission, are in an unhealthy or unsightly condition and/or have lost their natural shape due to dead branches, excessive pruning, inadequate or improper maintenance or any other causes due to the applicant's negligence. The applicant shall not be held responsible for acts of vandalism occurring after the commencement of the guarantee period.

- (f) Replacements shall be made during the first spring or fall planting season following the death of plants. The applicant shall pay the costs of replacements.

Section 816 Community Facilities

Where a proposed park, playground, natural area or other public facility is located in whole or in part in a subdivision or land development, the dedication or reservation of such areas or financial contribution for the construction of such facilities, shall be approved by Borough Council and subject to the provisions of Section 702 and 728.

Section 817 Special Drainage Problems - Flood Plain Area

- (a) The Borough Council may, when it deems necessary for the health, comfort, safety, or welfare of the present and future population of the area or necessary to the conservation of water, drainage and sanitary facilities, prohibit subdivision of any portion of the property which lies within protected natural resource areas delineated by the Langhorne Borough Natural Resource Protection Ordinance. The flood plain of any stream or drainage course and floodways are subject to the restrictions of this Ordinance, the Langhorne Borough Zoning Ordinance and the Langhorne Borough Natural Resource Protection Ordinance.
- (b) The areas referred to in (a) above shall be preserved from any and all destruction or damage by clearing, grading, or dumping of earth, waste material, stumps, or other material of any kind.
- (c) When there is any proposed alteration of a stream, the applicant shall show evidence that all required approvals by State agencies have been granted.
- (d) Whenever a stream or intermittent stream is located within a development or subdivision site, such stream or intermittent stream shall remain in its natural state or location. Man-made structures shall be kept to a minimum and bridges, culverts, and/or rip rap shall be constructed to maintain the natural characteristics of the stream and shall meet the approval of the Borough Engineer and the Borough Planning Commission.
- (e) The applicant must show, before the granting of permission to use any part of a flood plain area, that the proposed improvement will not adversely affect any property above or below the proposed improvement.

Section 818 Other Common Amenities

- (a) Whenever the applicant has erected antennas, satellite dishes, communication towers, mechanical system enclosures, underground storage or holding tanks, underground basins, common refuse or trash collection points, containers or enclosures, or other similar commonly used amenities, the Borough may require periodic inspections after construction and may require the establishment of a separate maintenance fund to pay for the costs of maintenance, inspections, certifications, repairs and replacements.
- (b) It shall be the continuing obligation of the responsible entity or person to notify, prior to the sale of a residence subject to these requirements, each successive homeowner of the obligation to maintain and fund the common amenities.

Section 819 Preliminary Inspection of Streets and Required Improvements

- (a) The applicant shall notify the Borough Engineer in writing of the completion of the required improvements.
- (b) The Borough Engineer shall inspect the completed required improvements, and submit in writing a report to the Borough Planning Commission and the applicant specifying those items of construction, material, and workmanship which do not comply with the Borough Specifications or the approved final plans.
- (c) The applicant, upon notification from the Borough Engineer, shall proceed, at his own cost, to make such corrections as shall be required to comply with the Borough Specifications and approved final plans; and notify the Borough Engineer and Borough Council upon completion, requesting final inspection.

Section 820 Final Inspection of Streets and Required Improvements

The Borough Engineer shall make a final inspection of all required improvements and shall submit a report to Borough Council indicating the completion of all required improvements.

Section 821 Acceptance of Streets and Public Improvements

- (a) The Borough Council shall notify the applicant of acceptance of the required improvements if satisfied that the applicant has complied with all specifications and ordinances of the Borough.
- (b) The applicant shall furnish the Borough with one (1) linen and one (1) paper print of the completed required improvements including drainage, profiles, and utilities; and pay all costs for the Clerk of the Court of Common Pleas of Bucks County on the Petition and Resolution of Borough Council to the Court for its approval of the acceptance of the required improvements.

ARTICLE IX REQUIRED CONTRACTS

Section 900 Required Improvements

- (a) No applicant shall be released from responsibility nor any certificate of completeness shall be issued until all streets shown on the approved plan have been improved to a mud-free or otherwise permanently passable condition and have been improved as required by the provisions of this Ordinance.
- (b) No applicant shall be released from responsibility nor any certificate of completeness shall be issued until all public improvements and common amenities, including all sidewalks, walkways, curbs, gutters, street lights, parking lot lights, fire hydrants, street signs, shade trees, buffer plantings, water mains, sanitary sewers, storm sewers, basins, and stormwater management systems, shown on the approved plan have been installed in accordance with the provisions of this Ordinance.
- (c) To ensure the completion of any improvements required as a condition for the final approval of the plan, including improvements or fees required by the provisions of this Ordinance, the applicant shall deposit with the Borough financial security in an amount sufficient to cover the costs of the required improvements or common amenities.
- (d) The provisions of Section 509 of the Pennsylvania Municipalities Planning Code shall apply wherever the provision of this Article do not address a situation.

Section 901 Contracts

- (a) When requested by the applicant, in order to facilitate financing, the Borough shall furnish the applicant with a signed copy of a resolution or record of decision indicating approval of the final plan contingent upon the applicant obtaining a satisfactory financial security. The record plan shall not be signed nor recorded until a financial improvements agreement or development agreement is executed. The resolution or record of decision shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days unless a written extension is granted by the Borough; such extension shall not be unreasonably withheld and shall be made in writing at the request of the applicant.
- (b) In all cases where public improvements or common amenities are required to be installed, constructed or erected as a condition of approval of the final plan, the applicant shall enter into a written Development agreement with the Borough in the manner and form approved by the Borough Solicitor, wherein the applicant shall agree, to the extent applicable:

- (1) To construct or cause to be constructed at his own expense all streets, street signs, curbs, sidewalks, street and buffer plantings, street lights, fire hydrants, water mains, sanitary sewers (including capped sewers), storm sewers, drainage and erosion control improvements, and other improvements shown on the final subdivision or land development plan; all in strict accordance with the standards and specifications of the Borough and within the time specified in said agreement.
- (2) To make adequate provisions with the Borough Engineer for the inspection of the construction of improvements to assure strict compliance with the Borough standards and specifications.
- (3) To pay all costs, charges or rates of the Utility furnishing electric service for the street lighting facilities installed by the applicant until such time as the streets shown on the subdivision and/or land development plan shall have been accepted or condemned by the Borough for public use.
- (4) To indemnify and save harmless the Borough from and against all suits, actions, and claims for electric service as aforesaid, or any part thereof, to the time that said streets shall be accepted or condemned as public streets.
- (5) To indemnify and save harmless the Borough from and against all suits, actions, and claims concerning streets, sidewalks, stormwater management and other public improvements and common amenities, or any part thereof, to the time that said improvements are accepted Borough Council.
- (6) To reimburse the Borough promptly for attorney's fees and costs to review the plans, to advise the Borough and to enforce the provisions of any development agreements.
- (7) To reimburse the Borough promptly for the fees of the Borough Engineer and other professionals employed by the Borough to review and process plans, to advise the Borough and to inspect the property.
- (8) To post contemporaneous with the execution of a development agreement, financial security to ensure compliance with the terms of the agreement in an amount of 110% of the cost of completion of the required improvements, as certified by the Borough Engineer. The financial security to be posted may be by:
 - (i) bond, with corporate surety approved by the Borough Council;
 - (ii) irrevocable letter of credit with a federally or state chartered lending institution; or,
 - (iii) restrictive or escrow accounts with FDIC insured financial institutions.

- (c) In all cases where public improvements or common amenities have been installed, constructed or erected as required by the final plan and where the public improvements or common amenities have not been installed, constructed or erected in accordance with the requirements of the final plan, the provisions of this Ordinance or the requirements of the Borough Engineer, the applicant shall enter into a written Maintenance agreement with the Borough in the manner and form approved by the Borough Solicitor, wherein the applicant shall agree, to the extent applicable:
- (1) To construct or cause to be constructed at his own expense all streets, street signs, curbs, sidewalks, street and buffer plantings, street lights, fire hydrants, water mains, sanitary sewers (including capped sewers), storm sewers, drainage and erosion control improvements, and other improvements shown on the final subdivision or land development plan which have not been yet constructed; all in strict accordance with the standards and specifications of the Borough and within the time specified in said agreement.
 - (2) To make adequate provisions with the Borough Engineer for the inspection of the construction and maintenance of the required improvements to assure strict compliance with the Borough standards and specifications.
 - (3) With the agreement of the applicant, to reimburse the Borough promptly for reasonable attorney's fees and costs to implement and enforce the provisions of the plans and the maintenance agreement.
 - (4) To reimburse the Borough promptly for engineer's fees and fees for other professionals employed by the Borough to review construction and maintenance of the improvements set forth in the final plans and to inspect the property for compliance.
 - (5) To post contemporaneous with the execution of a maintenance agreement, financial security to ensure compliance with the terms of the maintenance agreement in an amount of 110% of the cost of completion of any required improvements not yet completed and accepted by the Borough and in an amount of 15% of the cost of all accepted and completed improvements, as certified by the Borough Engineer. The financial security to be posted may be by:
 - (i) bond, with corporate surety approved by the Borough Council;
 - (ii) irrevocable letter of credit with a federally or state chartered lending institution; or,
 - (iii) restrictive or escrow accounts with FDIC insured financial institutions.

- (6) To maintain at his own cost the said streets, street signs, curbs, sidewalks, street and buffer plantings, street lights, fire hydrants, water mains, sanitary sewers (including capped sewers), storm sewers, drainage and erosion control improvements, and other improvements and amenities for the period of eighteen (18) months after completion of all required improvements and approval of a certification of completeness by Borough Council. The proposed date of completion shall be established by certificate of the Borough Engineer. The applicant and the Borough, by mutual consent, may enter into a maintenance agreement for a greater period of time. Separate accounts for financial security may be required by Borough Council for specific required improvements.
- (7) If improvements or amenities are not in a condition acceptable to the Borough, the term of the Maintenance Agreement shall automatically extend until such time that all improvements and amenities covered by the agreement have been completed to an acceptable condition by the applicant and accepted by Borough Council.

Section 902

Guaranty

- (a) Pursuant to the provisions of Section 901(b) and 901(c), no subdivision plan shall be approved unless and until arrangements for the posting for financial security have been made by the applicant and accepted by Borough Council.
- (b) The financial security to be posted may be by:
 - (1) bond, with corporate surety approved by the Borough Council;
 - (2) irrevocable letter of credit with a federally or state chartered lending institution; or,
 - (3) restrictive or escrow accounts with FDIC insured financial institutions.
- (c) The amount of financial security to be posted for the completion of the required improvements and common amenities shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the applicant. Annually, Borough Council 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 and common amenities as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, Borough Council may require the applicant to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the applicant in accordance with this Section.

- (d) The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements and common amenities, submitted by the applicant, prepared by a licensed professional engineer, and certified by such engineer to be a fair and reasonable estimate of such cost. Borough Council, upon the recommendation of the Borough Engineer, may refuse to accept such estimate for good cause shown. Separate accounts for financial security may be required by Borough Council for specific required improvements.
- (e) If the applicant and Borough Council are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by Borough Council and the applicant. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by Borough Council and the applicant.
- (f) If the applicant requires more than one year from the date of posting of the financial security to complete the required improvements and amenities, the amount of financial security may be increased by an additional 10% for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one year period by using the above procedure.
- (g) In the case where development is projected over a period of years, Borough Council may authorize submission of final plans by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development. Separate accounts for financial security may be required by Borough Council for specific required improvements or development stages.
- (h) As the work of installing the required improvements and amenities proceeds, the applicant may request Borough Council to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to Borough Council. The Borough Engineer shall review the request. The Borough Engineer shall issue a report if he recommends denial of the request and shall issue a certification to Borough Council that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification Borough Council shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer. Borough Council may, prior to final release at the time of completion and certification by the Borough Engineer, require retention of 10% of the estimated cost of the aforesaid improvements.

- (i) Where the Borough accepts dedication of all or some of the required improvements following completion, Borough Council shall require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Section with regard to installation of such improvements, and the amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.
- (j) If improvements 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 Borough, financial security to assure proper completion and maintenance thereof may be posted directly with the controlling public utility or municipal authority. At the request of the utility or authority, it may be included within the financial security required by this Section.

Section 903 Release from Improvement Guarantee

- (a) When the applicant has completed all of the necessary and appropriate improvements and amenities, the applicant shall notify Borough Council, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer. Borough Council shall direct and authorize the Borough Engineer to inspect all of the aforesaid improvements and amenities. The Borough Engineer shall, thereupon, file a report, in writing, with Borough Council, and shall promptly mail a copy of the same to the applicant. The report shall be detailed and shall indicate approval or rejection of said improvements and amenities, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Borough Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.
- (b) Borough Council, through the Borough Engineer, shall notify the applicant of the action of the Borough Engineer by send the applicant a copy of the report.
- (c) If any portion of the improvements and amenities shall not be approved or shall be rejected by Borough Council, the applicant shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- (d) The applicant shall reimburse the Borough for the fees and expenses incurred for the inspection of improvements and amenities.

Section 904. Remedies to Effect Completion of Improvements.

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

Section 1002 Appeals to Courts

- (a) Appeals shall be made pursuant to the terms of Article X-A of the Pennsylvania Municipalities Code.
- (b) All appeals from decisions rendered by Borough Council under this Ordinance shall be taken to the Bucks County Court of Common Pleas and shall be filed within 30 days after entry of the decision as provided in 42 Pa.C.S. § 5572 (relating to time of entry of order) or, in the case of a deemed decision, within 30 days after the date upon which notice of said deemed decision is given as set forth in Section 107(c)(4).
- (c) Upon receipt of a notice of filing of an appeal, the Borough, within 20 days after receipt thereof, shall certify to the court its entire record in the matter in which the appeal has been taken, or a true and complete copy thereof, including any transcript of testimony in existence and available to the Borough at the time it received the notice.
- (d) If the appellant is a person other than the landowner of the land directly involved in the decision or action appealed from, the appellant, within seven days after the land use appeal is filed, shall serve a true copy of the land use appeal notice by mailing said notice to the landowner or his attorney at his last known address. For identification of such landowner, the appellant may rely upon the record of the Borough.
- (e) The filing of an appeal in court under this Section shall not stay the action appealed from, but the appellants may petition the court having jurisdiction of land use appeals for a stay.
- (f) Within the 30 days first following the filing of a land use appeal, if the appeal is from a board or agency of the Borough, the Borough and any owner or tenant of property directly involved in the action appealed from may intervene as of course by filing a notice of intervention, accompanied by proof of service of the same, upon each appellant or each appellant's counsel of record. All other intervention shall be governed by the Pennsylvania Rules of Civil Procedure.

Section 1003 Repeals

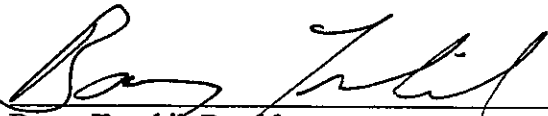
The Langhorne Borough Subdivision and Land Development Ordinance of 1982 is hereby repealed. No provisions or requirements contained in the Langhorne Borough Zoning Ordinance, the Langhorne Borough Stormwater Management Ordinance, the Langhorne Borough Historical Architectural Review Board Ordinance, and the Langhorne Borough Natural Resource Protection Ordinance are repealed and they shall remain valid and applicable, regardless of any apparent or alleged inconsistency.

Section 1004 Effective Date

This Ordinance shall become effective immediately after final approval and adoption by Borough Council.

Section 1005 Enactment

Enacted and ordained this 13th day of September, 2000. .



Barry Truchil, President
Langhorne Borough Council

ATTEST:



Rosemarie Curran, Secretary
Langhorne Borough Council

Approved by the Langhorne Borough Planning Commission



Florence Wharton, Chair
Langhorne Borough Planning Commission

Approved by the Mayor of Langhorne Borough



Chris Blaydon

APPENDIX A

**LANGHORNE BOROUGH
APPLICATION FORM FOR
SUBDIVISION, LAND USE OR LAND DEVELOPMENT**

FOR OFFICE USE ONLY
FILE NUMBER _____

New Submission _____ Resubmission _____
Date of Application _____ (to be filled in by Borough Manager)

Name of Development _____
Location _____

___ Sketch Plan Review
___ Preliminary Plan Original _____ Revised _____
___ Final Plan Original _____ Revised _____
___ Minor Subdivision Original _____ Revised _____
___ Resubdivision
___ Other _____

Land Owner's Name _____
Telephone # _____
Address _____

Applicant's Name _____
Telephone # _____
Address _____

Plan Preparer's Name _____
Telephone # _____
Address _____

PLOT DATA:
Existing Zoning _____ Total Acreage _____ Number of Lots _____
Minimum Lot Area _____ Tax Map Number(s) _____
Historic District or Structure _____ Flood Area _____

Previous subdivision or construction on this tract within the past 5 years : _____

Submit all Plans to the Langhorne Borough Manager

APPLICATION FORM (Page 2)

Relevant zoning variances/ special exception approvals on this tract (and dates): _____

Plot improvements:

Lineal Feet of New Streets _____
Water Supply - _____
Sewage System - _____
Storm Sewer Connections - _____

Entry into a State Road - _____
Sidewalks - _____
Stormwater Basins - _____
Street Lights - _____

APPLICATION FEES \$ _____
(Make Check Payable to Langhorne Borough)

Escrow Deposits \$ _____
Total Check \$ _____

I agree that by signing this application form, on behalf of myself and the property owner if it differs, I grant permission for the Langhorne Borough Council, the Planning Commission, the Borough Manager, the Zoning Officer, the Building Inspector and all of their agents, delegates, officials or consultants to periodically enter the property during daylight hours for the purpose of evaluating the existing conditions of the property with respect to the application, the plans, proposed revisions to the plans and revised plans. I agree that this permission may not be withdrawn, modified or made conditional during the application and approval process.

Applicant's Signature _____

(Lower Half of Page For Borough Use Only)

APPLICATION accepted as complete by **Borough Manager** on : _____
Sent to the **Borough Engineer** on _____
Reports received on: _____

Sent to **Bucks County Planning Commission** on _____ Report rec'd: _____
Action by **Borough Planning Commission** Review Dates: _____
Action Taken: _____
Decision Sent to Applicant on: _____

Action by **Borough Council** Review Dates: _____
Action Taken: _____
Decision Sent to Applicant on: _____

APPENDIX B

**PLAN PREPARER'S STATEMENT; OWNER'S STATEMENT;
APPROVAL/REVIEW BLOCK FORMS**

B.1. SURVEYOR'S/ENGINEER'S STATEMENT.

I, _____, a registered surveyor and/or engineer in the Commonwealth of Pennsylvania, do hereby certify that the Plan, prepared from field survey, correctly represents the proposed lots as surveyed by me for the applicant and that all of the requirements of the Subdivision and Land Development Ordinance of Langhorne Borough have been fully complied with.

Registered Surveyors' and/or Engineers' Signature

B.2 OWNER'S STATEMENT.

We, the owners of this property being duly sworn according to law, depose and say we are the sole owners of this property in peaceful possession of it and that there are no suits pending affecting the title of same, hereby dedicate to Langhorne Borough for public use all the road rights-of-way, utility easements and rights-of-way of public improvements such as sewer lines and storm drainage facilities as shown on this Subdivision, Land Use and/or Land Development Plan. We grant permission for the applicant, if it differs, to file the application and plans. We do further depose and say that we have complied with all requirements and provisions of the Langhorne Borough Subdivision and Land Development Ordinance and shall save the Borough harmless and indemnify the Borough of Langhorne against any liability or loss resulting from the subdivision, land use or land development of this plan for whatever reason present or future.

Owner's signature

Owner's signature

Sworn and subscribed before me, a notary public, this _____ day of _____, 200__.

SEAL

Notary Public

My commission expires: _____

B.3. APPROVAL/REVIEW BLOCK.

REVIEWED BY THE BOROUGH ENGINEER

Borough Engineer

Date

REVIEWED BY THE BUCKS COUNTY PLANNING COMMISSION

BCPC Staff Person Responsible for Review

Date

APPROVED BY THE LANGHORNE BOROUGH PLANNING COMMISSION

Chairman

Secretary

Date

APPROVED BY THE LANGHORNE BOROUGH COUNCIL

President, Langhorne Borough Council

ATTEST:

Borough Secretary

APPENDIX C

DRAINAGE COVENANT, OFFER OF DEDICATION AND CURB AND SIDEWALK NOTATION

C.1 STANDARD DRAINAGE COVENANTS AGREEMENT.

The Owner(s) for themselves, their heirs, executors, administrators, and successors and assigns do hereby covenant to bind themselves, their heirs, executors, administrators, successors, and assigns and the lands described in the plan entitled _____ to faithfully perform all of the following requirements:

1. The Owner(s) shall be responsible for stabilization and reconstruction (to approved design grades and specifications) of all drainage swales and detention basins within an owner's lot, which because of construction activities, grading, or stripping of vegetation on the owner's lot has caused damage to said public improvements.
2. All drainage and detention basin easements shown on this plan shall be maintained in a grassed or otherwise improved condition, in accordance with the grades and designs shown on the approved development plans for this project. All these easements shall be kept free of all obstructions, including but not limited to, such obstructions as fill, temporary or permanent structures, and plants (other than grass). Fences may be constructed within these easements, within the requirements of other Borough Ordinances, provided that the fence is of a type and location that will not impede the flow of stormwater, and provided that the owner(s) shall be bound to remove such fence at the owner(s) expense and without compensation to the owner(s) if determined by the Borough to be necessary to allow work within the easement. The maintenance of all such easements shall be the responsibility of the current lot owner(s) at any point in time, including future owner(s).
3. Whenever sedimentation is caused by stripping vegetation, grading or other earth moving activities, it shall be the responsibility of the Owner(s) to remove the sedimentation from all adjoining surfaces, drainage systems and watercourses, and to repair any damage at the Owner(s)'s expense.

4. The Owner(s) shall make provision for and be personally responsible for strict compliance with all of the aforesaid covenants, and any other agreement contained in any and all agreements with the Borough. Upon failure by the Owner(s) to comply within the time period specified by oral or written notice, or in the event the Borough, in its sole and absolute discretion determines the work to be on an emergency nature, the Borough may perform such work as may be necessary in its sole and absolute discretion to bring the Owner(s) into compliance at the Owner(s)' expense and the Owner(s) shall be charged for said expense, plus a 20% surcharge for the Borough's administrative expenses, plus any costs expended by the Borough if a municipal lien or suit in law or equity is filed, which expense the Owner(s) hereby agree to assume and pay.

C.2 OFFER OF DEDICATION

The undersigned owner(s) offer to dedicate to Langhorne Borough for public use the following: the street rights-of-way for the following streets: _____; _____; utility easements shown on the approved plans; and all public improvements to be constructed within their limits and within any proposed public open spaces.

Signature of Owner

Signature of Owner

Date

C.3 ACCEPTANCE OF DEDICATION PLAN NOTATION

The Langhorne Borough Council hereby accepts the street right-of-way and the extensions of public improvements indicated hereon for public use.

President, Langhorne Borough Council

ATTEST:

Borough Secretary

APPENDIX D

DETAILED SPECIFICATION ON ROAD CONSTRUCTION, CURB, CURB GUTTERS, STABILIZED SHOULDER, SIDEWALKS AND PATHS

1. **Applicability:** By resolution of Borough Council, the following specifications become valid and shall remain valid, unless modified by subsequent resolution of Borough Council.
2. **Inspection:** All work under these specifications must be carefully scheduled with the Borough Engineer and complete compliance with the appropriate specification at all steps of the operation are necessary for ultimate acceptance by the Borough.
3. **Materials:** No materials or equipment shall be used on any public improvement project under these specifications until specifically approved by the Borough Engineer.
 - (a) All rejected material or equipment shall be immediately removed from the site at the contractor's expense.
 - (b) If it is necessary to conduct material tests or to submit the equipment or materials to experts for analysis or approval, the cost of such tests shall be borne by the contractor.
4. **Road, Curb, Curb Gutter, Stabilized Shoulder, Sidewalk and Path Construction Specifications:** All materials entering into the construction of the streets and the methods of construction and drainage shall be in accordance with the applicable requirements of the latest edition of the Pennsylvania Department of Transportation Specifications, Form # 408. Cross sections shall be as shown on the attached drawing.
 - (a) **Grading:** Roadways shall be graded for the full width of the right-of-way. Beyond the limits of this grading, banks shall be sloped to prevent erosion but this slope shall not be steeper than two (2) horizontal to one (1) vertical with tops of slope in cuts rounded. Such slopes shall be suitably planted or sodded with perennial grasses or other vegetation to prevent gullying and erosion.
 - (b) **Subgrade:**
 - (i) The area within the limits of the proposed road surface shall be shaped to conform to the line, grade and cross-section of the proposed final centerline.
 - (ii) All unsuitable subgrade materials shall be removed or stabilized to the satisfaction of the Borough Engineer.
 - (iii) Wet or swampy areas shall be drained and stabilized.

(iv) Fills shall be made with suitable materials and thoroughly compacted for full width in uniform layers of not more than eight inches (8") thick. There shall be no topsoil used in fill areas.

(v) The subgrade shall be finally compacted by rolling with a three-wheel ten (10) ton roller or a sheep's-foot or rubber tired vehicle as approved by the Borough Engineer.

(vi) Backfill of trenches within the cartway and curb areas shall be mechanically tamped in uniform layers of not more than eight inches (8"), thoroughly compacted, 95 percent dry volume, prior to the application of the base course.

(c) Base course:

(i) Prior to the placing of coarse aggregate, a four inch (4") sub-base shall be spread over the entire subgrade.

(ii) No material shall be placed on a wet or frozen subgrade.

(iii) Base course shall be stone, crushed aggregate base course thoroughly compacted to a depth of not less than that specified in the attached drawing.

(iv) Coarse aggregate shall be spread uniformly on the prepared bed and thoroughly compacted with a three-wheel ten (10) ton roller. Rolling shall continue until the material does not creep or wave ahead of the roller wheels. Coarse Aggregate shall be choked with fines and compacted in accordance with the latest issue of the Pennsylvania Department of Transportation's specifications and standards.

(d) Bituminous Surface:

(i) Bituminous material ID - 2 - A, hot mix, with a two inch (2") binder course and a one inch (1-1/2") wearing course shall be used.

(ii) The completed road surface shall have a uniform slope of one-quarter inch per foot (1/4" per ft.) from edge to centerline, except that on super elevated curves, this slope shall not be less than one-quarter inch per foot (1/4" per ft.) and shall extend up from the inside edge to the outside edge of the paving.

(e) Alternate Street Construction: As an alternate to (c)(iii) and (d)(i) above, the roadway may be constructed of a bituminous concrete base course and wearing course as per the attached drawing.

(f) Placement of Wearing Surface: No wearing surface shall be placed on any street ultimately to be dedicated to the Borough until at least fifty (50) percent of the dwelling units are completed along the street to be dedicated.

(g) Curb, Curb Gutter Construction:

(i) Curb or curb gutters shall be provided along all streets or roads and at the intersections thereof. The ground shall be graded to a slope toward the curb of one-quarter inch to the foot (1/4" per 1') to the right-of-way line and either seeded or sodded as approved by the Borough Engineer.

(ii) Curb, curb gutter shapes and sizes shall be approved by the Borough Engineer. Details of proposed curbs shall be included in a subdivision plan including physical dimensions and a concrete specification. All gutters shall be made of Class A concrete in accordance with the latest edition of the requirements of the Pennsylvania Department of Transportation Specifications, Form 408.

(h) Stabilized Shoulder: Where shoulders are to be provided, their construction shall conform to the latest edition of the requirements of PennDOT Form 408, Stabilized Shoulders. The width and slope shall conform to the then current standards and design criteria of Pennsylvania Department of Transportation for the appropriate class of road.

(i) Sidewalk and Path Construction Specifications:

(i) Where required, sidewalks shall be constructed of 3,500 p.s.i. concrete with a minimum width of four feet (4') and a thickness of four inches (4") on a compacted bed of slag or crushed stone four inches (4") in depth, except at driveway crossings when the sidewalk and base shall be increased to depths specified on the attached drawing.

(ii) Where paths are to be provided, they shall have a minimum right-of-way cleared of growth for six feet (6'), free from large rocks, roots, and debris, and be reasonably compact. A layer of tanbark, fine gravel or other permanent material shall be provided to permit continuous use in all weather.

(iii) With the prior approval of Borough Council, patterned concrete, brick liners and brick sidewalks may be installed in accordance with the requirements and specifications provided by the Borough Engineer.

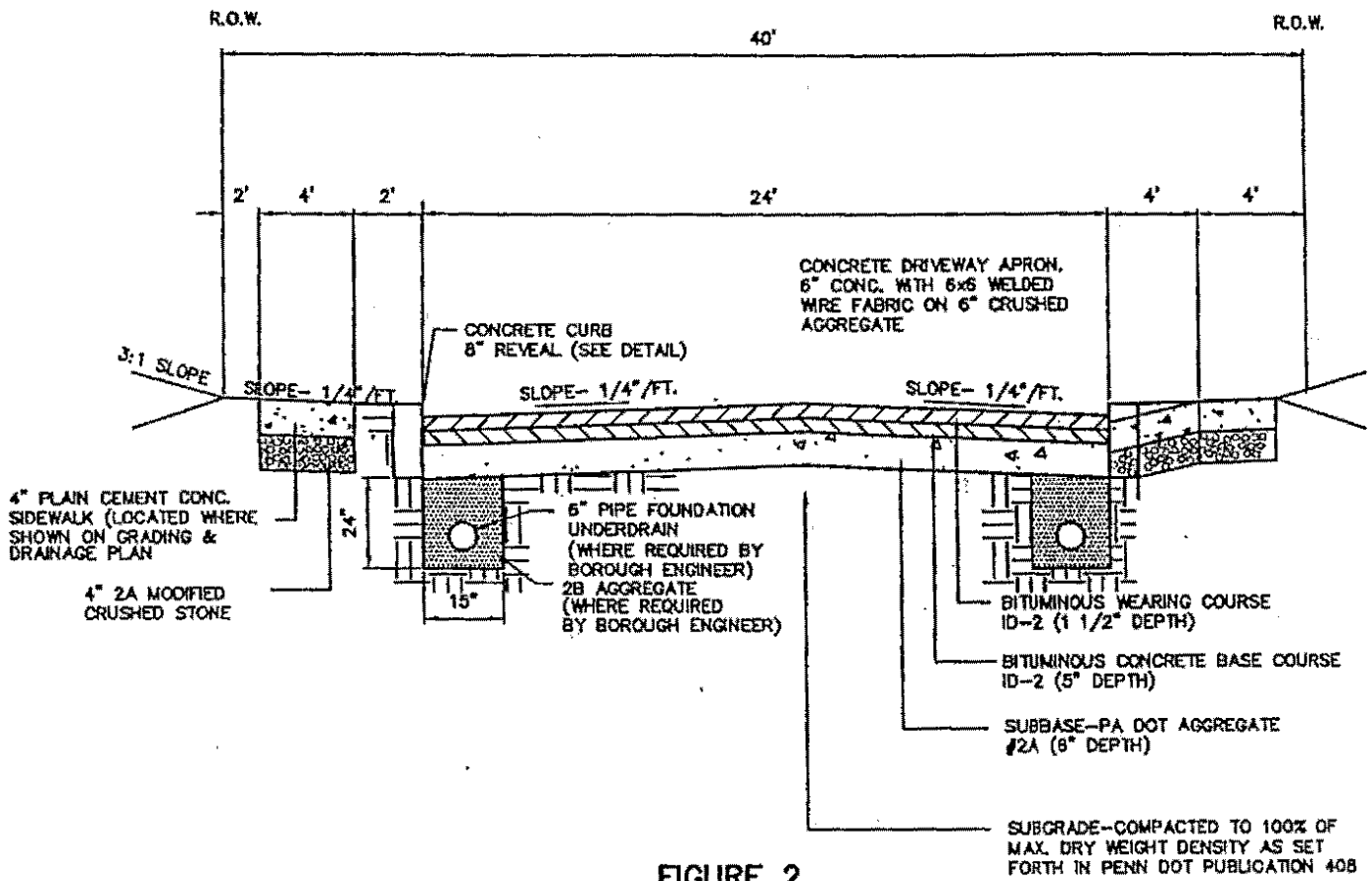


FIGURE 2
TYPICAL ROADWAY SECTION

NOT TO SCALE

SECONDARY STREET

LANGHORNE BOROUGH, BUCKS COUNTY, PENNSYLVANIA

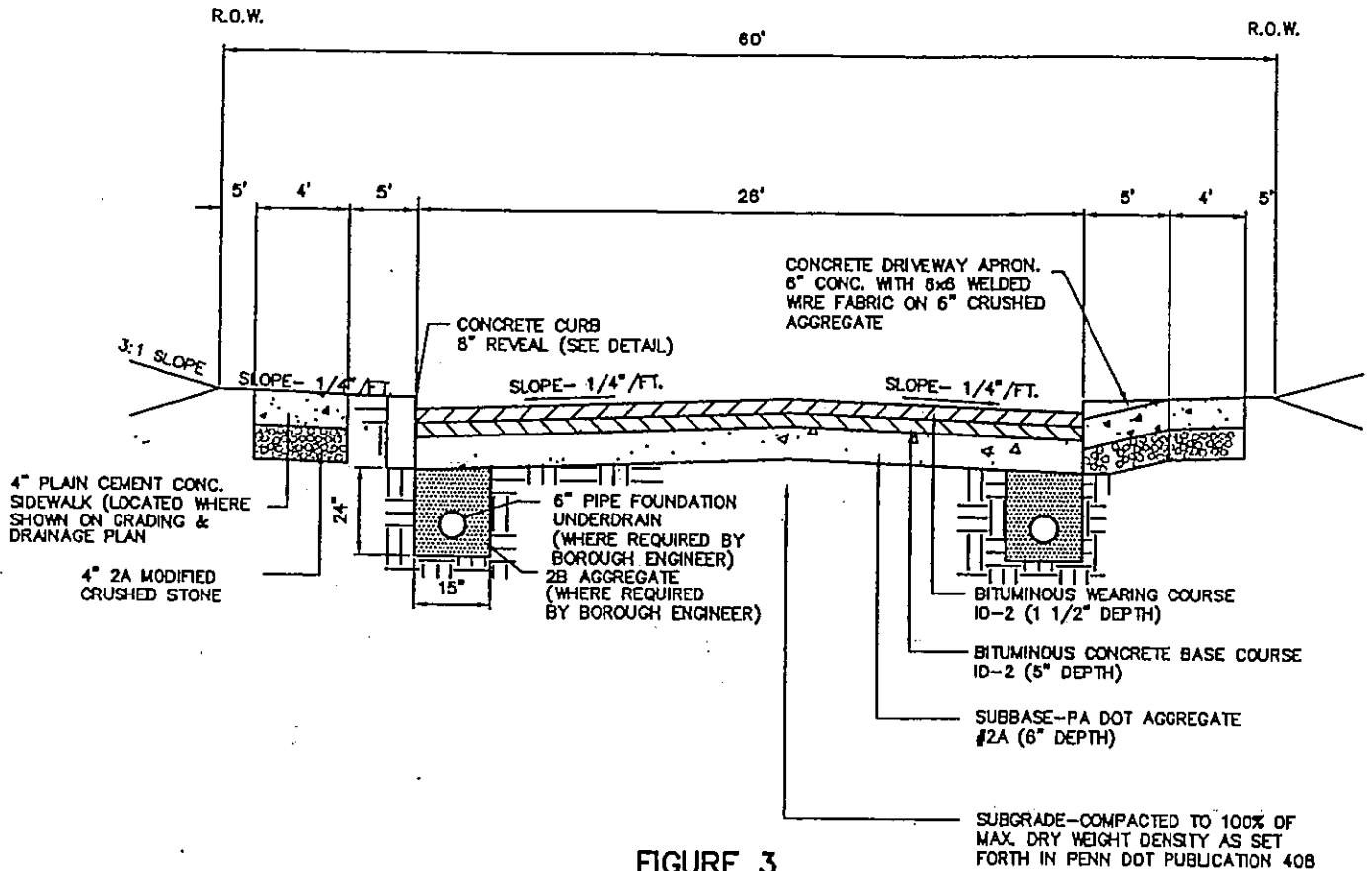
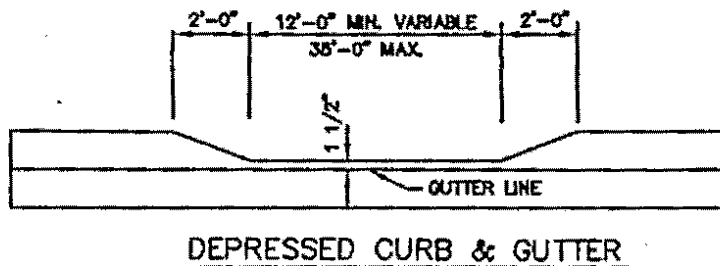
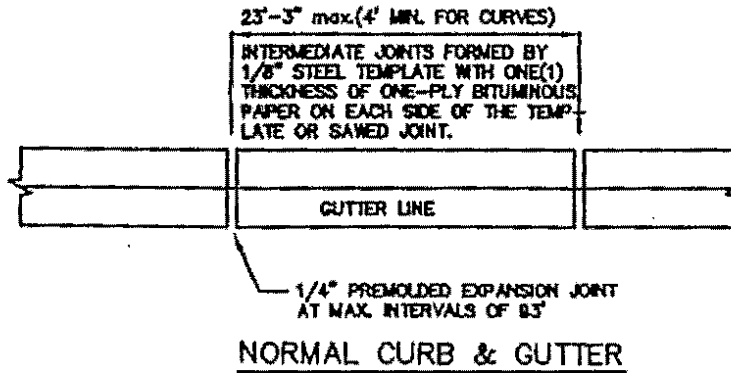


FIGURE 3
TYPICAL ROADWAY SECTION

NOT TO SCALE
 PRIMARY STREET

LANGHORNE BOROUGH, BUCKS COUNTY, PENNSYLVANIA



NOTE: CURB PLACED ON CURVES HAVING A RADIUS OF LESS THAN 50' MAY BE CONSTRUCTED WITH A VERTICAL FACE, WARPED AS NECESSARY TO OBTAIN THE 1" BATTER (REQUIRED ON TANGENT ALIGNMENT) AT THE P.C. & P.T. OF THE CURVE. VERTICAL FACE CURB SHALL HAVE A UNIFORM WIDTH OF 8".

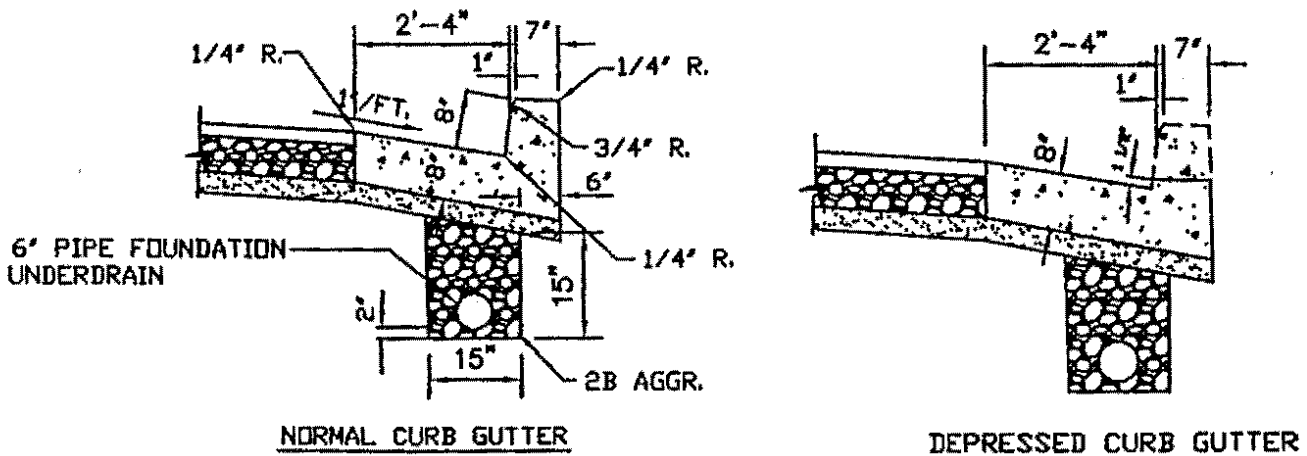


FIGURE 6
TYPICAL CURB GUTTER DETAILS

LANGHORNE BOROUGH, BUCKS COUNTY, PENNSYLVANIA

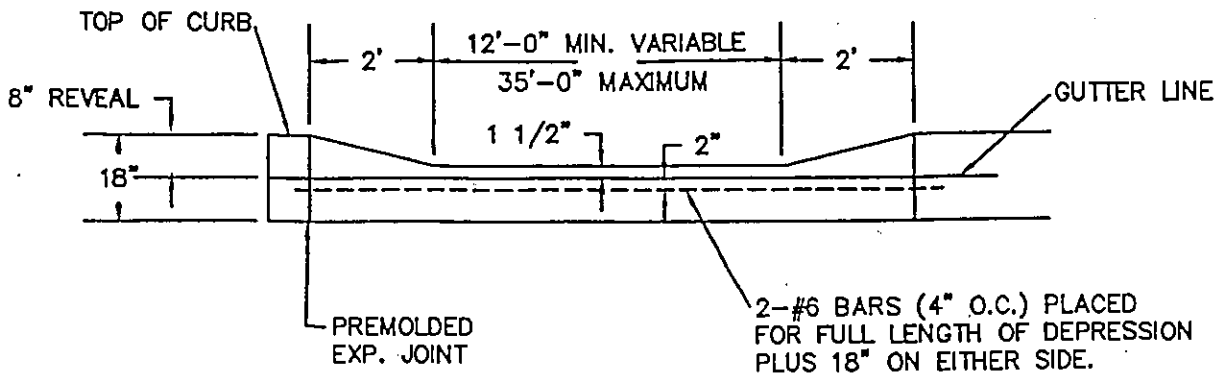


FIGURE 7
CURB DEPRESSION AT DRIVEWAY

NOT TO SCALE

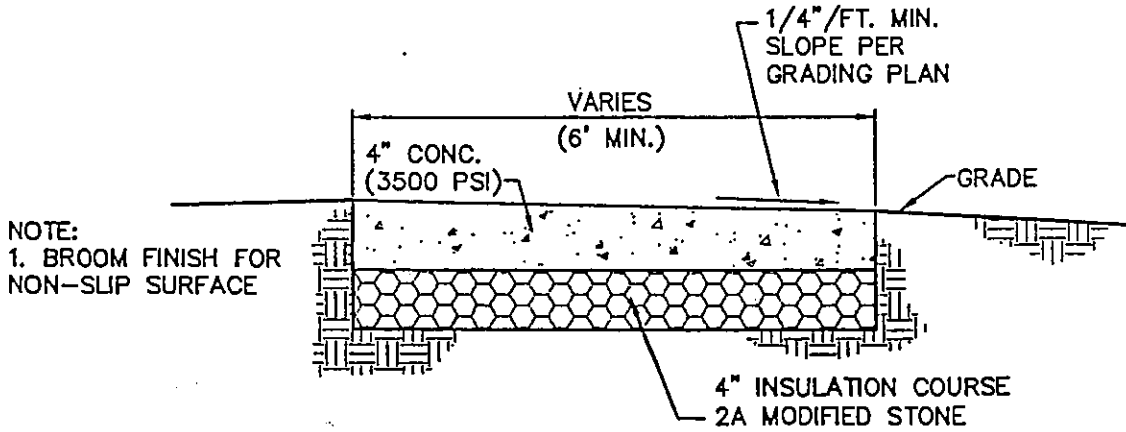


FIGURE 8
SIDEWALK DETAIL

NOT TO SCALE

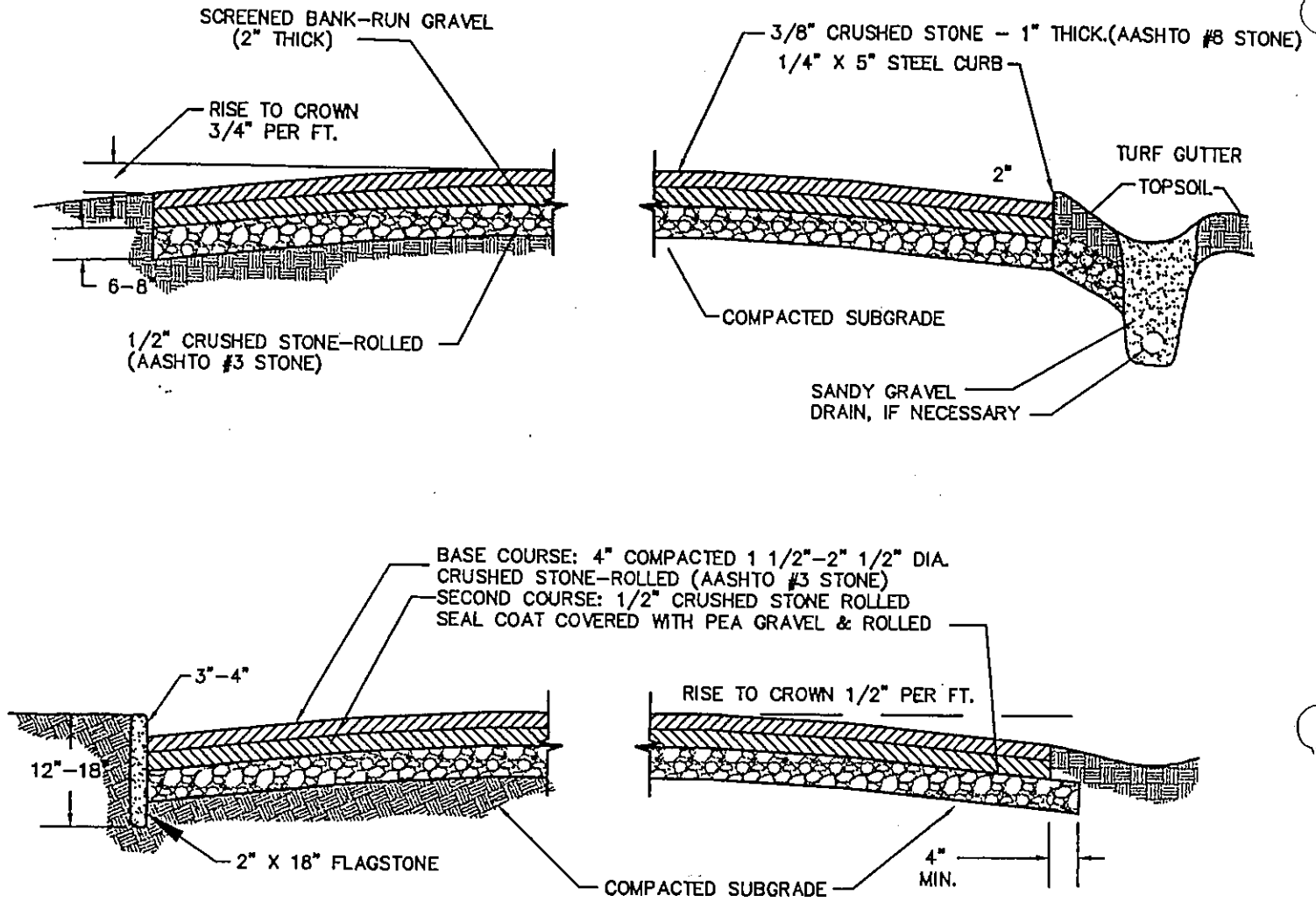


FIGURE 9
RESIDENTIAL DRIVEWAY CONSTRUCTION DETAILS

BOROUGH OF LANGHORNE, BUCKS COUNTY, PENNSYLVANIA



