Subdivision and Land Development Ordinance

Donegal Township
Butler County, Pennsylvania

Subdivision and Land Development Ordinance
Donegal Township, Butler County, Pennsylvania

TABLE OF CONTENTS

ARTICLE I PURPOSE AND SCOPE 1
Section 101 Short Title 1
Section 102 Purpose of Ordinance 1
Section 103 Authority 2
Section 104 Jurisdiction of Ordinance 2
Section 105 Application and Scope of Regulations 2
Section 106 Types of Subdivisions and Land Developments 4
ARTICLE II DEFINITIONS OF WORDS AND PHRASES 5
Section 201 General Interpretations 5
Section 202 Meanings of Words and Phrases 5
ARTICLE III ADMINISTRATION 19
Section 301 Responsibility and Liability 19
Section 302 General Administration 19
Section 303 Interpretation of Ordinance 19
Section 304 Conflict 19
Section 305 Modifications and Waivers to Ordinance 20
Section 306 Amendments to Ordinance 21
Section 307 Recordkeeping 21
Section 308 Validity of Ordinance 21
Section 309 Fee to Accompany Application for Review and Approval of Plans 21
Section 310 Enforcement 22
Section 311 Mediation Option 22
ARTICLE IV PROCEDURE FOR SUBDIVISIONS AND LAND DEVELOPMENTS 23
Section 401 Types of Subdivisions and Land Developments 23
Section 402 Pre-Application Conference 24
Section 403 Subdivision and Land Development Review Procedures 24
Section 404 Subdivision and Land Development Decision 25
Section 405 Final Plan Requirements 26
Section 406 Signatures and Recording 26
ARTICLE V PLAN REQUIREMENTS 28
Section 501 Minor Subdivision Final Plans – Required Content and Information 28
Section 502 Preliminary Plans – Required Content and Information 31
Section 503 Final Plans – Required Content and Information 35

ARTICLE VI DESIGN STANDARDS 39
Section 601 Application of Standards 39
Section 602 General Requirements 39
Section 603 Lot Requirements 40
Section 604 Lot Area and Yard Requirements 41
Section 605 Street Requirements 45
Section 606 Private Lanes 46
Section 607 Street Design Specifications 48
Section 608 Sidewalks 53
Section 609 Reserved Areas 53
Section 610 Street Names and Numbering 53
Section 611 Stormwater Management 54
Section 612 Erosion and Sedimentation Control 54
Section 613 Sanitary Sewers 54
Section 614 Non-Building Lots 55
Section 615 Water Supply 56
Section 616 Other Utilities 57
Section 617 As-Built Drawings 57
Section 618 Monuments 57
Section 619 Land Development Requirements 58
Section 620 Land Development Design Standards 59
ARTICLE VII MOBILE HOME AND RECREATIONAL VEHICLE PARKS 69
Section 701 Applicability 69
Section 702 Application, Review, and Approval Procedure 69
Section 703 Design Requirements for Mobile Home Parks 69
Section 704 Design Requirements for Recreational Vehicle Parks 71
Section 705 Sanitary Sewers 73
Section 706 Water Supply 74
Section 707 Stormwater Management 74
ARTICLE VIII INSTALLATION OF IMPROVEMENTS 75
Section 801 Performance Requirements 75
Section 802 Performance Guarantee 75
Section 803 Status of Improvements With Recording and Dedication 76
ARTICLE IX CERTIFICATES, ACKNOWLEDGEMENTS, AND APPROVALS 78
ARTICLE X ENACTMENT 82
Section 1001 Effective Date 82
Section 1002 Repealer 82
Section 1003 Enactment 82

ARTICLE I

PURPOSE AND SCOPE

Section 101 Short Title

This Ordinance shall be known as the "Donegal Township Subdivision and Land Development Ordinance."

Section 102 Purpose of Ordinance

This Ordinance has been enacted for the following purposes:

102.1 To assist the public in the harmonious, orderly, efficient and integrated development within Donegal Township, Butler County;

102.2 To assure that proposed development sites are suitable for building purposes and human habitation;

102.3 To secure equitable handling of all subdivision plans by providing uniform procedures and standards;

102.4 To implement the Donegal Township Comprehensive Plan and support the objectives of the Butler County Hazard Mitigation Plan;

102.5 To support Donegal Township's and Butler County's efforts to promote economic prosperity and economic opportunities for citizens throughout the county;

102.6 To promote development consistent with the character of Donegal Township;

102.7 To minimize impacts of development on the Township's physical and social environments and on adjoining landowners and the community;

102.8 To ensure that streets in and bordering a subdivision, land development or mobile home park shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and to facilitate fire protection;

102.9 To ensure that easements or right of ways shall provide adequate drainage and utilities;

102.10 To ensure that reservations, if any, by the developer of any area designed for use as public grounds shall be of suitable size and location for their designed uses;

102.11 To ensure that land which is subject to natural and/or man-made hazards either shall be made safe for the purpose for which such land is proposed to be used, or that such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace; and

102.12 To promote the preservation of Donegal Township's natural and historic resources and prime agricultural land.

Section 103 Authority

The Donegal Township Subdivision and Land Development Ordinance is enacted and administered under authority of the Pennsylvania Municipalities Planning Code (hereinafter referred to as "MPC"), Act 247 of 1968, as re-enacted and amended.

Section 104 Application and Scope of Regulations

104.1 Within Donegal Township, no subdivision or land development of any lot, tract or parcel of land shall be made, no mobile home park shall be initiated or altered, no street, sanitary sewer, storm sewer, water main or other improvements in connection herewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Subdivision and Land Development Ordinance

104.2 Within Donegal Township, no lot in a subdivision may be sold or leased, no permit to erect or move any building upon land in a subdivision or land development plan may be issued, and no building, permanent or temporary, may be erected in a subdivision or land development plan unless and until a subdivision or land development plan has been approved in accordance with the requirements of this Ordinance and recorded in the office of the Butler County Recorder of Deeds, and until the improvements required by this Ordinance, in any part of the approved plan, have either been constructed or guaranteed by a form of surety meeting the requirements of this Ordinance.

104.3 This Ordinance shall not apply to any lot or lots, subdivision or land development plan created and lawfully recorded prior to enactment of this Ordinance. However, the development of individual lots shall be in accordance with the provisions of this Ordinance. Any lot, subdivision or development plan illegally recorded or not legally recorded prior to

enactment shall not be given legal status by enactment of this Ordinance.

104.4 Any redivision or combining of lots or adjustment of lot lines within a plan previously approved and/or recorded, or any rearrangement of structures, parking areas, access points, graded land surfaces or other elements within a development plan, shall be subject to the provisions of this Ordinance.

Section 105 Types of Subdivisions and Land Developments

The Donegal Township Subdivision and Land Development Ordinance regulates the types of subdivisions and land developments specified in the following table.

TABLE – TYPES OF SUBDIVISIONS AND LAND DEVELOPMENTS			
Type	**Description**	**Submission**	**Decision by**
Minor Subdivision	A subdivision as defined by this Ordinance which includes creation of any number of lots or other divisions of land, or which includes lot line revisions, and which does not involve installation of public improvements regulated by this Ordinance.	Minor subdivision final plan	Board of Supervisors
Major Subdivision	A subdivision as defined by this Ordinance which involves installation of public improvements regulated by this Ordinance.	Preliminary and final plans	Board of Supervisors
Land Development no public improvements	A land development as defined by this Ordinance which does not involve installation of public improvements regulated by this Ordinance.	Final plan	Board of Supervisors
Land Development with public improvements	A land development as defined by this Ordinance which involves installation of public improvements regulated by this Ordinance.	Preliminary and final plans	Board of Supervisors
Mobile Home Park	A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.	Preliminary and final plans	Board of Supervisors
Recreational Vehicle Park	A plot of land upon which four (4) or more recreational vehicle sites are located, established, or maintained for occupancy by the general public for recreational vehicles as temporary living quarters for recreation or vacation purposes.	Preliminary and final plans	Board of Supervisors
Note: The Board of Supervisorsshall review and render decisions on all requests for modifications or waivers for subdivisions or land developments.			

ARTICLE II

DEFINITIONS OF WORDS AND PHRASES

Section 201 General Interpretations

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

- Words in the singular include the plural.
- Words in the plural include the singular.
- Words in the past tense include the present and future.
- Words in the future tense include the present.
- Words in the present tense include the future.
- The words "shall" and "will" are mandatory.
- The word "person" includes a corporation, trust, company, unincorporated association and a partnership as well as an individual or any legal entity.
- Definitions followed by "(MPC)" are taken from the PA Municipalities Planning Code as in effect at the time of enactment of this Ordinance, and shall remain consistent with any amendments to such definitions in said act hereafter enacted.
- Words generally found in legal terminology and not otherwise defined in Section 202 shall have the same meaning in this Ordinance as in a standard dictionary.

Section 202 Meanings of Words and Phrases

Access Driveway: A driveway, turnout or other means of providing for the movement of vehicles to or from the public roadway.

Accessory Building or Structure: A building or structure located on the same lot as the principal building and utilized for purposes subordinate to and incidental to the principal building's use.

Aerial Easement: An air rights easement that protects an airport operator's use of air lanes over real property.

Agricultural Land Preservation Program of Butler County: Farmland easement purchase program developed under 7 Pa. Code Chapter 138e.

Agricultural Operation: An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry. (MPC)

Alignment, Horizontal: The combination of bearings and distances, radii and arcs in the plan which describe the passage of a right-of-way across the land.

Alignment, Vertical: The combination of grades, distances, and vertical curves in profile which describe the passage of a right-of-way over the topography.

Alley: A passage of way open to public travel which affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.

Applicant: A landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns. (MPC)

Application for Development: Every application, whether preliminary, tentative, or final, required to be filed and approved prior to the start of construction or development, including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan. (MPC)

Approval, Final: Acknowledgment by the Donegal Township Board of Supervisors that a final plan, including associated required submissions, for a subdivision or land development has been reviewed and approved and is ready for recording.

Arc: A curved line that is centered from a point and has a definite length terminating each end in a tangent or another arc.

Architect: A professional architect as registered with the Commonwealth of Pennsylvania.

Area, Lot: The area of a lot measured on a horizontal plane bounded by the front, sides and rear lines of the lot.

Base Course: The road building materials precisely laid down on the prepared subgrade of a roadway to support the pavement of the road.

Bearing: The direction that a line points relative to a referenced North.

Benchmark: An elevation reference point.

Berm: The graded strip along each side of a street pavement when curbs are not present, designed to direct stormwater from the pavement to a gutter, and to provide a stable location for disabled or parked vehicles off the pavement.

Binder Course: In asphaltic concrete paving, an intermediate course between the base course and the surface material consisting of intermediate sized aggregate bound by bituminous material.

Block: A parcel of land, generally containing a number of lots, bounded by streets, railroad right of way, water ways, parks, un-subdivided acreage or a combination thereof.

Buffer: An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of shrubs, trees, fences and/or embankment, designed to limit continuously the view of and/or sound from the site to adjacent sites or properties.

Building: A structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property. When separated by "party walls," each portion of such structure shall be considered a separate building.

Building Setback Line or Building Line: A line located at a set distance from the front property line of the lot and interpreted as being the nearest point that a building may be constructed to the front property line (see yard, front). The building line shall limit the location of porches, patios, and similar construction, steps excepted, to the face of the line. Said line is a specified distance from, and generally parallel to, the street right of way or abutting lot lines.

Cartway: The improved surface of a street or alley designed for vehicular traffic use. This does not include curbs, shoulders or surface outside the gutter line.

Common Area: That area in a subdivision or land development including common open space, owned and leased and maintained by an association or other combination of persons for the benefit of all residents of the subdivision or land development and, if owned under the Pennsylvania Unit Property Act, including all common elements designated for the use of all dwelling unit owners.

Common Open Space: 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 all residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities. (MPC)

Comprehensive Plan: A plan and amendments thereto, including maps, charts, and/or descriptive matter officially adopted by a municipality, including a county, indicating recommendations for the continuing development of the municipality and including elements required in Article III of the Pennsylvania Municipalities Planning Code.

Condominium: A building or group of buildings in which dwelling units, offices, or floor areas are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional undivided basis or by a separate managing entity.

Construction: The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building, structure, or facilities, including the placement of a mobile home.

Contour: An imaginary line connecting all points with the same elevation above or below a fixed base point whose elevation is known.

Township Engineer: A professional engineer as registered in the Commonwealth of Pennsylvania either employed by Donegal Townshipor engaged by contract with Donegal Township to perform functions specified by this Ordinance.

Covenant: A formal agreement of legal validity.

Cross-Section: A drawing showing a cut-through view a road or utility at right angles to its length revealing materials and dimensions of components of construction.

Crosswalk: A pedestrian right-of-way extending through a block between streets on opposite sides of the block or connecting across a block or blocks.

Cul-de-Sac: A circular or bulb-shaped turnaround at the terminal end of a dead-end street.

Cul-de-Sac Street: A street open to traffic at one end and terminating at the other in a cul-de-sac turnaround.

Culvert: Any structure not classified as a bridge, which provides an opening under the roadway.

Curb: Concrete, bituminous concrete, or other improved boundary material usually marking the edge of a roadway, parking lot, or other paved area.

Curve: A rounded change of direction of an alignment that can be described by radii and arc distances. A sag curve includes the lowest elevation in a curve in vertical alignment while a crest curve includes the highest elevation. A compound curve is two (2) or more abutting curves without a tangent between them.

Cut: An excavation. The difference between a point on the existing original surface of the land and a designated point of lower elevation on the final proposed grade. Also, the material removed in excavation.

Dedication: The designation of property, formerly privately owned, for public purpose, such designation stipulated in writing, recorded by the private owner and accepted by the local elected officials.

Department of Environmental Protection (DEP): The Pennsylvania Department of Environmental Protection, its bureaus, divisions, departments and/or agencies, as may, from time to time, be established, or such Department or Departments which may succeed DEP at some time.

Department of Transportation (PennDOT): The Pennsylvania Department of Transportation, its bureaus, divisions, departments and/or agencies, as may, from time to time, be established, or such Department or Departments which may succeed PennDOT at some time.

Developer: Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development. (MPC)

Development Plan: The provisions for development, including a planned residential development, a plan of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan," when used in this Ordinance, shall mean the written and graphic materials referred to in this definition. (MPC)

Development: Any man-made change to improved or unimproved real estate, including but not limited to: buildings or other structures, the placement of mobile homes, streets and other paving, utilities, storm sewers, drains, improvements to water courses, sidewalks, street signs, crosswalks, planting shade trees, seeding, sodding, monuments or other property markers, water supply facilities and sewage facilities, filling, grading, excavation, mining, dredging, and drilling operations in, when conducted within the context of subdivision and land development activities as defined by the Pennsylvania Municipalities Planning Code.

Drainage: The removal of surface water or groundwater from land by drains, grading or other means, including control of runoff to minimize erosion and sedimentation during and after construction or development.

Drainage Facility: Any ditch, gutter, culvert, storm sewer or other structure, designed, intended or constructed for the purpose of carrying, diverting or controlling surface water or groundwater.

Drainage Easement: The land required for the installation and maintenance of stormwater sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

Driveway: A private, vehicular passageway providing access between a street and a private parking area or private garage, but which does not provide access to any other lot or parcel under separate ownership than that of the private parking area or private garage.

Dwelling or Dwelling Unit: A building or entirely self-contained portion thereof containing complete housekeeping facilities for occupancy by only one (1) family, including any domestic servants living or employed on the premises, with no enclosed space, other than vestibules, entrance or other hallways, in common with any other dwelling unit. Dwellings may be classified as follows:

1) Single-Family Detached – A building having only one (1) dwelling unit from ground to roof, independent outside access and open space on all sides.

2) Two-Family - A building on a single lot containing two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof (duplex), or an unpierced ceiling and floor extending from exterior wall to exterior wall (stacked flat).

3) Multifamily - A building containing three (3) or more dwelling units, including units that are located one over the other.

    i. Triplex - A building containing three (3) dwelling units, each of which has direct access to the outside or to a common hall.

    ii. Townhouse – A one (1) family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more vertical common fire-resistant walls.

    iii. Quadruplex or Quad – Four (4) attached dwellings in one building in which each unit has two (2) open space exposures and shares one (1) or two (2) walls with an adjoining unit or units.

    iv. Apartment – One (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit in a building containing three (3) or more such dwelling units.

Easement: A right granted by a landowner for limited use of private land for public and quasi-public purposes, including the installation of utilities and stormwater drainage. The landowner shall not make use of said private land in a manner which violates the right of the grantee.

Elevation: A point or series of points (contours) which are a common distance above sea level or some other alternate point of reference which has a predetermined elevation.

Engineer: A professional engineer as registered in the Commonwealth of Pennsylvania.

Erosion: The displacement of natural, ground surface or subsurface materials by the action of natural elements such as wind or water.

Excavation: Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

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

Floodplain: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or water course; and/or any area subject to the unusual and rapid accumulation of surface waters from any source, as identified by the Federal Emergency Management Agency (FEMA).

Forestry: The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development. (MPC)

Frontage: The distance across the front of a lot between side lot lines, normally the width of the lot abutting the street to which the lot has access.

Governing Body: The board of supervisors of Donegal Township.

Grade: The vertical alignment of a land surface, as it exists or as modified by cut and/or fill activities.

Grade, Finished: The final elevation of the ground level.

Grading Plan: A plan showing all existing ground features and proposed grading, including existing and proposed surface and subsurface drainage facilities, described by materials, grades, contours and topography.

Gross Leasable Area: The sum of the gross horizontal areas of a building or structure (excluding vehicular parking lots) from the exterior face of exterior walls or from the

centerline of a wall separating two buildings, but excluding any space where the floor to ceiling height is less than six (6) feet.

Hazard Mitigation Plan: Donegal Township's and Butler County's adopted and approved mitigation plan as developed under 44 CFR Part 201.

Highway Occupancy Permit: Authorization issued by PennDOT. allowing a property owner specific access to a Commonwealth maintained highway, and required before a building permit for development of the property may be issued.

Improvement: Those physical additions and changes to the land that may be either desired, or necessary, to produce usable and desired lots.

Land Development: Any of the following activities:

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

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

    ii. 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.

2) A subdivision of land.

3) Development in accordance with Section 503(1.1) of the MPC. (MPC)

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. (MPC)

Landscape Architect: A landscape architect as registered with the Commonwealth of Pennsylvania.

Line, Lot: A line which separates a lot from another lot or from a street or any other public or private space.

Line, Setback: A line generally parallel to a lot line, at a distance from the lot line in accordance with the yard, perimeter or setback requirements of this ordinance.

Lot: A designated parcel, tract or area of land established by a plat or otherwise permitted by law and to be used, developed or built upon as a unit.

Lot Area: The total horizontal ground area of a lot expressed in acres or square feet and computed exclusive of any portion of the right of way of any public or private thoroughfare, street, road, alley or easement of access of use; but including any easement for essential service.

Lot Depth: The mean horizontal distance between the front and rear lines of a lot.

Lot, Double Frontage: A lot which abuts streets in both the front, rear and/or side yards.

Lot, Flag: A lot not fronting on a public roadway for which access is provided to the public roadway by means of a narrow strip of land.

Lot Line Revision: A subdivision plan in which existing property lines are moved, relocated or removed and in which a new lot may or may not be created.

Lot, Reverse Frontage: A lot extending between and having frontage on an arterial street and a local access street, and with vehicular access solely from the latter.

Lot Width: The mean horizontal distance between the side lot lines measured at its widest and narrowest points.

Major Subdivision: A subdivision as defined by this Ordinance which involves installation of public improvements regulated by this Ordinance.

Marker: A metal stake pin placed to designate the boundary and corners of lots in the subdivision of land for the purpose of reference in land and property survey and to facilitate the sale of lots.

Minor Subdivision: A subdivision as defined by this Ordinance which includes creation of any number of lots or other divisions of land, or which includes lot line revisions, and which does not involve installation of public improvements regulated by this Ordinance.

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 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. (MPC)

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. (MPC)

Mobile Home Park: A parcel or contiguous parcels of land which have been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes. (MPC)

Monument: A permanent precise indication, established by a Registered Land Surveyor, of points at changes of direction in the boundary of a subdivision or land development plan, or at points of change of direction in street rights-of-way within or on the boundary of the plan.

Municipal Authority: a body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipal Authorities Act of 1945." (MPC)

Municipal Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission. (MPC)

Municipalities Planning Code, MPC: The Pennsylvania law, Act 247 of 1968, 53P.S. 10101 et seq., and as reenacted and amended, which provides enabling authority for this Ordinance.

On-Lot Sewage Disposal or Water System: An independent utility system designed to accommodate only the property on which it is located.

Parent Tract: The entire original property from which a subdivision is or was created.

Party Wall: A common wall separating two residential or two nonresidential units.

PennDOT: The Pennsylvania Department of Transportation

Plan or Plat: The map design or drawing of a subdivision, mobile home or recreational vehicle park and/or land development, whether preliminary or final.

Planning Commission: The Butler County Planning Commission, of Butler County, Pennsylvania.

Preservation or Protection: When used in connection with natural or historic resources, shall include a means to conserve and safeguard these resources from wasteful or destructive use, but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources. (MPC)

Prime Agricultural Land: Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture Natural Resource and Conservation Services County Soil Survey. (MPC)

Private Lane: A privately-owned roadway permitted by this Ordinance to serve a maximum of four (4) lots and provide access for said lots to a public street.

Private Street: A street, including the entire right of way which is privately owned and maintained by a single party or through private agreement.

Professional Consultants: Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners. (MPC)

Profile: A drawing showing a vertical view along the centerline of a street or utility line indicating the vertical alignment, with the vertical dimension often exaggerated at a maximum five to one (5:1) ratio to clarify the relation between horizontal and vertical measurements.

Property Line: The boundary line surrounding a property, lot or parcel, or any portion of such line described by bearings and distances.

Public: When used herein in reference to streets, water and sewer systems, utilities, facilities, and improvements, unless otherwise specified, it shall mean for service to, use by, and/or benefit of the general public, and generally accessible and open to any persons.

Public Hearing: A formal meeting held pursuant to public notice by the Donegal Township Supervisors, intended to inform and obtain public comment, prior to taking action in accordance with the Municipalities Planning Code. (MPC)

Public Improvements: All streets, lanes, driveways, parking, sidewalks, curbs, water and sanitary sewer systems, stormwater management facilities, landscaping, and other facilities required by this Ordinance to be installed for a subdivision or land development.

Public Notice: A notice published once each week for two consecutive weeks in a newspaper of general circulation in the municipality. 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. (MPC)

Public Sanitary Sewer: A system of sewage collection, conveyance, treatment and disposal operated by a public utility, municipal authority, or a municipality or group of municipalities served by the system, with power to finance, construct, and operate and maintain such systems.

Public Street: A street including the entire right-of-way dedicated for public vehicular use which has been accepted for maintenance by the municipality or the Commonwealth of Pennsylvania.

Public Water System: A system of supply, treatment, and distribution of water to the public for human consumption operated by a public utility, municipal authority, or a

municipality or group of municipalities served by the system, with power to finance, construct, and operate and maintain such systems.

Recording: The act of registering with the Butler County Recorder of Deeds a subdivision or land development plan which has received final approval by the County.

Recreational Vehicle: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel uses that either has its own mode of power or is mounted or drawn by another vehicle. The basic versions are: travel trailer, camping trailer, truck camper and motor home.

Recreational Vehicle Park: A plot of land upon which four (4) or more recreational vehicle sites are located, established, or maintained for occupancy by the general public for recreational vehicles as temporary living quarters for recreation or vacation purposes.

Redivision: The rearranging of property lines or the combining of several properties into one or more new properties (lot consolidation).

Restrictive Covenant: A recorded private agreement legally binding successor owners of a property to certain conditions regarding use of the property stipulated by the original owner.

Reserve Strip: A narrow parcel of ground with inadequate area for building purposes which separates a street right-of-way or proposed street right-of-way from adjacent properties.

Right-of-Way: Land dedicated or reserved and shown on a subdivision or land development plan for use as a public or private street, private drive, alley or crosswalk, which may also be used by sewer, water, storm sewer, electric, gas, telephone, cable system(s) or other special use. The right of way includes the entire area reserved or dedicated for the intended use.

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

Sedimentation: The process by which mineral and organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment."

Sight Distance: The extent of unobstructed vision, in a horizontal or vertical plane, along a street.

Sight Triangle: A triangular area whose sides are the centerlines of the intersecting streets and/or driveways which shall be clear of any obstructions so that from any

point along either side objects are visible at three feet six inches (3' 6") above the street and/or driveway surface. A triangular area of unobstructed vision at the intersection of two (2) or more streets, roads or driveways formed by a seventy-five foot (75') sight line along the centerline of a local street, or a one hundred and fifty foot (150') sight line along the centerline of an arterial or collector roadway, and by a line joining these sight lines at the greatest distance from their intersection. No sight obstruction above three feet nine inches (3'9") in elevation (Pennsylvania Department of Transportation 67, PA Code, Chapter 1), from grade level of the street, road, or driveway shall be permitted within the clear sight triangle.

Slope: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon.

Steep Slope: Land area where the inclination of the land's surface from the horizontal plane is sixteen percent (16%) or greater.

Stormwater Management: The process of controlling stormwater runoff from surfaces to prevent the rapid release of large volumes of water at high velocity that would damage lower elevation properties through flash flooding, erosion or sediment deposition in accordance with the Pennsylvania Stormwater Management Act 167.

Street: Includes, street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used for vehicular traffic or pedestrians whether public or private. (MPC) Particular types of streets are further defined as follows:

1) Arterial: A street devoted to moving large volumes of traffic at comparatively high speeds and long distances of travel and performing little or no land service function.

2) Collector: A street designed and located to accommodate internal traffic movement within the municipality, connect neighborhoods and developed areas with arterial streets, and provide land service. A collector does not accommodate long, through trips and is not continuous for any appreciable length.

3) Local: A street designed to provide access to abutting properties, to provide frontage for access to private lots, and carry traffic having destination or origin on the street itself.

Street Center Line: An imaginary line which passes through the middle of the right of way and cartway simultaneously or which is in the center of the right of way in cases where the cartway is not centered in the right of way.

Structure: Any manmade object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. (MPC)

Subdivision: The division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts or parcels or other divisions of land, including changes in existing lot lines, for the purpose, whether immediate or future, if lease, partition by the court for distribution to heirs or devisee, 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. (MPC)

Surveyor: A professional surveyor, as licensed by the Commonwealth of Pennsylvania.

Tangent: A straight line in horizontal or vertical alignment connecting the ends of curves.

Through Traffic: Traffic that is passing through an area but has no origin or destination there.

Title Block: A box on a drawing containing specific information relative to a subdivision or land development required for review of the proposal.

Use: The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

Watercourse: A permanent stream, intermittent stream, river, brook, creek, channel, drain or ditch for water, whether natural or man-made.

Wetland: Any ground area meeting the criteria of appropriate state or federal agencies to be a wetland.

Yard: That portion of a lot which is unoccupied and open to the sky and extends from the lot line to the yard line.

Yard Line: A line within a lot defining the minimum distance between any building or structure or portion thereof, and the adjacent lot line. Such line shall be measured at a right angle to and shall be parallel to the corresponding lot line.

Yard, Front: An open space between the front lot line and the building line and extending for the full width of the lot.

Yard, Rear: An open space between the rear lot line and the building line, and extending for the full width of the lot.

Yard, Side: An open space between the side lot line and the building line, extending from the front lot line to the rear lot line.

ARTICLE III

ADMINISTRATION

Section 301 Responsibility and Liability

The provisions of this Ordinance are designed to establish standards which, when consistently enforced, will achieve the purposes cited in Section 102 of this Ordinance. The degree of protection sought by the conditions and requirements of this Ordinance for the present and future residents and land owners within Donegal Township is considered reasonable for regulatory purposes. This Ordinance in no way implies that compliance with the minimum requirements for subdivisions, land developments, mobile home parks and recreational vehicle parks will render such subdivisions, land developments or mobile home/recreational vehicle parks free from inconveniences, conflicts, dangers and damages. Therefore, this Ordinance shall not create liability on the part of the individual members of the Donegal Township Board of Supervisors, Donegal Township, the Butler County Planning Commission, or any officer, official, appointee or employee of Butler County or the Butler County Planning Commission for any damages that may result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

Section 302 General Administration

This Ordinance shall be administered by Donegal Township whose powers and duties are specified herein. The Township Secretary shall be the point of contact for communications and receipt of applications and plans under this Ordinance, and for ensuring orderly and expeditious processing of subdivision and land development applications and plans.

Section 303 Interpretation of Ordinance

When interpreting and applying the Subdivision and Land Development Ordinance, the provisions contained herein shall be considered the minimum requirements necessary for the promotion of health, safety and general welfare of the public.

Section 304 Conflict

304.1 Where any requirement, provision or standard of the Subdivision and Land Development Ordinance conflicts with any other ordinance, rule or regulation or other provision of law of the Township, or Butler County, the Commonwealth of Pennsylvania or Federal statutes, then the most restrictive provision or that provision imposing the highest standards shall govern.

304.2 Where any requirement of the Subdivision and Land Development Ordinance conflicts with the provisions of deed restrictions, covenants or other agreements, or with restrictive covenants running with the land to which Donegal Township is a party, then the most restrictive requirement, or that requirement imposing the highest standard shall govern. In the case of private deed restrictions or covenants where Donegal Township is not a party to such agreements or provisions, the enforcement of such restrictions or covenants shall be the responsibility of the private parties.

Section 305 Modifications and Waivers to Ordinance

305.1 The Donegal Township Supervisors may grant a modification or a waiver of one or more of the requirements, criteria or standards contained in this Ordinance for the following reasons, provided that such modification or waiver will not be contrary to the public interest or the purposes (Section 102) of this Ordinance:

305.1.1 Hardship: The literal enforcement of one or more requirements in this Ordinance will cause undue hardship because of peculiar conditions pertaining to the land in question and the modification or waiver is the minimum necessary to afford relief. Financial hardship is not and will not be considered a hardship. The burden of the proof of hardship lies solely on the applicant and must be demonstrated to the satisfaction of the Donegal Township before a modification or waiver due to hardship is granted; or

305.1.2 Alternative: An alternative standard can be demonstrated to the satisfaction of the Donegal Township Supervisors, with input from the Municipal Engineer, where required, to provide equal or better results.

305.1.3 A request for a waiver or modification shall be submitted by the applicant in writing along with the applicant's initial plan submission and shall be considered part of the plan. The request shall state in full the grounds and facts of the hardship or evidence of equal or better result on which the request is based, and the provision or provisions of this Ordinance involved, and the minimum modification necessary for remedy.

305.2 All decisions on modifications and waivers requested for any type of plan – subdivision or land development, major or minor – shall be rendered by the Donegal Township Supervisors.

305.3 Donegal Township shall keep a written record of all actions on requests for modifications or waivers.

Section 306 Amendments to Ordinance

306.1 The Donegal Township Supervisors may amend this Ordinance by appropriate action taken in accordance with the Municipalities Planning Code.

306.2 The amendment, upon enactment, may be incorporated into the official Donegal Township Subdivision and Land Development Ordinance by reference or insertion into the existing text with the same force and effect as if duly recorded therein.

Section 307 Recordkeeping

The Township shall maintain a public record of all applications and plans submitted under this Ordinance along with correspondence, findings, recommendations, and actions related thereto.

Section 308 Validity of Ordinance

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance, as a whole, or any individual part thereof.

Section 309 Fee to Accompany Application for Review and Approval of Plans

309.1 All applications of plans of subdivision and plans of land development submitted to the Township shall be accompanied by an application fee in accordance with a schedule of fees established and adopted by resolution of the Donegal Township Supervisors.

309.2 Fees may include necessary and reasonable costs of reviewing applications in accordance with the Municipalities Planning Code.

309.3 Where a plan of subdivision or land development has for any reason been denied by the Township, a resubmission or revised submission of an application for said subdivision or land development shall be considered a new application and shall be required to pay a fee as set forth in the current Township schedule of fees.

309.4 All fees shall be made payable to tDonegal Township. All fees submitted are nonrefundable, and the approval or rejection for any reason of any plan of subdivision or land development shall not be reason or cause for the return of any fee submitted.

Section 310 Enforcement

Under authority of the PA Municipalities Planning Code, Donegal Township may institute preventive and enforcement remedies to ensure compliance with this Ordinance. Authorized remedies and associated requirements and procedures shall be as prescribed by the PA Municipalities Planning Code.

~~Section 311 Mediation Option~~

~~The County may offer a mediation option as an aid in completing proceedings authorized by this Ordinance for approval of subdivision or land development plans. The County and all mediating parties shall follow the procedures outlined in the Municipalities Planning Code.~~

ARTICLE IV

PROCEDURE FOR SUBDIVISIONS AND LAND DEVELOPMENTS

Section 401 Types of Subdivisions and Land Developments

The Donegal Township Subdivision and Land Development Ordinance establishes Minor Subdivisions, Major Subdivisions, and Land Developments, including Mobile Home Parks and Recreational Vehicle Parks, and sets forth herein review and approval procedures for each.

401.1 Minor Subdivision: A Minor Subdivision shall be a subdivision as defined by this Ordinance which includes creation of any number of lots or other divisions of land, or which includes lot line revisions, and which does not involve installation of public improvements regulated by this Ordinance.

401.1.1 A Minor Subdivision Final Plan shall be required for a Minor Subdivision.

401.1.2 An application for Minor Subdivision Final Plan approval shall contain plan drawings and be accompanied by required information and documentation as specified in Section 501.

401.2 Major Subdivision: A Major Subdivision shall be any subdivision as defined by this Ordinance which involves installation of public improvements regulated by this Ordinance.

401.2.1 A Preliminary Plan and a Final Plan shall be required for a Major Subdivision.

401.2.2 Applications for Preliminary Plan and Final Plan approval shall contain plan drawings and be accompanied by required information and documentation as specified in Section 502 for a Preliminary Plan and Section 503 for a Final Plan.

401.3 Land Development no public improvements: A Land Development as defined by this Ordinance which does not involve installation of public improvements regulated by this Ordinance shall meet the following application requirements.

401.3.1 A Final Plan shall be required.

401.3.2 An application for Final Plan approval shall contain plan drawings and be accompanied by required information and documentation as specified in Section 503.

401.4 Land Development with public improvements: A Land Development as defined by this Ordinance which involves installation of public improvements regulated by this Ordinance, and any Mobile Home Park or Recreational Vehicle Park, shall meet the following application requirements:

401.4.1 A Preliminary Plan and a Final Plan shall be required.

401.4.2 Applications for Preliminary Plan and Final Plan approval shall contain plan drawings and be accompanied by required information and documentation as specified in Section 502 for a Preliminary Plan and Section 503 for a Final Plan.

Section 402 Pre-Application Conference

402.1 A prospective applicant or the Township may request a pre-application conference for the purposes of providing an early exchange of information, promoting a mutual understanding of the character of a development and the applicable regulations of this Ordinance, and expediting the application and review process. At the mutual consent of the parties, the prospective applicant may meet with the Planning Department and/or attend a meeting of the Planning Commission.

402.2 At the pre-application conference, the prospective applicant may present a sketch plan of the proposed subdivision plus information and other maps showing land characteristics, the number and sizes of lots, proposed public improvements, and other information about elements of the proposed subdivision or land development.

402.3 The preparation of or discussion at a pre-application conference of a sketch plan or other maps or renderings does NOT constitute a filing of either a Preliminary or Final Plan. Pre-application conference discussions are advisory only and shall not bind Donegal Township to commence a formal review or to approve any proposed plan.

Section 403 Subdivision and Land Development Review Procedures

403.1 Applications for Preliminary Plans and Final Plans shall be submitted to Donegal Township. Submission shall be accompanied by payment of the required application fee.

403.2 The Planning Department shall review the application for completeness and notify the applicant within seven (7) days of receipt if the application is complete and accepted or incomplete and not accepted. An application shall not be accepted as filed until it is found

by the Planning Department to be complete including all plans, information, and the application fee required by this Ordinance.

403.3 The Planning Department shall review the application for compliance with the requirements, standards, and criteria of this Ordinance, and provide a report of compliance to the Township and Butler County Planning Commission noting any elements of the proposed subdivision or land development that do not comply with this Ordinance.

Section 404 Subdivision and Land Development Decision

404.1 Donegal Township shall have authority to render decisions for Subdivisions and Land Developments.

404.2 The Board of Supervisors shall consider action on applications for Preliminary Plans and Final Plans at a regular or special meeting. An application must be complete and considered filed at least twenty-one (21) days prior to the date of a meeting of the Supervisors in order to be considered at that meeting.

404.3 The Board of Supervisors shall render one of the following decisions:

404.3.1 Approve an application which complies with the requirements, standards, and criteria of this Ordinance and for which modifications or waivers were granted by the Planning Commission where appropriate.

404.3.2 Deny an application which does not comply with the requirements, standards, and criteria of this Ordinance, and for which neither modifications nor waivers were granted by the Planning Commission.

404.3.3 Approve the application with conditions designed to remedy compliance deficiencies or assure compliance with this Ordinance. An approval with conditions may include modifications or waivers granted by the Supervisors.

404.4 The Township shall render its decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Board of Supervisors next following the date the application is considered filed in accordance with Section 403.2, provided that should the next regular meeting occur more than thirty (30) days following the filing of the application, the said 90-day period shall be measured from the 30th day following the date the application is considered filed.

404.5 The decision of the Township shall be in writing and shall be communicated to the applicant personally or mailed to the applicant's last known address not later than fifteen (15) days following the decision.

404.6 When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements that have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

404.7 When the application is approved with conditions, the decision shall specify the conditions being imposed. The conditions must be accepted by the applicant in writing within fifteen (15) days of the date the decision was communicated personally or mailed to the applicant. If the applicant rejects or fails to accept the conditions, the conditional approval shall be automatically rescinded and the application denied.

404.8 Failure of the Township to render a decision and communicate it to the applicant within the time and in the manner specified shall be deemed an approval of the application, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

Section 405 Final Plan Requirements

405.1 A Final Plan for a major subdivision or a land development that has been previously granted Preliminary Plan approval shall conform to the approved preliminary plan and any conditions made in the approval of it.

405.2 Approval of a Final Plan shall not constitute authorization to commence construction. Prior to construction start, all necessary municipal permits, approvals, agreements, and sureties must be secured by the developer.

Section 406 Signatures and Recording

406.1 The affixing of the signatures of the Donegal Township Supervisorsas required by the provisions of this Ordinance shall render a Final Plan ready for recording.

406.2 Upon the approval of a Final Plan, the developer shall, within ninety (90) days of such final approval, or ninety days (90) after the date of delivery of an approved Final Plan signed by the Donegal Township Supervisors following completion of conditions imposed for such approval,

whichever is later, record such Final Plan in the Office of the Recorder of Deeds of Butler County.

406.3 In the event that an approved Final Plan is not recorded within the required ninety (90) day period following the completion of conditions as specified, said approval shall be deemed voided and rescinded and the plan must be resubmitted if approval is sought by the applicant.

406.4 The applicant shall provide a paper copy of the officially recorded Final Plan to the host municipality secretary for municipal files.

406.5 Whenever subdivision and land development plan approval is required by the local municipality, the Recorder of Deeds of Butler County shall not accept any subdivision or land development plan for recording unless such plan officially notes the approval of the governing body of the local municipality and includes signatures indicating review by Donegal Townsihp.

406.6 The Chairman and Secretary of Donegal Townshipshall affix their signatures to indicate approval of Final Plans under this Ordinance in accord with 406.1, and to indicate review of subdivision plans under ordinances of local municipalities in accord with 406.5.

ARTICLE V

PLAN REQUIREMENTS

Section 501 Minor Subdivision Final Plans – Required Content and Information

All applications for Minor Subdivision Final Plan approval submitted under the Donegal Township Subdivision and Land Development Ordinance shall meet specifications and standards and include content and information specified on the accompanying Minor Subdivision Final Plan Checklist.

Minor Subdivision Final Plan Checklist

A Minor Subdivision Final Plan shall be submitted for all Minor Subdivisions.

Plan Title _____

Applicant Name _____

The checklist below indicates the content which must be included on the Minor Subdivision Final Plan and information which must be submitted accompanying the plan. Failure to provide required information may result in rejection of the application.		✓
A.	**Plans shall be professionally prepared according to the following specifications**	
1.	Plans shall be drawn at a scale of one inch equals fifty feet (1"=50'). The scale may be reduced or enlarged, with concurrence of Donegal Township, where practically appropriate for the size and character of the subdivision.	
2.	Plans shall be drawn on mylar or paper.	
3.	Plans shall be drawn with waterproof black ink, and all records, data, entries and statements thereon shall also be made with the same type of ink or reproducible typing.	
4.	All components of the application must also be submitted electronically – application form, plan sheets, and accompanying documents. The files shall be in .PDF format submitted by email or by a medium compatible with current technology.	
5.	All plan sheets shall be the same size, and be numbered relative to the total number of sheets (ie., 1 of 5, etc.)	
6.	Plans shall be drawn and surveys performed in conformance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Surveyor, and Geologists Registration Act," and accepted surveying and civil engineering practices. Plans shall contain the signature and seal of the professional that prepared the plan.	
B.	**Plans shall include the following content**	
1.	Title block including:	
	a. Name of proposed subdivision including the words "Minor Subdivision Final Plan".	
	b. Location by municipality, county, and state.	
	c. Name(s) and address(es) of the owner(s).	
	d. County parcel ID number.	
	e. Name and address of the Registered Professional that prepared the plan.	
	f. Date the plan was prepared.	
2.	North point.	
3.	Scale displayed in graphic and written form.	
4.	Vicinity map showing the proposed subdivision in relation to surrounding features including parent tract boundary, municipal boundaries, existing and proposed roads or streets, other significant developments, and major physical features.	

5.	Streets and alleys serving the proposed subdivision, including name, right-of-way widths, and cartway widths.	
6.	Existing features on the tract, including:	
	a. Watercourses, identified FEMA floodplains, and other significant natural features.	
	b. Buildings and land use.	
	c. Sanitary sewers, stormwater management facilities, water mains and fire hydrants, and on-lot sewage disposal systems.	
	d. Telephone conduit line, electric power transmission lines, oil and natural gas wells and lines, and other significant manmade features.	
7.	Existing property lines, easements and rights-of-way, the purpose for which the easements or rights-of-way have been established, and the Butler County recorded instrument number for recorded easements.	
8.	Existing deed restrictions or covenants affecting development of the tract.	
9.	Owners' names and county parcel ID numbers of abutting properties.	
10.	Proposed lots, including:	
	a. Lot boundaries with distances displayed in feet and decimal parts thereof, and bearings displayed in degrees, minutes, and seconds.	
	b. Building and yard setback lines prescribed by this Ordinance where the municipality has no zoning ordinance. (Do not include building and yard setback lines for development in municipalities that administer a zoning ordinance.)	
	c. The total area of each lot.	
	d. Number to identify each lot.	
11.	Proposed easements and rights-of-way with purposes indicated.	
12.	Primary survey control points or benchmarks and location and description of survey monuments and markers.	
13.	Proposed means of providing sanitary sewerage in accordance with this Ordinance and the Pennsylvania Sewage Facilities Act (Act 537), indicating either:	
	a. Service connection to a public sanitary sewerage system, including a letter from the operating authority indicating ability to serve.	
	b. The proposed location and type of on-lot sewage disposal facilities, including documentation of Act 537 planning approval.	
14.	Donegal Township may request the applicant to provide additional information requested in writing.	
15.	Certifications, seals, and signatures in accord with Article IX of this Ordinance.	
16.	Payment of the required application fee.	

Section 502 Preliminary Plans – Required Content and Information

All applications for Preliminary Plan approval submitted under the Butler County Subdivision and Land Development Ordinance shall meet specifications and standards and include content and information specified on the accompanying Preliminary Plan Checklist.

Preliminary Plan Checklist

A Preliminary Plan shall be submitted for all Major Subdivisions, Land Developments which involve installation of public improvements regulated by this Ordinance, Mobile Home Parks, and Recreational Vehicle Parks.

Plan Title _____

Applicant Name _____

	The checklist below indicates the content which must be included on the Preliminary Plan and information which must be submitted accompanying the plan. Failure to provide required information may result in rejection of the application.	✓
A.	**Plans shall be professionally prepared according to the following specifications**	
1.	Plans shall be drawn at a scale of one inch equals fifty feet (1"=50'). The scale may be reduced or enlarged, with concurrence of Donegal Township, where practically appropriate for the size and character of the subdivision or land development.	
2.	Plans shall be submitted on paper.	
3.	All components of the application must also be submitted electronically – application form, plan sheets, and accompanying documents. The files shall be in .PDF format submitted by email or by a medium compatible with current technology.	
4.	All plan sheets shall be the same size, and be numbered relative to the total number of sheets (ie., 1 of 5, etc.)	
5.	Plans shall be drawn and surveys performed in conformance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Surveyor, and Geologists Registration Act," and accepted surveying and civil engineering practices. Plans shall contain the signature and seal of the professional that prepared the plan.	
B.	**Plans shall include the following content**	
1.	Title block including:	
	a. Name of proposed subdivision including the words "Preliminary Plan".	
	b. Location by municipality, county, and state.	
	c. Name(s) and address(es) of the owner(s).	
	d. County parcel ID number.	
	e. Name and address of the Registered Professional that prepared the plan.	
	f. Date the plan was prepared.	
2.	North point.	
3.	Scale displayed in graphic and written form.	
4.	Vicinity map showing the proposed subdivision in relation to surrounding features including municipal boundaries, existing and proposed roads or streets, other significant developments, and major physical features.	

5.	Streets and alleys serving and adjacent to the proposed subdivision or land development, including name, right-of-way widths, and cartway widths.	
6.	Existing features on the tract, including:	
	a. Watercourses, identified FEMA floodplains, wetland areas, and other significant natural features.	
	b. Buildings and land use.	
	c. Sanitary sewers, stormwater management facilities, water mains and fire hydrants, water wells and on-lot sewage disposal systems.	
	d. Telephone conduit line, electric power transmission lines, oil and natural gas wells and lines and other significant manmade features.	
7.	Contours at vertical intervals of two feet (2') for land areas with slope of ten percent (10%) or less, and at five foot (5') intervals for land areas with a slope of greater than ten percent (10%).	
8.	Existing property lines, easements and rights-of-way, the purpose for which the easements or rights-of-way have been established, and the Butler County recorded instrument number for recorded easements.	
9.	Existing deed restrictions or covenants affecting development of the tract.	
10.	Owners' names and county parcel ID numbers of abutting properties.	
11.	Existing benchmarks.	
12.	For subdivisions, proposed lots, including:	
	a. Lot boundaries with distances displayed in feet and decimal parts thereof, and bearings displayed in degrees, minutes, and seconds.	
	b. The total area of each lot.	
13.	For proposed land developments:	
	a. Proposed buildings and structures including location and configuration, ground level floor area, total floor area, number of stories, height, proposed use, and number and types of dwelling units.	
	b. For mobile home parks and recreational vehicle parks, proposed layout of mobile home lots and recreational vehicle lots.	
	c. Points of access from adjacent streets or roads, internal driveways and circulation pattern, and parking and loading areas with spaces shown and number of spaces indicated.	
	d. Walkways and pedestrian circulation.	
	e. Service and waste/recycling storage and disposal areas.	
	f. Landscape plan.	
	g. Outdoor lighting plan.	
14.	Proposed easements and rights-of-way with purposes indicated.	
15.	Proposed streets and alleys with names and including:	
	a. Location and width of rights-of-way.	
	b. Location and width of cartways.	
	c. Location and width of sidewalks.	

16.	A plan of the proposed public sanitary sewerage system, if proposed, or a plan showing the proposed location and type of on-lot sewage disposal facilities. This plan shall be in accordance with the Pennsylvania Sewage Facilities Act (Act 537) planning requirements.	
17.	A plan of the public water distribution system, if proposed.	
18.	A plan for stormwater and stormwater retention facilities to be provided to meet requirements of the applicable municipal stormwater management ordinance.	
19.	Reservations of ground for public or common use.	
20.	Where the preliminary plan covers only a part of the applicant's entire holding and the applicant has intentions for further development, a sketch shall be submitted of the prospective development of the remainder of the land.	
21.	Donegal Township may request the applicant to provide additional information requested in writing.	
22.	If the applicant intends to undertake and complete proposed public improvements required by this Ordinance after preliminary plan approval and prior to final plan submission, the applicant shall submit engineering and construction information required by Section C of the Final Plan Checklist.	
23.	Certifications, seals, and signatures in accord with Article IX of this Ordinance.	
24.	Payment of the required application fee.	

Section 503 Final Plans – Required Content and Information

All applications for Final Plan approval submitted under the Butler County Subdivision and Land Development Ordinance shall meet specifications and standards and include content and information specified on the accompanying Final Plan Checklist.

Final Plan Checklist

A Final Plan shall be submitted for all Major Subdivisions, all Land Developments, and all Mobile Home Parks and Recreational Vehicle Parks.

Plan Title _____

Applicant Name _____

	The checklist below indicates the content which must be included on the Final Plan and information which must be submitted accompanying the plan. Failure to provide required information may result in rejection of the application.	✓
A.	**Plans shall be professionally prepared according to the following specifications**	
1.	Plans shall be drawn at a scale of one inch equals fifty feet (1"=50'). The scale may be reduced or enlarged, with concurrence of Donegal Township, where practically appropriate for the size and character of the subdivision or land development.	
2.	Plans shall be drawn on mylar or paper.	
3.	Plans shall be drawn with waterproof black ink, and all records, data, entries and statements thereon shall also be made with the same type of ink or reproducible typing.	
4.	All components of the application must also be submitted electronically – application form, plan sheets, and accompanying documents. The files shall be in .PDF format submitted by email or by a medium compatible with current technology.	
5.	All plan sheets shall be the same size, and be numbered relative to the total number of sheets (ie., 1 of 5, etc.)	
6.	Plans shall be drawn and surveys performed in conformance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Surveyor, and Geologists Registration Act," and accepted surveying and civil engineering practices. Plans shall contain the signature and seal of the professional that prepared the plan.	
B.	**Plans shall include the following content**	
1.	Title block including:	
	a. Name of proposed subdivision including the words "Final Plan".	
	b. Location by municipality, county, and state.	
	c. Name(s) and address(es) of the owner(s).	
	d. County parcel ID number.	
	e. Name and address of the Registered Professional that prepared the plan.	
	f. Date the plan was prepared.	
2.	North point.	
3.	Scale displayed in graphic and written form.	

4.	Vicinity map showing the proposed subdivision in relation to surrounding features including parent tract boundary, municipal boundaries, existing and proposed roads or streets, other significant developments, and major physical features.	
5.	Streets and alleys serving and adjacent to the proposed subdivision or land development, including name, right-of-way widths, and cartway widths.	
6.	Existing features on the tract, including:	
	a. Watercourses, identified FEMA floodplains, wetland areas, and other significant natural features.	
	b. Buildings and land use.	
	c. Sanitary sewers, stormwater management facilities, water mains and fire hydrants, water wells and on-lot sewage disposal systems.	
	d. Telephone conduit line, electric power transmission lines, oil and natural gas wells and lines and other significant manmade features.	
7.	Existing property lines, easements and rights-of-way, the purpose for which the easements or rights-of-way have been established, and the Butler County recorded instrument number for recorded easements.	
8.	Existing deed restrictions or covenants affecting development of the tract.	
9.	Owners' names and county parcel ID numbers of abutting properties.	
10.	For proposed subdivisions, proposed lots, including:	
	a. Lot boundaries with distances displayed in feet and decimal parts thereof, and bearings displayed in degrees, minutes, and seconds.	
	b. Building and yard setback lines prescribed by this Ordinance where the municipality has no zoning ordinance. (Do not include building and yard setback lines for development in municipalities that administer a zoning ordinance.)	
	c. The total area of each lot.	
	d. Number to identify each lot.	
11.	For proposed land developments:	
	a. Proposed buildings and structures including location and configuration, ground level floor area, total floor area, number of stories, height, proposed use, and number and types of dwelling units.	
	b. For mobile home parks and recreational vehicle parks, proposed layout of mobile home lots and recreational vehicle lots.	
	c. Points of access from adjacent streets or roads, internal driveways and circulation pattern, and parking and loading areas with spaces shown and number of spaces indicated.	
	d. Walkways and pedestrian circulation.	
	e. Service and waste/recycling storage and disposal areas.	
	f. Landscape plan.	
	g. Outdoor lighting plan.	
12.	Proposed easements and rights-of-way with purposes indicated.	

13.	Proposed streets and alleys with names and including:	
	a. Location and width of rights-of-way.	
	b. Location and width of cartways.	
	c. Location and width of sidewalks.	
14.	Boundary lines of proposed street and alley rights-of-way, easements, and other rights-of-way showing accurate dimensions, bearings, deflection angles, radii, arcs, and central angles of all curves.	
15.	Primary survey control points or benchmarks and location and description of survey monuments and markers.	
16.	Proposed means of providing sanitary sewerage in accordance with this Ordinance and the Pennsylvania Sewage Facilities Act (Act 537), indicating either:	
	a. Service connection to a public sanitary sewerage system, including a letter from the operating authority indicating ability to serve.	
	b. The proposed location and type of on-lot sewage disposal facilities, including documentation of Act 537 planning approval.	
17.	A plan of the public water distribution system, if proposed, including a letter from the operating authority indicating ability to serve where connection to an existing system is proposed.	
18.	A plan for stormwater and stormwater retention facilities to be provided to meet requirements of the applicable municipal stormwater management ordinance.	
19.	Reservations of ground for public or common use.	
20.	Donegal Township may request the applicant to provide additional information requested in writing.	
21.	Certifications, seals, and signatures in accord with Article IX of this Ordinance.	
22.	Payment of the required application fee.	
C.	**Plans shall include the following construction drawings in sufficient detail for proposed improvements required by this Ordinance**	
1.	Plan and profile sheets for all streets with horizontal and vertical alignments and existing centerline profiles along with the location and size of storm sewers inlets, and invert elevations.	
2.	Typical cross-sections of roadways and sidewalks.	
3.	A plan showing the size and material of water pipes and location of valves and fire hydrants.	
4.	A plan showing the location of manholes, invert elevations, grades and sizes of sanitary sewers	
5.	A final grading plan showing proposed contours at vertical intervals of two feet (2').	
6.	A sedimentation and erosion control plan approved by the Butler County Conservation District.	

ARTICLE VI

DESIGN STANDARDS

Section 601 Application of Standards

601.1 The following minimum design standards and requirements shall be applied by Donegal Township and the Butler County Planning Department and Planning Commission in evaluating plans for proposed subdivisions and land developments.

601.2 Donegal Township reserves the right to require standards in excess of the minimum requirements if warranted to protect the health, safety, and welfare of the community.

Section 602 General Requirements

602.1 Land shall be suited for the purpose for which it is to be subdivided or developed.

602.2 Land which is unsuitable for development because of hazard(s) to life, health, safety and/or property shall not be subdivided and/or developed until such hazard(s) have been eliminated or unless adequate safeguards against such hazards are provided for in the development plan. Such hazards may include but are not limited to land subject to flooding, subsidence, unstable surface conditions, slope greater than sixteen percent (16%), landslide, known pollution or contamination with threatening substances as determined by the U.S. Environmental Protection Agency, or other hazards identified in the Butler County Hazard Mitigation Plan.

602.3 Subdivisions and land developments shall be designed to avoid excessive movement of earth and excessive disturbance of natural features, vegetation, waterways, historic sites, and other community assets and landmarks. Where documented environmentally significant vegetated or other natural areas exist, the subdivision or land development shall minimize disturbance of the vegetation and natural conditions.

602.4 Subdivisions and land developments shall be designed to be harmonious with existing nearby neighborhoods and the community as a whole.

602.5 Subdivisions and land developments shall be done in a manner that will not bar adjacent property owners from access to public streets and/or private rights-of-way or access easements or otherwise preclude the development of surrounding land areas.

Section 603 Lot Requirements

The following general provisions shall apply to all proposed lots:

603.1 Lots shall comply with the size requirements specified herein and be generally sufficient in size and shape to accommodate the proposed development or use. Lots that contain non-buildable or constrained lands, such as utility lines, water bodies, wetlands, floodplains, or steep slopes, shall be made large enough to provide suitable area for the intended use of the lot without encroaching on the non-buildable or constrained lands.

603.2 All lot lines shall be generally drawn perpendicular, parallel, or radial to the centerline of the street.

603.3 Every lot in a subdivision shall abut an existing street, a street proposed in the same subdivision plan proposing the lot, or a proposed private lane, as provided for in Section 606. Lots may be developed abutting private lanes in existence prior to the enactment of this Ordinance provided the private lane meets the specifications of this Ordinance and the total number of existing and proposed lots served by the private lane does not exceed the maximum permitted by this Ordinance.

603.4 Double frontage lots shall be discouraged except where lots abut along their rear line arterial or collector streets, in which case twenty-five feet (25') shall be added to the minimum rear yard setback of the lots. Such lots shall have no right of access to the abutting arterial or collector street.

603.5 The depth of a lot shall not exceed four (4) times the width of a lot as measured at the building setback line.

603.6 Flag lots as defined by this Ordinance are permitted, provided the main body of the lot – the "flag" – shall meet the lot area and yard requirements of Section 604, and provided the access strip – the "pole" – shall meet the following requirements.

603.6.1 The access strip shall be a fee-simple part of the flag lot, and shall not be a separate parcel, right-of-way, or easement, and shall not be used for any purpose other than the location of an access driveway.

603.6.2 The access strip shall connect directly to an existing street or a street proposed in the same subdivision plan proposing the flag lot.

603.6.3 The access strip shall have a minimum width of twenty-five feet (25') where the main body of the flag lot is two (2) or less acres in size and a minimum width of fifty feet (50') where the main body of the flag lot is over two (2) acres in size.

603.7 A proposed lot not meeting the minimum lot requirements of this section and intended to be conveyed and adjoined to an adjacent property is permitted, provided the following note shall be placed on the plan: *Lot #___ is not a separate building lot and is to be conveyed and become part of adjoining land of (name of landowner)*. Both the lot created in effect by combination with an adjoiner and the remnant lot shall comply with applicable lot area requirements.

Section 604 Lot Area and Yard Requirements

Proposed subdivision lots and land developments shall comply with the area, width, yard, and setback requirements of the zoning ordinance of the municipality in which the development is located. Where a municipality has not enacted a zoning ordinance specifying area, width, yard, and setback requirements, the following provisions shall apply.

604.1 Minimum lot area and setback dimensions shall be measured from rights-of-way lines where lots abut a street or private lane. No lot area or setback dimensions shall be computed including land located within a street or private lane right-of-way.

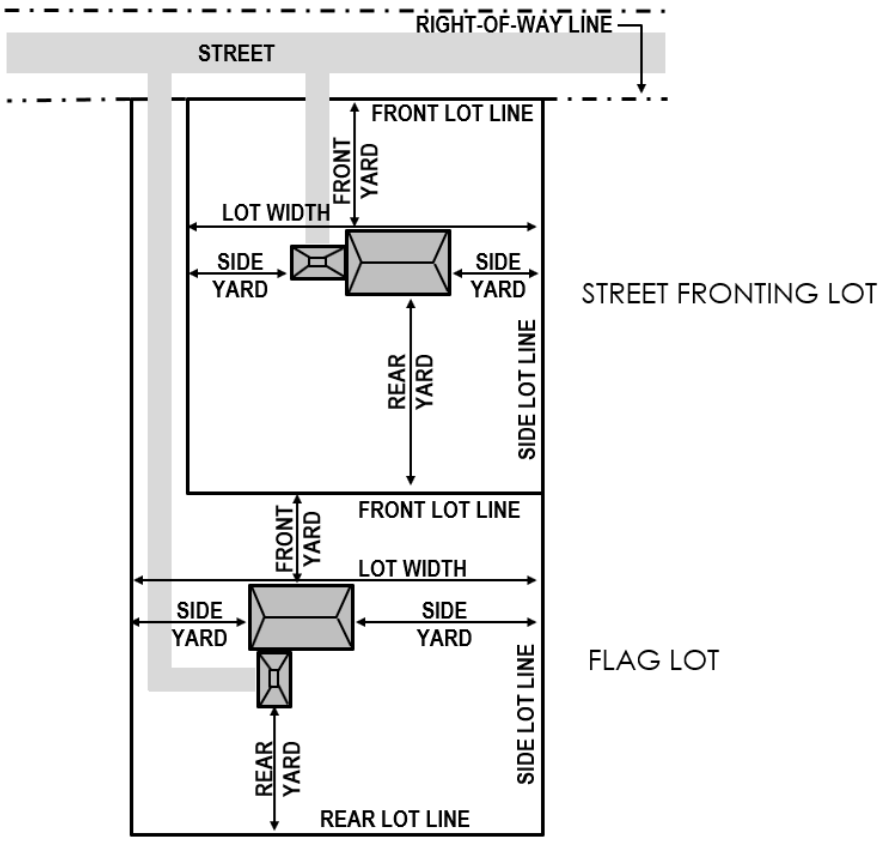
604.2 The frontage width of lots abutting a cul-de-sac shall be determined as the width at the building line.

604.3 In order to provide sufficient light, air, access and an orderly design, all lots and land developments proposed in municipalities classified as Townships of the Second Class that have not enacted a zoning ordinance shall meet the criteria outlined in the following Table:

TABLE OF LOT AREA AND YARD REQUIREMENTS SECOND CLASS TOWNSHIPS WITH NO ZONING ORDINANCE					
	Minimum Lot Area	**Minimum Lot Width at Building Line**	**Minimum Front Yard Setback**	**Minimum Side Yard Setback**	**Minimum Rear Yard Setback**
Single Family Dwellings with On- Lot Sewage	43,560 sq. ft. (1 acre)	100 ft.	60 ft.	10 ft.	10 ft.
Single Family Dwelling with Public Sewage (either at this time or officially approved for installation) AND On-Lot Water	21,780 sq. ft. (.5 acre)	80 ft.	60 ft.	10 ft.	10 ft.
Single Family Dwelling with BOTH Public Sewage AND Public Water (either at this time or officially approved for installation)	10,890 sq. ft. (.25 acre)	60 ft.	30 ft.	10 ft.	30 ft.
Multiple Family Dwellings with On-Lot Sewage	32,670 sq. ft. (.75 acre) per DU plus 3,630 sq. ft. per DU after the fourth DU	100 ft.	50 ft.	40 ft.	75 ft.
Multiple Family Dwellings with Public Sewage (either at this time or officially approved for installation) AND On-Lot Water	21,780 sq. ft. (.5 acre) per DU plus 3,630 sq. ft. per DU after the fourth DU	100 ft.	50 ft.	40 ft.	50 ft.
Multiple Family Dwellings with BOTH Public Sewage AND Public Water (either at this time or officially approved for installation)	10,890 sq. ft. (.25 acre) per DU plus 3,630 sq. ft. per DU after the fourth DU	100 ft.	50 ft.	40 ft.	50 ft.
Other Land Development Types (except as otherwise specified herein)	1 acre	100 ft.	50 ft.	15 ft. + 5 ft. per 1,000 GLA	15 ft. + 5 ft. per 1,000 GLA
Mobile Home Parks	10 acres	As specified in Article VII			
Recreational Vehicle Parks	10 acres	As specified in Article VII			
Butler County Agricultural Land Preservation Program Guidelines set additional standards for subdivisions of properties having agricultural land conservation easements.					

Abbreviations used in table:
DU = Dwelling Unit
GLA = Gross Leasable Area

604.4 The following diagram identifies reference points for lot and yard requirements.



Section 605 Street Requirements

605.1 Proposed streets shall conform to the Donegal Township's adopted comprehensive plans, and county, regional, and state road and highway plans that have been prepared and officially adopted and/or filed as prescribed by law.

605.2 Streets shall be logically related to the topography to achieve usable lots and reasonable grades, and to minimize earth moving and disturbance of natural features.

605.3 Proposed streets shall be integrated into and be an extension of existing or proposed street systems in the immediate area of the proposed development.

605.4 When the subdivision includes lots or remnant tracts or adjoins unsubdivided property, any of which are large enough for further

subdivision into streets and lots, new streets or reserved right-of-way not less than fifty (50) feet in width shall be provided at location(s) suitable to enable future access, connection and development.

605.5 Streets shall be extended to the boundary of a subdivision or land development if connection can be made to an existing or recorded street on adjacent property.

605.6 Where a subdivision plan abuts or contains an existing or proposed arterial street, the Township may limit access to the arterial street or require local access streets, reverse frontage lots, or such other treatment that will provide protection for abutting properties, reduction in the number of intersections with arterial streets, and separation of local and through traffic.

605.7 Cul-de-sac and Dead-end Streets

605.7.1 Cul-de-sac streets may be permitted when through traffic at such a street end is not essential to the existing or future street system in that area, or to the development of adjacent properties in the area.

605.7.2 The length of cul-de-sac streets shall not be greater than six hundred feet (600') nor less than two hundred fifty feet (250') measured from the center of the turn-around at the closed end to the centerline of the intersecting street at the other end. The Supervisors may approve a modification permitting a cul-de-sac street longer than six hundred feet (600') if it determines that such additional length improves the subdivision design, results in a better relationship of the proposed development to the existing topography, and does not create any hardships for the subdivision's residents or the municipality.

605.7.3 The turnaround shall have an outside pavement radius of not less than forty feet (40') and a right-of-way radius of not less than fifty feet (50'). The center of the cul-de-sac turnaround need not be paved if it is planted and maintained and the paved portion is at least twenty-four feet (24') in width.

605.7.4 The minimum grade of the turn-around portion of the cul-de-sac shall be one percent (1%).

605.7.5 The maximum grade of the turn-around portion of the cul-de-sac shall be four percent (4%).

605.7.6 No street shall terminate at a dead-end without a cul-de-sac turnaround. Where extension of a street or connection to an adjacent property is indicated on the plan as intended, a temporary dead-end will be permitted provided:

(1) An all-weather temporary turnaround is provided whose maintenance and public use is guaranteed by the applicant.

(2) The right-of-way for the intended continuation of the street is provided and plotted on the subdivision plan.

(3) The design standards of the street shall conform to the future functional classification of the street as intended when fully extended and completed.

Section 606 Private Lanes

Private lanes as defined by this Ordinance shall be permitted only under the following specific conditions.

606.1 Private lanes shall be limited to provide service to and access by a maximum of four (4) lots.

606.2 All lots served by private lanes shall front on the private lane and contain a minimum of one (1) acre in area (43,560 square feet) exclusive of land in any recorded right-of-way. Flag lots off a private lane are prohibited.

606.3 Private lanes must connect directly to an existing public street or a public street proposed in the same subdivision plan proposing the private lane.

606.4 Private lanes shall meet the following specifications:

606.4.1 The right-of-way width shall be a minimum of fifty feet (50').

606.4.2 The cartway width shall be a minimum of twenty five feet (25').

606.4.3 The cartway shall be constructed of a compacted subbase designed to be mud-free and generate a minimum of dust.

606.4.4 The total length of the private lane from the edge of the connecting public road shall be no more than one thousand feet (1000').

606.4.5 There must be space at the end of the private lane for a snow plow and/or emergency vehicle to turn around.

606.5 All grading, drainage, base course and other improvements on the right-of-way of any private lane shall be carried out in a manner that will accommodate future upgrading to municipal or County standards with a minimum of cost and modification.

606.6 No lots in addition to the maximum of four (4) lots shall be approved until the private lane providing access is paved and upgraded to meet the specifications for a local street prescribed in this Ordinance. Lots for such additions may then be developed consistent with applicable dimensional requirements outlined in this Ordinance or an adopted municipal zoning ordinance.

606.7 Maintenance and liability associated with all private lanes approved under this provision shall be, and remain, the responsibility of abutting property owners until such time as the private lane is dedicated for public use. Plans submitted for final approval shall contain language guaranteeing such maintenance by abutting property owners and holding Donegal Township harmless. The following provisions shall be included in all maintenance agreements:

606.7.1 Access to and from the private lane to abutting recorded lots shall be perpetual;

606.7.2 Such ingress and egress to and from the private lane shall be considered a private covenant attached to each abutting property;

606.7.3 Shared maintenance responsibilities of each property owner shall be clearly defined and pro-rated costs identified;

606.7.4 Reference to the recorded maintenance agreement shall be noted on the subdivision or land development plan and included in the property deed; and

606.7.5 A copy of the maintenance agreement shall be submitted with the initial subdivision or land development plan where a private lane is proposed.

Section 607 Street Design Specifications

All proposed streets shall be designed and constructed according to the specifications prescribed in the accompanying Table of Street Specifications and the provisions in this Section, and, where not specified herein, with the current edition of Publication 408 of the Pennsylvania Department of Transportation.

TABLE OF STREET SPECIFICATIONS			
Specification	**Arterial Streets**	**Collector Streets**	**Local Streets**
Right-of-way width (feet)	60	50	50
Cartway paving width (feet) (not including curb width where applicable)	30*	24*	20*
Aggregate subbase	As specified in PennDOT Publication 408	8" 2A	6" 2A
Base course	As specified in PennDOT Publication 408	4" Superpave	4" Superpave
Wearing course	As specified in PennDOT Publication 408	1.5" Superpave, SRL-G (or higher)	1.5" Superpave, SRL-G (or higher)
Maximum centerline grade (minimum grade shall be 1% for all streets)	6%	8%	10%
Minimum angle for intersection	80	80	75
Minimum curb radius (feet)	45	40	20
Maximum grades for 50 feet before intersection	3%	3%	3%
Sight triangles (minimum distance along sides of through street/stop street) (feet)***	500 /30	400 /30	250 /25
Horizontal curvature (centerline radius)	11°-15' max (509'R) 4°-15' desired (1348'R)	21°-00' max (272'R) 11°-15' desired (509'R)	50°-00' max (118'R) 21°-00' desired (272'R)
Vertical curvature	150' min (plus **)	100' min (plus **)	50' min (plus **)
Sight distance at intersection of streets	Shall be measured and comply with PennDOT Publication No. 201		

*Add eight foot (8') for a parking lane where off-street parking is not provided

**Vertical curves shall be increased twenty feet (20') in length for each one percent (1%) of grade change exceeding three percent (3%).

***Sight triangles for state highways shall comply with PaDOT Design Manual No. 2 and Pub. 282 (Highway Occupancy Permit Handbook).

607.1 Additional right-of-way and cartway widths may be required by Donegal Township for the following purposes:

607.1.1 To promote public safety and convenience where anticipated traffic flows warrant, or where drainage easements should reasonably parallel thoroughfares.

607.1.2 Where a subdivision or land development abuts or contains an existing street of inadequate right-of-way.

607.2 Where a subdivision abuts a Commonwealth right-of-way less than the standard in the Table of Street Specifications for a particular roadway classification, the building setback shall be increased by an amount equal to one-half (1/2) the difference between the existing right-of-way width and the standard right- of-way width in the Table of Street Specifications.

607.3 Street Alignment:

607.3.1 Adjacent horizontal tangents shall be connected by an arc. A tangent shall be required between curves; however, a long radius curve shall be preferred in all cases to a series of curves and tangents. A minimum tangent of one hundred feet (100') shall be required between reverse curves.

607.3.2 For compound curves the radius of the curve with the greater radius shall be not more than fifty percent (50%) longer than the radius of the adjacent curve, or the transition between curves may be achieved by a three-centered compound curve.

607.3.3 Curves shall be superelevated on arterial and collector streets when the curve radii are less than six hundred feet (600') and shall be designed in accordance with PennDOT Design Criteria applicable to the class of roadway or street.

607.3.4 Where horizontal alignment curves around a topographical or other obstruction, there shall be maintained an unobstructed sight distance at all points along the curve of at least one hundred and fifty feet (150') measured three feet six inches (3' 6") above the finished road surface along the road centerline.

607.4 Grading

607.4.1 Streets shall be constructed to grades and cross-sections as cited on, and presented with, the preliminary plans and street profiles, in conformance with this section.

607.4.2 Street shoulders shall be graded to the full width of the street or road right-of-way, and thoroughly compacted by rolling all shoulders.

607.4.3 The subgrade of a street shall be brought to the proper grade and contour, and shall be rolled and cross rolled. All soft spots shall be recompacted with a suitable firm material, approved by the County Engineer, before the placing of any base material.

607.4.4 No base course shall be placed until the subgrade has been proof-rolled, inspected and approved in writing by the County Engineer.

607.4.5 All inspections shall be coordinated with the County Engineer or their authorized representative.

607.5 Underdrainage

607.5.1 In areas where springs, poor soil drainage conditions, wet weather springs or where conditions exist that underground drainage is necessary to properly protect the proposed street pavement, there shall be constructed pipe underdrain, stone underdrain or subgrade drains subject to approval of the County Engineer.

607.5.2 If, during construction, unknown poor drainage conditions are encountered by the applicant, he shall notify the County Engineer and correct such conditions encountered at the direction of the County Engineer.

607.6 Timing of Final Pavement:

607.6.1 The final wearing course shall not be installed until seventy-five percent (75%) of the lots are developed or within two (2) years of the date of issuance of the first plan building permit.

607.6.2 The base course shall be sealed with a one-half inch (1/2") compacted thickness wearing course of FB-1 materials if the final wearing course is not placed prior to the end of the first paving season, in accordance with Pennsylvania Department of Transportation (PaDOT) Form 408, latest edition, Section 439.

607.6.3 Unsuitable material shall be removed and replaced with coarse aggregate material as approved and inspected by the County Engineer.

607.7 Curbing

607.7.1 Curbs shall be required with proposed streets where any of the below criteria are met:

(1) Streets are designed to serve areas in which the net residential density (excluding streets, other public lands, and undeveloped lands) of the area surrounding the proposed subdivision equals or exceeds four (4) dwelling units per acre.

(2) Lot frontage is less than seventy-five feet (75').

(3) Commercial or industrial development is proposed.

(4) Curbs exist on abutting property.

607.7.2 Curbs may also be required where deemed necessary by the Township for public safety, stabilizing the pavement edge, controlling water runoff, or clearly defining driving and parking areas.

607.7.3 Curbs shall be constructed, as to materials and methods, in conformance with applicable portions of PADOT Publication 408, current edition, and shall meet requirements of the Americans With Disabilities Act.

607.8 Street Intersections:

607.8.1 Where two (2) streets intersect a third street from opposite sides, the distance between the centerlines of the two (2) streets shall be not less than two hundred feet (200), or else they shall intersect the third street directly opposite.

607.8.2 Street intersections having more than four (4) approaches shall be prohibited.

607.8.3 Intersections of local streets with collector and arterial streets shall be kept to a minimum, consistent with topography and other local conditions. Intersection spacing of less than four hundred feet (400') between centerlines of intersecting streets shall be avoided.

607.8.4 Streets proposed for commercial or industrial land development purposes shall be laid out to intersect directly with arterial and collector streets. Insofar as possible, traffic circulation patterns for commercial and industrial subdivisions shall be designed in a

manner to eliminate or discourage traffic flow through residential areas.

Section 608 Sidewalks

608.1 Sidewalks shall be required where any of the below criteria are met:

608.1.1 Commercial development is proposed.

608.1.2 Sidewalks exist on abutting property.

608.2 Sidewalks shall have a minimum width of four feet (4'). The Donegal Township Supervisors may require a greater width in the vicinity of intensive urban use and activities.

608.3 Sidewalks shall be constructed, as to materials and methods, in conformance with applicable portions of PADOT Publication 408, current edition, and shall meet requirements of the Americans With Disabilities Act.

Section 609 Reserved Areas

Reserve strips surrounding property or restricting or controlling access to adjacent streets or properties, or areas reserved for any purpose that shall make any area unprofitable for regular or special assessments, or that may revert to an untended nuisance area, shall be prohibited.

Section 610 Street Names and Numbering

610.1 The applicant may choose street names subject to the approval of the Township, Butler County Emergency Services, and Butler County Mapping Department. Streets that are extensions of existing streets or are substantially in alignment with them shall bear the name of the existing street. No street, other than an extension, may be given the name of an existing street in the municipality's postal zip code area. Documentation certifying that the street names used are not duplications of street names within the same postal zip code area shall be filed by the applicant.

610.2 All house numbering systems shall be coordinated with the number of existing development in the area and consistent with municipal and Butler County Emergency Management system standards.

610.3 Street Names and Signposts:

610.3.1 Approved street name signs shall be placed at all street intersections within the plan and at the intersection of existing streets and streets entering the plan.

610.3.2 Signs and supports shall be installed at the developer's expense according to standards of the host municipality and Pennsylvania Department of Transportation.

Section 611 Stormwater Management

Stormwater management facilities shall be provided for subdivisions and land developments as required by the stormwater management ordinance of the municipality in which the development is located. The applicant shall provide documentation from the appropriate municipal authority indicating required stormwater management facilities are planned, designed, and will be constructed according to the municipal stormwater management ordinance.

Section 612 Erosion and Sedimentation Control

Erosion and sedimentation control measures shall be provided for subdivisions and land developments involving earth disturbance activities as required by the Pennsylvania Code of Regulations, Title 25, Chapter 102, Erosion Control. The applicant shall provide documentation from the Butler County Conservation District or the PA Department of Environmental Protection that appropriate erosion and sedimentation control permits and/or approvals are obtained.

Section 613 Sanitary Sewers

All lots created through subdivision and all proposed land developments must have suitable sanitary sewer service.

613.1 Where an existing public sanitary sewer system is reasonably available with adequate capacity, the proposed subdivision or land development shall connect to the public sewer system and provide public sewer service to its development. The extension of sewer mains and the construction of public sewer service for the development shall comply with the design requirements and construction specifications of the municipality, municipal authority, or utility that owns the public sewer system. A public sanitary sewer system shall be deemed to be reasonably available if:

613.1.1 The subdivision or land development is within a designated future public sewer service area according to the municipality's official Act 537 Sewage Facilities Plan; or

613.1.2 The subdivision or land development is located within a specified distance of a public sanitary sewer system according to the following table.

TABLE OF CRITERIA FOR WHEN A PUBLIC SEWER SYSTEM IS DEEMED REASONABLY AVAILABLE	
Size of Development	**Distance from a Public Sewer System***
1-4 Building Lots or EDUs	200 Feet
5-14 Building Lots or EDUs	500 Feet
15+ Building Lots or EDUs	1,000 Feet

*The distance shall be measured from the most feasible connection point in the proposed development to the nearest available public sewer line of sufficient size to provide service following a feasible route for connection.

613.2 Where connection to and service by a public sanitary sewer system will not be provided in accord with the above provisions, the subdivision or land development shall provide sanitary sewer service by:

613.2.1 Installation of individual on-lot sewage disposal systems as approved by the municipality, its sewage enforcement officer, and the PA Department of Environmental Protection; or

613.2.2 Construction of a private sanitary sewer system consistent with the municipality's official Act 537 Sewage Facilities Plan, approved and permitted by the PA Department of Environmental Protection, and designed and installed according to PA DEP's Pennsylvania Domestic Wastewater Facilities Manual.

613.3 Where sanitary sewer service will be provided by connection to a public sewer system, the applicant shall provide an ability to serve letter from the municipality, municipal authority, or utility that owns the system.

Section 614 Non-Building Lots

Where acceptable by and complying with the policies and rules of the municipality and the PA Department of Environmental Protection in administering Act 537 sewage facilities planning, a lot that is otherwise buildable according to the provisions of this Ordinance and applicable municipal ordinances may be created and designated non-building without providing suitable sanitary sewer service. The final subdivision plan shall contain a notation, meeting municipal and PA DEP policies and rules, for each such lot declaring the lot to be for non-building purposes until such time that

suitable sanitary sewer service is provided, and indicating an application for and approval of a new subdivision is required to remove the non-building notation.

Section 615 Water Supply

615.1 Where an existing public water system is reasonably available with adequate capacity, the proposed subdivision or land development shall connect to the public water system and provide public water service to its development. The extension of water mains and the construction of public water service for the development shall comply with the design requirements and construction specifications of the municipality, municipal authority, utility, or other entity that owns the public water system. A public water system shall be deemed to be reasonably available if:

615.1.1 The subdivision or land development is within a designated future public water service area according to an official public water supply or service plan of the municipality or appropriate authority or utility; or

615.1.2 The subdivision or land development is located within a specified distance of a public water system according to the following table.

TABLE OF CRITERIA FOR WHEN A PUBLIC WATER SYSTEM IS DEEMED REASONABLY AVAILABLE	
Size of Development	**Distance from a Public Water System***
1-4 Building Lots or EDUs	200 Feet
5-14 Building Lots or EDUs	500 Feet
15+ Building Lots or EDUs	1,000 Feet

*The distance shall be measured from the most feasible connection point in the proposed development to the nearest available public water line of sufficient size to provide service following a feasible route for connection.

615.2 Where connection to and service by a public water system will not be provided in accord with the above provisions, the subdivision or land development may provide water service by construction of a private water system approved and permitted by the PA Department of Environmental Protection and designed and installed according to PA DEP's Public Water Supply Manual.

615.3 Where water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, water shall be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be submitted as evidence.

615.4 Where water service will be provided by connection to a public water system, the applicant shall provide an ability to serve letter from the municipality, municipal authority, utility, or other entity that operates the system.

Section 616 Other Utilities

Provision of easements or rights-of-way for and location of natural gas, electric, cable, fiber optic and telephone, and other public utilities shall comply with requirements and standards of the applicable public utility company(ies).

Section 617 As-Built Drawings

Upon completion of the required improvements, a plan and profile of the improvements in the subdivision or land development as constructed shall be filed with the municipality..

Section 618 Monuments

Survey monuments and markers shall be placed at points of a subdivision or land development according to the following requirements.

618.1 Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in concrete.

618.2 Monuments

618.2.1 Monuments shall be set:

(1) At two (2) points along each street right-of-way, being five feet (5') offset into the right-of-way set on the tangent segment of the street.

(2) On at least two (2) points on a common property line where no new streets are being proposed.

(3) At such intermediate points as may be required by the County Engineer.

618.2.2 Monuments shall be six (6) inches square or six (6) inches in diameter, thirty (30) inches long and made of concrete, stone, or by setting a four (4) inch cast iron or steel pipe with a diameter of a minimum of five-eighths inch (5/8") and filled with concrete.

618.3 Markers

618.3.1 Markers shall be set:

(1) At all lot corners except those monumented.

(2) Prior to the time the lot is offered for sale.

618.3.2 Markers shall be three quarters (3/4) of an inch square or three-quarters (3/4) of an inch in diameter, thirty (30) inches long. Markers shall be made of iron pipe or iron or steel bars.

Section 619 Land Development Requirements

Land developments as defined herein are subject to regulation under the Donegal Township Subdivision and Land Development Ordinance. It shall be unlawful for a developer or landowner to construct land developments as defined herein without complying with the requirements of this Section.

619.1 Application of Standards. Any proposal to develop land or to prepare land for development other than the act of subdivision shall be subject to the requirements of this Section with the following exceptions:

619.1.1 Erection of a single or two-family detached dwelling, including a mobile or modular home, on its own lot.

619.1.2 Erection of any accessory structures on a lot or lots subordinate to an existing principal building.

619.1.3 Construction or expansion of accessory farm buildings (housing of livestock, shelter for farm equipment, storage of silage, etc.) on a lot or lots subordinate to an existing farm as defined in this Ordinance.

619.1.4 Improvements to any building in an existing land development that do not increase the area it occupies on the ground or the need for additional parking spaces.

Section 620 Land Development Design Standards

Land developments shall comply with the design standards of this Section in addition to other design standards of Article VI.

620.1 Land developments shall provide to adjacent landowners adequate privacy, light, air and protection from noise through building design, street layout, buffering through screening or plantings and of building orientation and location.

620.2 Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or association of property owners or other responsible parties.

620.3 Parking and loading areas, streets and driveways shall be sufficient for anticipated vehicular traffic volumes, use and circulation and designed and constructed in compliance with the standards in Articles VI and VII.

620.4 Off-street parking shall be provided meeting the requirements for number and size of spaces and other off-street parking design standards prescribed in the municipal zoning ordinance or other municipal ordinance prescribing such requirements. Where there are no off-street parking requirements in a municipal zoning or other ordinance, off-street parking requirements shall be as follows, or the applicant shall demonstrate that proposed off-street parking meets standards of the Institute of Transportation Engineers (ITE) or other accepted authority.

620.4.1 The number of off-street parking spaces provided shall be based on the proposed land use and the following table:

TABLE OF REQUIRED OFF-STREET PARKING SPACES	
Land Use	**Required Number of Spaces**
Multi-Family Dwelling – Townhouse, Duplex, Quad	2.0 per DU
Multi-Family Dwelling – Apartments ≥3 Bedrooms	1.6 per DU
Multi-Family Dwelling – Apartments ≤2 Bedrooms	1.4 per DU
Nursing Home	1 per 1,000 sq. ft. GFA
Retail Commercial	3 per 1,000 sq. ft. GFA
Restaurant	0.35 per seat
Office	0.9 per employee
Medical/Dental Office/Clinic	0.35 per 1,000 sq. ft. GFA
Personal Services	2 per 1,000 sq. ft. GFA
Hotel, motel, other lodging	1.5 per room
Church	0.2 per seat in worship area
Institutional	3 per 1,000 sq. ft. GFA
Industrial	1 per 1,000 sq. ft. GFA

Abbreviations used in table:
DU = Dwelling Unit
GFA = Gross Floor Area

620.4.2 Parking spaces shall be a minimum of nine feet (9') wide by eighteen feet (18') long exclusive of aisles or driveways.

620.4.3 Access to off-street parking areas shall be limited to well-defined locations and shall not allow unrestricted access along a street.

620.4.4 Parking for disabled persons shall be provided meeting the standards of the Americans With Disabilities Act.

620.5 Access driveways serving proposed land developments shall be designed according to the specifications prescribed in the accompanying Table of Driveway Specifications, plus the provisions in this Section. Access driveways must also comply with requirements for Highway Occupancy Permits on state streets and highways and municipal driveway permits where required for municipal streets and roads.

TABLE OF DRIVEWAY SPECIFICATIONS					
Specification	**Expected # Vehicles Per Day**	**Service for Passenger Cars & Single Unit Trucks**		**Service for Buses and Combination Trucks**	
		Roadway Speed Limit		**Roadway Speed Limit**	
		<45 MPH	**45 MPH>**	**<45 MPH**	**45 MPH>**
Minimum Driveway Width	Less than 25	10'	10'	12'	12'
	25-750 one way	10'	12'	12'	12'
	25-750 two way	20'	20'	22'	22'
	750-1,500	24'	24'	24'	24'
	>1,500	Design as PennDOT High Volume Driveway, Current Criteria			
Minimum Radius	less than 25	10'	10'	35'	40'
	25-750 one way	10'	15'	35'	45'
	25-750 two way	10'	15'	35'	45'
	750-1,500	15'	15'	45'	50'
	>1,500	Design as PennDOT High Volume Driveway, Current Criteria			

620.5.1 Driveways shall enter streets at safe locations, not less than fifty linear feet (50') from the centerlines of any intersecting roadways, and in no case within the curb radius.

620.5.2 Driveways shall have a stopping distance, measured twenty feet (20') behind the right-of- way line, with a longitudinal grade not exceeding four percent (4%) wherever possible.

620.5.3 Driveway profiles shall be prepared by a Professional Land Surveyor or Registered Professional Engineer and extend from the centerline of the abutting road or street right-of- way to a point twenty-five feet (25') past the recorded right-of-way line toward the building setback line on the abutting lot, tract or parcel.

620.5.4 All private access driveways shall be located, designed, constructed and maintained in such a manner as not to interfere or be inconsistent with the design and maintenance of the adjacent streets.

620.5.5 Access driveways should be located and installed in such manner that they will not cause the following:

(1) Interference with the traveling public.

(2) A hazard to the free movement of normal roadway traffic.

(3) Areas of undue traffic congestion on the roadway.

620.5.6 Access driveways shall not be designed and constructed at locations that would interfere with the placement and proper functioning of roadway signs, signals, detectors, lighting or other devices that affect traffic control.

620.5.7 Sight Distance: Access driveways shall be located at a point of optimum sight distance along the roadway within the property frontage limits. The profile of the driveway and the grading of the right-of-way area shall provide a maximum sight distance so that the operator of a vehicle departing from such a driveway will have optimum visibility in either direction along the roadway.

620.5.8 Shared access driveways shall be encouraged in order to limit individual points of access along road segments. Where a property boundary line is centered in the access driveway, a minimum twenty foot (20') width shall be required.

620.5.9 Stormwater management and drainage: Access driveways shall be designed in compliance with requirements of the municipal stormwater management ordinance. Additionally, access driveways shall provide for surface drainage and shall not cause accumulation, concentration, or discharge of surface waters onto adjacent streets, shall not interfere with drainage on adjacent streets, and shall not materially change the drainage of adjacent areas.

620.5.10 Commercial and industrial ingress and egress (driveways) shall be designed to provide optimum visibility and to minimize traffic congestion in the vicinity of the development parcel.

620.6 Service and waste and recycling storage and disposal areas for the land development shall be constructed and screened with a fence or plantings, so that they are not visible from occupied structures on adjacent properties.

620.7 For multi-building and multi-use land developments, a Landscaping Plan shall be submitted that includes interior site plantings in addition to a landscaped transition or buffer area to adjoining properties. Existing

vegetation shall be considered to meet this standard, if identified. Landscape planting shall be provided to enhance architectural features, manage stormwater runoff through best management practices, enhance view-sheds and to provide shade, noise-suppression and energy efficiency.

620.8 For multi-building and multi-use land developments, a Pedestrian Circulation Plan shall be submitted by the developer, indicating the safe and efficient movement of people within and through the site. All Pedestrian Circulation Plans shall be completed using such standard resources as those provided by the American Planning Association or the Institute of Traffic Engineers (ITE).

620.9 Exterior parking areas, access driveways, vehicular access aisles, pedestrian walkways and loading spaces shall be sufficiently illuminated so as to provide safe movement on Site.

620.10 Exterior lighting shall be designed and installed as follows:

620.10.1 All lighting shall be directed downward and against an opaque surface on site. Sharp cut-off luminaires are required in parking areas. At no time shall illumination from site lighting be allowed to "spill over" onto adjacent properties or create glare above the site. Directional lighting shall not be dispersed over more than three-quarters (3/4) of the distance from the light source to any lot line abutting the site.

620.10.2 The illumination level on a commercial or industrial property shall not exceed two (2) foot candles at any lot line which abuts a residential lot.

620.10.3 Lighting shall not produce a glare which may hinder pedestrians or persons driving in an automobile either on or off site. Building mounted and ground mounted lighting shall be shielded or deflected at the source of illumination.

620.11 Natural gas compressor stations shall comply with the following requirements to minimize impacts on the county's physical and social environments and to protect adjoining landowners and the community from the noise, light and industrial activity.

620.11.1 All compressors and equipment, other than condensation tanks, dehydrators and other non-rotating mechanical support equipment, shall be located within a fully enclosed building with soundproofing and blow down silencers and mufflers at a

minimum. Cooler fans may be exposed to the outside if noise requirements can be met otherwise.

620.11.2 Audible sound from a natural gas compressor station shall not exceed a noise standard of 60dBA at the nearest property line or the applicable standard imposed by Federal law, whichever is less. The applicant shall provide technical support documentation indicating the noise standard will be achieved.

620.11.3 All compressor station equipment shall comply with the following setback distances:

(1) Two-hundred (200) feet from adjoining properties and public road rights-of-way.

(2) Seven-hundred fifty (750) feet from any existing residential structure not located on the project parcel or any school, church, hospital or other occupied building.

(3) Two-hundred (200) feet to any body of water, perennial or intermittent stream, or wetland.

620.11.4 Compressor stations shall provide the following buffer:

(1) An area of not less than 50 feet in width shall be maintained along all property lines and road rights-of-way to provide a buffer. The buffer shall not be used for parking, storage or any other purpose except landscaping, crossing of access roads or required utilities and discharge/intake lines.

(2) Vegetative screening shall be provided in the buffer area which creates an effective visual screen. In determining the type and extent of screening required, the Planning Commission shall take into consideration the design of the project structure(s) and site topographic features which may provide natural buffering, existing natural vegetation, and the relationship of the proposed project to adjoining areas.

620.11.5 Fencing – The compressor station site shall be enclosed by a minimum eight (8) foot high security fence.

620.12 Principal solar energy systems (PSES), designed to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use, shall comply with the following requirements to minimize impacts on the county's physical and social environments and on adjoining landowners and the community.

620.12.1 The PSES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), FloridaSolar EnergyCenter (FSEC) or other similar certifying organizations, and shall comply with Municipality's Building Code, and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.

620.12.2 Minimum lot size shall be three (3) acres.

620.12.3 PSES shall be setback from all property lines a minimum of thirty (30) feet.

620.12.4 Ground mounted PSES shall not exceed twenty (20) feet in height.

620.12.5 All on-site transmission and plumbing lines shall be placed minimally under solar panels and to the extent feasible underground.

620.12.6 Appropriate safety/warning signage concerning voltage shall be placed at ground mounted electrical devices, equipment, and structures.

620.12.7 No portion of the PSES shall contain or be used to display advertising.

620.12.8 All PSES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways. The applicant has the burden of proving, either through siting or mitigation, that any glare produced does not have significant adverse impact on neighboring or adjacent uses.

620.12.9 Noise from a PSES shall not exceed 55 dBA at the nearest property line. The applicant shall provide technical support documentation indicating the noise standard will be achieved.

620.12.10 PSES shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of plant materials which provide an effective visual screen.

620.12.11 PSES shall be completely enclosed by a minimum eight (8) foot high security fence.

620.12.12 PSES shall not be artificially lighted except to the extent required for safety or applicable federal, state, or local authority. Site lighting shall be directed downward and shielded so as to avoid glare on public roads and adjacent properties.

620.12.13 A minimum twenty-five (25) feet wide access road shall be provided from a state or municipal road into the site, and a minimum twenty (20) feet wide driveway shall be provided between the solar arrays to allow access for maintenance vehicles, emergency management vehicles, and fire apparatus.

620.13 Wind energy facilities, consisting of one or more wind turbines and other accessory structures and buildings and designed to supply electrical power primarily for off-site use, shall comply with the following requirements to minimize impacts on the county's physical and social environments and on adjoining landowners and the community.

620.13.1 The design of the wind energy facility shall conform to applicable industry standards, including those of the American National Standards Institute. The applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanishcer Lloyd Wind Energies, or other similar certifying organizations.

620.13.2 To the extent applicable, the wind energy facility shall comply with the Pennsylvania Uniform Construction Code

620.13.3 All wind energy facilities shall be equipped with a redundant braking system. This includes both aerodynamic over-speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.

620.13.4 Wind turbines shall be a non-obtrusive color such as white, off-white or gray.

620.13.5 Wind energy facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

620.13.6 No portion of a wind turbine shall contain or be used to display advertising.

620.13.7 On-site transmission and power lines between wind turbines shall, to the maximum extent practicable, be placed underground.

620.13.8 Wind turbines shall be set back from an occupied building, the property line, and the right-of-way of any adjacent state or municipal road a distance not less than 1.5 times the turbine height. Setback shall be measured from the center of the wind turbine base.

620.13.9 Noise from a wind turbine shall not exceed 55 dBA at the nearest property line. The applicant shall provide technical support documentation indicating the noise standard will be achieved.

620.13.10 Wind energy facilities shall provide reasonable measures to minimize shadow flicker on any occupied building.

620.13.11 Wind energy facilities shall provide reasonable measures to avoid disruption or loss of radio, telephone, television or similar signals, and shall mitigate any harm caused by the wind energy facility.

620.14 Decommissioning of Principal Solar Energy Systems and Wind Energy Facilities

620.14.1 For this section, "facility" shall mean either a principal solar energy system or a wind energy facility.

620.14.2 The facility owner or operator shall, at its expense, complete decommissioning of the facility within 12 months after the end of the useful life of the facility. The facility will be presumed to be at the end of its useful life if no electricity is generated for a continuous period of 12 months.

620.14.3 Decommissioning shall include removal of solar panels or collectors, wind turbines, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities. Disturbed earth shall be graded and re-seeded.

620.14.4 An independent and certified professional engineer shall be retained by the facility owner or operator to estimate the total cost of decommissioning without regard to salvage value of the equipment ("Decommissioning Costs") and the cost of decommissioning net salvage value of the equipment ("Net

Decommissioning Costs"). Said estimates shall be submitted to the municipality after the first year of operation and every fifth year thereafter.

620.14.5 The facility owner or operator shall post and maintain decommissioning funds in an amount equal to net decommissioning costs provided that at no point shall decommissioning funds be less than 25% of decommissioning costs. The decommissioning funds shall be posted and maintained with a bonding company or federal or Commonwealth chartered lending institution chosen by the facility owner or operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the Commonwealth and is approved by the County. Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assistance as may be acceptable to the County.

620.14.6 If neither the facility owner nor operator complete decommissioning within the prescribed period then the County may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a participating landowner agreement to the County shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns that the County may take such action as necessary to implement the decommissioning plan.

620.14.7 The escrow agent shall release the decommissioning funds when the facility owner or operator has demonstrated and the municipality concurs that decommissioning has been satisfactorily completed, or upon written approval of the municipality in order to implement the decommissioning plan.

ARTICLE VII

MOBILE HOME AND RECREATIONAL VEHICLE PARKS

Section 701 Applicability

701.1 The provisions of this Article shall apply to the construction, expansion, or alteration of all mobile home parks and recreational vehicle parks as defined in this Ordinance. Mobile home parks and recreational vehicle parks shall also comply with requirements and standards for all land developments in Article VI except where they may be otherwise prescribed in this Article. Compliance with the municipal zoning ordinance is also required.

701.2 The standards set forth under this section are intended for mobile home parks and recreational vehicle parks where lots within the park are for rental or lease only. Where it is intended by the owner or developer to offer mobile home or recreational vehicle lots for sale, the development shall be considered a subdivision and the standards in this Ordinance set forth for subdivisions shall be applicable.

701.3 A landowner shall not place for occupancy as dwellings more than two mobile homes on a lot unless applying for and being approved under this Ordinance as a mobile home park.

Section 702 Application, Review, and Approval Procedure

702.1 Mobile home parks and recreational vehicle parks shall be considered Land Developments involving installation of public improvements regulated by this Ordinance, and shall follow the plan submission requirements set forth in Article V, the review and approval procedures set forth in Article IV, and the installation of improvements requirements set forth in Article VIII.

Section 703 Design Requirements for Mobile Home Parks

703.1 A mobile home park shall have a gross area of at least five (5) contiguous acres of land.

703.2 Mobile home lots shall meet the following requirements:

703.2.1 Each lot shall have access to an approved and constructed internal street without the necessity of crossing any other space.

Direct access of a mobile home lot to any street outside the mobile home park shall not be permitted.

703.2.2 Each lot shall have a minimum area of five-thousand (5,000) square feet and a minimum width of fifty (50) feet.

703.2.3 Each lot shall be improved to provide an adequate foundation for the placement of a mobile home in a fixed position following installation guides for each unit as specified by the manufacturer and as required by the Pennsylvania Uniform Construction Code.

703.3 All mobile homes shall be located not less than fifty feet (50') from the right-of-way line of any public street or highway within the municipality and not less than fifty feet (50') from the mobile home park property boundary line.

703.4 There shall be a minimum distance of forty feet (40') between an individual mobile home and any common building.

703.5 There shall be a minimum of twenty-five feet (25') between the front wall of an individual mobile home or any attachment thereto, and the right-of-way line of an interior street or common parking area.

703.6 Mobile homes shall be placed on each lot so that there will be a minimum of ten (10) feet between the mobile home and any adjacent side or rear lot line.

703.7 Mobile home park plans shall specify that skirting, defined as a complete enclosure of compatible design and materials around the entire base of a mobile home from grade to floor elevation, shall be provided on all mobile homes.

703.8 Off-Street Parking Areas:

703.8.1 Off-street parking areas shall be furnished at a rate of at least two (2) car spaces for each mobile home lot.

703.8.2 Visitor parking at a ratio of .5 spaces per mobile home shall be located within a distance of two hundred feet (200') from the mobile homes to be served, unless other vehicular access is provided.

703.9 Internal streets in mobile home parks shall be designed and constructed in accordance with the applicable requirements for streets set forth in Article VI Design Standards of this Ordinance.

703.10 Entrances to mobile home parks shall be designed and constructed to minimize congestion and hazards and allow free movement of traffic on adjacent streets. Entrance streets, for a distance of one-hundred twenty (120) feet from the intersecting centerline of the abutting street, shall have a minimum cartway with of twenty-eight (28) fee and shall permit no parking.

Section 704 Design Requirements for Recreational Vehicle Parks

704.1 The standards set forth under this Subsection are intended for those recreational vehicle parks where lots within the park are for rental, or lease and are to serve the short term placement of recreational vehicles as outlined. No improvement or any recreational vehicle designed for long-term residency or occupancy shall be erected or placed on any recreational vehicle lot. All recreational vehicles in the RV park shall be maintained to meet Pennsylvania Department of Transportation vehicle/trailer registration requirements and in a road-worthy, transportable condition at all times, and any action toward removal of wheels is hereby prohibited.

704.2 A recreational vehicle park shall have a gross area of at least five (5) contiguous acres of land.

704.3 Recreational vehicle lots shall meet the following requirements:

704.3.1 Lot Area: Recreational vehicle lots shall be a minimum width of thirty feet (30') and shall not be less than one thousand five hundred (1,500) square feet in total area, excluding rights-of-way. Such size is considered to accommodate parking for one (1) recreation vehicle, one (1) automobile parking space, an accessory structure and related outdoor facilities including, but not limited to grill, picnic tables, and benches.

704.3.2 Setback Requirements: Front setback for recreational vehicle units shall be fifteen feet (15') measured from the right-of-way line of an interior road or street. Structures, such as bathhouses, administration offices, recreation centers and other ancillary facilities of a permanent nature shall be setback from adjacent or access streets a minimum of thirty feet (30) as measured from the roadway right-of-way line.

704.3.3 Side and rear setbacks shall be five (5) feet minimum to the closest point of the perimeter of a recreational vehicle lot.

704.4 No recreational vehicle lot shall be located closer than 100 feet from any exterior property line of the recreational vehicle park or from a

public road right-of-way. Screening shall be provided along the property boundary line separating the park and any adjacent use. Plantings shall include existing vegetation or new planting with a 50% to 50% mix of deciduous to evergreen trees that provide an effective visual screen.

704.5 Streets. Each recreational vehicle lot shall front upon an approved street or road.

704.5.1 One-way streets shall have an improved surface of no less than 12 feet.

704.5.2 Two-way streets shall have an improved surface of no less than 20 feet.

704.5.3 Streets shall be graded to provide positive drainage from the road surface. Drains and culverts shall be provided as necessary to maintain proper drainage.

704.5.4 Streets shall have a maximum grade of 6%, except for sections of no more than 100 feet in length which may exceed 6% but in no case shall exceed 10%.

704.5.5 Streets shall be all-weather constructed. All streets and roads shall be at least six inches of crushed, compacted aggregate and shall be built to be mud-free year round. Road oil, calcium or other suitable material shall be applied in an amount and frequency as necessary to control dust.

704.5.6 Streets shall be constructed of select material surfacing as per current PennDOT Highway Specifications (Form 408), as amended, or approved by the County Engineer as equivalent. Materials used shall be No. 2 R.C. aggregate. The street shall be made from stone, gravel, or bituminous paving material.

(1) The aggregate shall be uniformly spread upon the graded areas, without segregation of coarse and fine material, in loose layers a minimum of five inches (5") in depth, and compacted with a 10-ton roller meeting the requirements and specifications of the Commonwealth of Pennsylvania Department of Transportation, Form 408.

(2) The surfacing shall be crowned or sloped as specified, and the final compacted depth shall comply with the depth shown on the approved land development plans.

(3) Satisfactory compaction and stability of the material under the specified compaction equipment, in accordance with Form 408 of the Department of Transportation, shall be determined by the County Engineer. The County Engineer shall specify in writing to the developer any additional needs for satisfactory compaction.

704.6 Car parking spaces, at a minimum size of nine feet by eighteen feet (9' x 18'), shall be provided in sufficient number to meet the needs of the occupants of the property and their guests. Such facilities shall be provided at the rate of at least one and one half (1 1/2) parking spaces for each recreational vehicle lot, and shall be on the recreational vehicle lot or in designated parking areas. No on-street parking shall be permitted for safety reasons.

704.7 The recreational vehicle park may provide certain ancillary services including but not limited to a laundromat, camp store, grocery store, office, bathhouse, caretakers' residence, or maintenance building, provided that such services shall be strictly for the use and convenience of those persons utilizing the recreational vehicle park.

Section 705 Sanitary Sewers

705.1 Mobile home parks and recreational vehicle parks shall provide an approved sanitary sewer system serving all mobile home lots and recreational vehicle lots and ancillary and service buildings in the parks.

705.2 Where an existing public sanitary sewer system is reasonably available in accord with criteria in Section 613 and has adequate capacity, a proposed mobile home park or recreational vehicle park shall connect to the public sewer system and provide public sewer service to its development. The extension of sewer mains and the construction of public sewer service for the development shall comply with the design requirements and construction specifications of the municipality, municipal authority, utility, or other entity that owns the public sewer system.

705.3 Where an existing public sanitary sewer system is not reasonably available and connection to the system is not proposed, a proposed mobile home park or recreational vehicle park shall construct a private sanitary sewer system consistent with the municipality's official Act 537 Sewage Facilities Plan, approved and permitted by the PA Department of Environmental Protection, and designed and installed according to PA DEP's Pennsylvania Domestic Wastewater Facilities Manual.

Section 706 Water supply

706.1 Mobile home parks and recreational vehicle parks shall provide an approved water supply and distribution system serving all mobile home lots and recreational vehicle lots and ancillary and service buildings in the parks.

706.2 Where an existing public water system is reasonably available in accord with criteria in Section 615 and has adequate capacity, a proposed mobile home park or recreational vehicle park shall connect to the public water system and provide public water service to its development. The extension of water mains and the construction of public water service for the development shall comply with the design requirements and construction specifications of the municipality, municipal authority, utility, or other entity that owns the public water system.

706.3 Where an existing public water sewer system is not reasonably available and connection to the system is not proposed, a proposed mobile home park or recreational vehicle park shall construct a private water supply and distribution system approved and permitted by the PA Department of Environmental Protection and designed and installed according to PA DEP's Public Water Supply Manual.

Section 707 Stormwater Management

Stormwater management facilities shall be provided for mobile home parks and recreational vehicle parks as required by the stormwater management ordinance of the municipality in which the development is located.

ARTICLE VIII

INSTALLATION OF IMPROVEMENTS

Section 801 Performance Requirements

Before approving any subdivision or land development plan, the Township shall require a written and signed developer's agreement that necessary grading, paving and street improvements, sidewalks, street lights, fire hydrants, water mains, storm sewers and sanitary sewers, and other site improvements, as required by this Ordinance, shall be installed by the applicant in strict accordance with the design standards and specifications of this Ordinance, within a specified time period. Said agreement shall also provide for site maintenance during construction, and development related activities including, but not limited to maintenance of adjacent streets and roads, hours of operation, temporary signage and inspection schedules.

Section 802 Performance Guarantee

The Township shall ensure that the required improvements have been installed according to this Ordinance by either of two alternatives prescribed below and in accordance with the PA Municipalities Planning Code:

802.1 Completion of Improvements Prior to Final Approval: Prior to final plan approval, the applicant shall complete, in a manner satisfactory to the Township Engineer and the Township, all improvements required in this Ordinance and as specified in the preliminary subdivision or land development plan approved by the Township, and shall dedicate the same to the host municipality and/or Donegal Township as appropriate in accordance with these regulations. Final plan approval shall not be granted until the dedication of improvements has been accepted by Donegal Township.

802.2 Guarantee of Future Performance: In lieu of requiring the completion of all improvements prior to final subdivision or land development plan approval, the applicant shall enter into an agreement with Donegal Townsihp whereby the applicant shall guaranty, by deposit with Donegal Township of financial security, the completion of all improvements required by this Ordinance and as specified in the proposed final plan, including but not limited to roads and streets, stormwater management facilities, related drainage facilities, recreational facilities, buffer and screen plantings, or other amenities, in a manner satisfactory to the Township Engineer and the Township. The final plat or record plan shall not be signed nor recorded until the written

financial improvements agreement is executed and financial security satisfactory to Donegal Township has been posted.

802.2.1 Financial security shall be of a type and in amounts prescribed by, and meet requirements of, the PA Municipalities Planning Code.

802.2.2 Procedures and requirements for administering financial security, including release of financial security and remedies to effect completion of improvements, shall be as prescribed by the PA Municipalities Planning Code.

802.2.3 If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the municipality, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.

Section 803 Status of Improvements With Recording and Dedication

803.1 After an approved subdivision or land development plan shall have been officially recorded, the streets, parks, and other public improvements shown hereon shall be so considered to be a part of the official plan of the host municipality.

803.2 Streets, parks, and other public improvements shown on a subdivision or land development plan to be recorded shall be offered for dedication to the municipality by formal notation thereof on the plan, or the applicant/owner shall note on such plan where any improvements have not been offered for dedication to the municipality.

803.3 Every street, park or other improvement shown on a subdivision or land development plan shall be deemed to be a privately-owned street, park or improvement until such time as the same shall have been offered for dedication to the host municipality and accepted by ordinance or resolution, or until it shall have been condemned for use as a publicly-owned street, park or other improvement.

ARTICLE IX

CERTIFICATES, ACKNOWLEDGEMENTS, AND APPROVALS

The certificates, acknowledgements, and signature blocks that follow shall be inscribed on the subdivision or land development plan and shall be properly signed and attested when the plan is submitted to the Donegal Township. All certificates shall be placed on the final plan in an arrangement suitable for placement of all required seals.

OWNER'S CERTIFICATION

(I or We), _____,
(Name of owner or owners; name and title of legally-authorized officer or representative)
the undersigned, hereby declare that _____
(I or we or name of partnership, corporation, etc.)
(is or are) the owner(s) of the property shown on this final plan, that the final plan and the proposed subdivision or land development were made with the owner's(s') consent, and that the owner(s) desire(s) the final plan to be recorded as such.

In witness whereof (I or we) have set (my or our) hand(s) and seal(s) this _____ day of _____, 20____.

_____
(Owner signature)

_____
(Owner signature)

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA }

} SS:

COUNTY OF BUTLER }

Before me, the subscriber, a Notary Public in and for said County and Commonwealth, personally appeared the above named

_____
(Name of owner or owners; name and title of legally-authorized officer or representative)
who acknowledged the foregoing final plan of subdivision or land development to be (his, her, their) act and deed and desired the same to recorded as such.

WITNESS MY HAND AND NOTARIAL SEAL this _____ day of _____, 20____.

_____ SEAL
(Notary Public)

My commission expires the _____ day of _____, 20____.

PROOF OF RECORDING

COMMONWEALTH OF PENNSYLVANIA }

} SS:

COUNTY OF BUTLER }

Recorded in the office for the recording of deeds, plats and plans in said County, in Plan Book Volume _____ Page(s) _____.

Given under my hand and seal this _____ day of _____, 20____.

_____

(Recorder of Deeds)

PROFFESSIONAL CERTIFICATE

I, _____, a Professional _____
(Name of professional) *(Surveyor, Engineer, Landscape Architect)*
of the Commonwealth of Pennsylvania, do hereby certify that this plan shown hereon is true and correct to the standards of the Donegal Township Subdivision and Land Development Ordinance and that the survey and all angles, distances, and courses are accurately shown, that the monuments and markers as shown on the plat have been, or will be set, and to the best of my knowledge, that this plan correctly represents the lots, lands, streets, and highways as surveyed and plotted by me for the owners or agents.

_____ SEAL

(Professional's Name)

_____

(Professional's Registration No.)

_____

(Date)

BUTLER COUNTY PLANNING COMMISSION APPROVAL

Approved by the Butler County Planning Commission

this _____ day of _____, 20____.

_____ _____

(Secretary) *(Chairman)*

See Comments On File at the Butler County Planning Commission

Plan Number: _____

SEAL

MUNICIPAL REVIEW

Reviewed by the _____ of _____
(City, Borough, Township)

this _____ day of _____, 20____.

_____ _____

(Secretary) *(Chairman)*

SEAL

ARTICLE X

ENACTMENT

Section 1001 Effective Date

This Ordinance shall become effective 60 days after enactment and shall remain effective until amended or rescinded by the Donegal Townshpi Supervisors.

Section 1002 Repealer

All ordinances or parts of ordinances or regulations in conflict with this Ordinance or inconsistent with the provisions hereof are hereby repealed to the extent necessary to give this Ordinance full force and effect; and specifically, Ordinance No. _____ enacted by the Board of Supervisors on _____ and any amendments thereto are hereby repealed.

Section 1003 Enactment

This Ordinance is hereby enacted at a regular meeting of the Board of Supervisors of Donegal Township, Butler County, Pennsylvania, held on the _____ day of _____, 2022.

_____
Chairman

_____
Supervisor

_____
Supervisor

ATTEST:

_____
Secretary