

ORDINANCE #128 - 2007

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF HONEY BROOK BY REVISING AND AMENDING CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT, OF SAID ORDINANCE.

BE IT HEREBY ENACTED AND ORDAINED, and it is enacted and ordained by authority of the Board of Supervisors of Honey Brook Township, that the Code of Ordinances of the Township of Honey Brook, Chapter 22, Subdivision and Land Development is hereby amended as follows:

SECTION 1. Amend Part 2, §22-202, Definitions of Specific Terms, by adding the following definitions:

Adding **LOT LINE ADJUSTMENT**: A proposal between two abutting, existing, legally approved and recorded lots that share a common lot line which is adjusted in terms of its location or configuration. The land area of each lot may be different after adjustment, but the total lot area of the two lots will be unchanged. No alteration is permitted to the perimeter boundary lines of the two lots.

Adding **SIMPLE CONVEYANCE**: A proposal between two abutting, existing, legally approved and recorded lots, a portion of one of the lots is being divided off to be conveyed to the owner of the other. The land area of each lot may be different after conveyance, but the total lot area of the two lots will be unchanged. The land area being conveyed need not satisfy any of the area and bulk requirements of the applicable zoning district; so long as it is combined in common deed with the other participating lot.

SECTION 2. Amend Part 4, §22-402, Major and Minor Applications, by adding, deleting or changing:

- Changing §22-402, to read, "Application types."
- Changing §22-402.1, to read, "For purposes of procedure, all applications shall be classified as one of the following:

A. Major Plan – any of the following:

- (1) Any subdivision consisting of three or more buildable lots;
- (2) Any land development that does not involve subdivision, unless the Township Planning Commission determines that the impact of the proposed land development creates a minimal impact upon the community and surrounding infrastructure. These land development applications may be considered "minor land developments" and proceed under the procedure of §22-402.3.

B. Minor Subdivision – any subdivision in which:

- (1) No street is to be constructed or widened;
- (2) No other public improvement; i.e., intended to be dedicated to the Township, is to be constructed;
- (3) No land disturbance activities will take place except those incidental to construction of a single-family dwelling on each lot; and

(4) No more than two buildable lots are created.

C. Minor Plan – any of the following:

(1) Lot line adjustments with no proposed disturbances or construction;

(2) Simple conveyances with no proposed disturbances or construction.”

- Changing §22-402.2, to read, “Major Plan applications shall be subject to all review procedures specified in this Ordinance.”
- Changing §22-402.3, to read, “Where an application qualifies as a minor subdivision or minor land development under the terms of this Ordinance, the applicant may, at his discretion, seek approval according to the following procedures:”.
- Changing §22-402.3.B, to read, “A final plan, prepared in accordance with §§503.A, 22-503.B(2) through .B(10), 22-503.D, and 22-503.E, shall be submitted and reviewed in accordance with the applicable provisions of §§22-407 and 22-408. As part of the final plan review process, copies shall be sent to the relevant Chester County agencies applicable to preliminary plans in §22-405.4 of this Ordinance. The only design standard sections, as listed under Part 6, Design Standards, applicable to a minor subdivision or land development are: §§22-601, 22-602, 22-604, 22-607.4, 22-615, 22-617, 22-621, 22-622, 22-623, 22-624, 22-626, 22-627, 22-628 & 22-629 (applicability for all landscaping as determined by the Township Planning Commission).”
- Adding §22-402.4, to read, “Where an application qualifies as a Minor Plan under the terms of this Ordinance, the applicant may, at his discretion, seek approval according to the following procedures:
 - A. Submission of a sketch plan with review in accordance with the requirements of §22-402.3.A above.
 - B. A final plan, prepared in accordance with §§503.A, & 22-503.B(2) through .B(10) shall be submitted and reviewed in accordance with the applicable provisions of §§22-407 and 22-408. As part of the final plan review process, copies shall be sent to the relevant Chester County agencies applicable to preliminary plans in §22-405.4 of this Ordinance. The only design standard sections, as listed under Part 6, Design Standards, applicable to a minor plan are: §§22-601, 22-602, 22-604, 22-607.4, 22-621, 22-622, 22-623, 22-626, & 22-629.I (applicability for all Riparian landscaping as determined by the Township Planning Commission).”

SECTION 3. Add Appendix 22-D, Subdivision and Land Development Application and Checklist as contained in Exhibit ‘A’ and incorporated by reference hereto.

SECTION 4. SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have

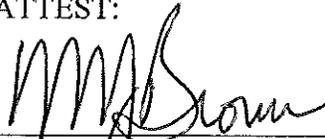
been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 5. REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective five days after enactment as provided by law.

Enacted and ordained this 9th Day of May, 2007.

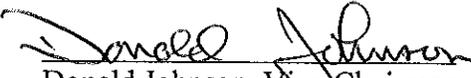
ATTEST:



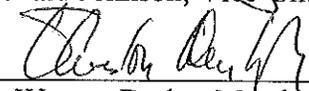
Secretary

HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS

Gregory M. Cary, Chairman



Donald Johnson, Vice-Chairman



D. Weston Darby, Member

File # _____	Name of Subdivision/Land Development _____			
Date of Application:	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%; border: 1px solid black; padding: 2px;">Fee Paid? <input type="checkbox"/></td> <td style="width:35%; padding: 2px;">Application For: (Check One)</td> <td style="width:50%; padding: 2px;"> <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plan (major) <input type="checkbox"/> Final Plan (minor) </td> </tr> </table>	Fee Paid? <input type="checkbox"/>	Application For: (Check One)	<input type="checkbox"/> Sketch Plan <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plan (major) <input type="checkbox"/> Final Plan (minor)
Fee Paid? <input type="checkbox"/>	Application For: (Check One)	<input type="checkbox"/> Sketch Plan <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plan (major) <input type="checkbox"/> Final Plan (minor)		

Involved Parties

Applicant	Name: _____	Tel No: _____
	Address: _____	_____
Owner of Record	Name: _____	Tel No: _____
	Address: _____	_____
Equitable Owner (if any)	Name: _____	Tel No: _____
	Address: _____	_____
Agent or Attorney (if any)	Name: _____	Tel No: _____
	Address: _____	_____
Registered Engineer, Surveyor, or Architect	Name: _____	Tel No: _____
	Address: _____	_____

Parcel Information

Total Area to Be Subdivided.....	
No. of Lots or Dwelling Units Proposed.....	Density (dwelling units per acre).....
Average Lot Size.....	# of TDR's needed to attain density.....
Acreage of Area in flood plain (if any).....	
Record Book and Page _____	Tax Parcel #(s)
<input type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Individual	<input type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Individual

List of All Encumbrances

Amount	Name & Address	Book #	Page #

Zoning Classification

Any special exceptions, conditional uses, and/or
variances needed?.....
If so, has application been submitted?

Linear footage of new streets

Copy of all restrictions, covenants, etc. if any, under which lots are to be sold

- Attached
- None

Type of development planned:

- Single-Family Dwellings
- Two-Family Dwellings
- Row
- Multi-Family Dwellings
- Commercial
- Industrial
- Other (specify)

Supplementary material accompanying application

- | Required | N/A | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Sewage Modules |
| <input type="checkbox"/> | <input type="checkbox"/> | Storm Water Management Plan and Report |
| <input type="checkbox"/> | <input type="checkbox"/> | E&S/ NPDES Plan and Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Traffic Impact Study |
| <input type="checkbox"/> | <input type="checkbox"/> | Wetland Study-Floodplain Analysis Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Other (specify) |

A copy of the description of land as set forth in deed shall be attached.

Evidence of TDR purchase (if applicable) or agreement of purchase

Attach explanatory statement of plan to be reviewed. (Indicate here pages attached.....)

Any subdivision/land development requirement from which waivers will be requested,
and a brief indication of the reasons for such waiver:

Signature of Owner of Record

Signature of Equitable Owner (if applicable)

PC File #		Name of Subdivision or Land Development	
		Application Checklist	
		Page 3 of 5	
(S)	(P)	(F)	Information to be Shown
			General Information
()	()	()	Type of plan being submitted (sketch, preliminary, final)
()	()	()	Name of the subdivision or land development
()	()	()	Name and address of the owner of the record
()	()	()	Name and address of equitable owner (if any)
()	()	()	Name and address of the applicant
()	()	()	Name and address of the engineer, surveyor, or architect
()	()	()	Professional seal of preparer
()	()	()	Waivers or zoning relief requests required
()	()	()	North point
()	()	()	Location map
	()	()	Key map, showing adjacent properties and municipal boundaries within 1000'
	()	()	Legend of existing and/or proposed features
()	()	()	Graphic and written scale
()	()	()	Date of preparation of plan and any revision dates
()	()	()	Acreage of tract
()			Approximate tract boundaries
	()	()	Tract boundaries showing bearings and distances
()	()	()	Streets on and adjacent to the tract
()	()	()	Significant topographical and physical features
()	()	()	Proposed general street layout, general lot layout and/or building layout
()	()	()	For land developments, general layout of buildings, park areas, and open space
()	()	()	Contours (U.S.G.S. or field measured) at appropriate intervals; benchmark
()	()	()	Present zoning classifications of tract
	()	()	Present zoning classifications of adjacent parcels within 200' of subject tract
	()	()	Names and deed reference for adjacent parcels; names of adjacent subdivisions; locations and dimensions of streets and /or right-of-way easements therein
	()	()	Locations and dimensions of all existing streets, bridges, culverts, pipes, railroads, sewers and sewage systems, aqueducts, watermains and feeder lines, fire hydrants, gas, electric, and oil transmission lines, water courses, buildings, sources of water supply, easements and other features on subject tract and adjacent tracts.

PC File #		Name of Subdivision or Land Development	
		Application Checklist	
		Page 4 of 5	
(S)	(P)	(F)	Information to be Shown (cont'd)
	()	()	Location and widths of any reserved streets on any adopted local or county plans
	()	()	Location of all historically significant sites and structures
	()	()	Location of existing walkways, paths, and/or trails
			Proposed Layout and Improvements
	()	()	Proposed lot layout; number lots; lot dimensions; areas subject to easements
		()	For residential subdivisions; street names, addresses and proposed locations of houses
	()	()	For a land development, proposed building locations; parking lots; access and traffic control, loading docks, provisions for landscaping and lighting
	()	()	A plan for future street system for undeveloped portions (when required)
	()	()	Open space and recreation facilities
		()	Location of permanent reference monuments
	()	()	Driveway layout/ Profile and details
			For cluster and multi-family developments the following shall be shown:
	()	()	Areas remaining open or wooded
	()	()	Recreation areas
	()	()	Agricultural areas
	()	()	Total dwelling units, number of buildings, proposed density, total parking spaces, and bedroom ratio
			Improvements Construction Plan
	()	()	Proposed streets and gutters; typical cross section; street construction; means of water supply and sewage disposal
	()	()	Locations width and names of street layouts
	()	()	For public sewer service, preliminary design of system
	()	()	For off-site or central water service, preliminary design of facilities
	()	()	For subdivision/land development, which lies within an adjacent municipality, sufficient information to review public improvements
	()	()	Where applicable, a schedule for phased improvements
			Accompanying Information
	()		Planning Modules for Land Development from DEP
		()	Engineer or Surveyor certificate of conformity
		()	Certification of public water and sewer facilities from the appropriate authority
		()	Certificate of title showing land to be vested in subdivider for plan approval
		()	Certified signature of owner(s) of property
		()	Approval by or Township solicitor of offers of dedication
		()	Copy of any private deed restrictions imposed on property
		()	Copies of any certificates of approval by authorities of Commonwealth
		()	Cost estimate of improvements

PC File #		Name of Subdivision or Land Development	
		Application Checklist	
		Page 5 of 5	
(S)	(P)	(F)	Information to be Shown (cont'd)
			Conservation Plan
	<input type="checkbox"/>	<input type="checkbox"/>	Geological formations
	<input type="checkbox"/>	<input type="checkbox"/>	Topography/USGS contours and benchmark (based on type of development)
	<input type="checkbox"/>	<input type="checkbox"/>	Areas of steep slopes (15-25% & >25%)
	<input type="checkbox"/>	<input type="checkbox"/>	Locations of ponds, wetlands, streams, swales, soil & floodplain boundaries
	<input type="checkbox"/>	<input type="checkbox"/>	Soil series, types, and phases; accompanying soils data
	<input type="checkbox"/>	<input type="checkbox"/>	Vegetative cover conditions, woodlands, and specimen trees
	<input type="checkbox"/>	<input type="checkbox"/>	Areas of woodlands proposed for clearing; reasons for clearing
	<input type="checkbox"/>	<input type="checkbox"/>	Historic resources, sites or structures
	<input type="checkbox"/>	<input type="checkbox"/>	Existing paths and trails
	<input type="checkbox"/>	<input type="checkbox"/>	Delineated areas of tract visible from public roads; any visually significant areas.
	<input type="checkbox"/>	<input type="checkbox"/>	Locations of known or potentially sensitive ecological areas (PNDI)
			Stormwater Management Plan
	<input type="checkbox"/>	<input type="checkbox"/>	All existing facilities and natural systems for controlling stormwater runoff.
	<input type="checkbox"/>	<input type="checkbox"/>	All proposed earth moving and grading; devices and measures to control erosion during land disturbance; stabilization and site restoration measures
	<input type="checkbox"/>	<input type="checkbox"/>	The location of drainage swales, basins, infiltration structures, previous surfaces. Size, elevation, and location of manholes, pipes, inlets, and endwalls
	<input type="checkbox"/>	<input type="checkbox"/>	Design of any bridges and/or culverts
	<input type="checkbox"/>	<input type="checkbox"/>	Delineation of pre and post development watersheds, points/lines of interest, flow path
			Lighting Plan
	<input type="checkbox"/>	<input type="checkbox"/>	Illumination plan with foot candle determinations
	<input type="checkbox"/>	<input type="checkbox"/>	Details of proposed lighting
			Landscaping Plan
	<input type="checkbox"/>	<input type="checkbox"/>	Preservation and protection methods and replacement of existing vegetation
	<input type="checkbox"/>	<input type="checkbox"/>	Street trees
	<input type="checkbox"/>	<input type="checkbox"/>	Buffer plantings
	<input type="checkbox"/>	<input type="checkbox"/>	Parking lot landscaping
	<input type="checkbox"/>	<input type="checkbox"/>	Additional plantings
	<input type="checkbox"/>	<input type="checkbox"/>	Stormwater basins and associated facilities landscaping
	<input type="checkbox"/>	<input type="checkbox"/>	Riparian corridor landscaping
	<input type="checkbox"/>	<input type="checkbox"/>	Plant materials specifications/notes, maintenance, species, and guarantee
	<input type="checkbox"/>		Plan requirements (preliminary landscape plan)
		<input type="checkbox"/>	Plan requirements (final landscape plan)