

HONEY BROOK TOWNSHIP  
CHESTER COUNTY, PA

ORDINANCE #134 - 2008

**AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE HONEY BROOK TOWNSHIP ZONING ORDINANCE OF 2003, AS AMENDED, TO REMOVE VARIOUS DESIGN STANDARDS PROVISIONS AND TRANSFER THESE STANDARDS TO VARIOUS SECTIONS OF THE HONEY BROOK TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 2004, AS AMENDED.**

**SECTION 1.** Amend Section 27-804.2.A to state as follows:

A. Except as otherwise provided herein, every lot proposed as part of a subdivision or land development shall contain sidewalk or a pedestrian trail as determined by the Board of Supervisors. Sidewalk design and construction shall be consistent with the requirements of §22-618 of the Township Subdivision and Land Development Ordinance. Pedestrian trails shall be designed as per the discretion of the Board of Supervisors.

**SECTION 2.** Amend Section 27-904.2.A to state as follows:

A. Except as otherwise provided herein, every lot proposed as part of a subdivision or land development shall contain sidewalk or a pedestrian trail as determined by the Board of Supervisors. Sidewalk design and construction shall be consistent with the requirements of §22-618 of the Township Subdivision and Land Development Ordinance. Pedestrian trails shall be designed as per the discretion of the Board of Supervisors.

**SECTION 3.** Amend Section 27-1111.3 (Street Trees and Existing Vegetation) to state as follows:

3. *Street Trees and Existing Vegetation.* Planting and maintenance of street trees shall be consistent with the requirements of §22-629.4. Protection of existing woodland is subject to the requirements of the §27-1306 and the standards as given in Chapter 22.

**SECTION 4.** Amend Section 27-1111.4 (Screening Requirements) to state as follows:

3. *Screening Requirements.* All residential uses shall be screened from adjacent parking lots and active recreation areas on the tract. Standards for screening, including, plant material and maintenance, shall comply with the requirements of §22-629.5. Protection of existing woodland is subject to the requirements of the §27-1306 and the standards as given in Chapter 22.

**SECTION 5.** Amend Section 27-1111.5 (Sidewalks) to state as follows:

5. *Sidewalks.* The provision of sidewalks shall be consistent with the requirements of §22-618 of the Township Subdivision and Land Development Ordinance. Responsibility for snow removal and maintenance of all sidewalks shall be that of the homeowners association or the individual homeowner.

**SECTION 6.** Amend Section 27-1111.6.B(2) (Orientation of Dwellings Toward Existing Roads) to state as follows:

(2) Views of the proposed dwelling or dwellings shall be filtered by a planted landscape buffer consistent with the requirements of §22-629.5 of the Township Subdivision and Land Development Ordinance.

**SECTION 7.** Amend Section 27-1112 (Open Space Standards and Requirements) as follows:

A. Delete Section 27-1112.2. Renumber Sections 27-1112.3, .4, and .5 as Sections 27-1112.2, .3, and .4.

B. Amend new Section 27-1112.3.I to read as follows:

I. Non-common open space on a private lot, consistent with the terms of §27-1112.8.B.

C. Amend new Section 27-1112.4 to read as follows:

4. Where portions of the protected open space are to be used for sewage and/or stormwater management facilities, the area devoted to such facilities shall not be eligible for calculating the minimum required open space area for the tract that is stipulated in §27-1112.1. This exclusion shall apply to protected open space area underlaid by drip irrigation or other approved community sewage facilities or designated to receive treated wastewater through spray irrigation, where such sewage applications cause the affected open space to be unsuitable and ineligible for other open space uses provided in §27-1112.3.

C. Establish new Section 27-1112.5 which shall state as follows:

5. Areas designated for recreational facilities shall be designed according to the requirements of §22-625. The location, type, and design of recreational areas shall be subject to the approval of the Board of Supervisors. In addition, recreation facilities shall comply with the following standards:

A. Recreation facilities within protected, common open space shall be designed to serve all residents of the development.

B. Recreation areas shall be connected by a visibly delineated greenway trail, sidewalk, or similar linkage.

C. Recreation areas shall be accessible to all residents of the development without the need to travel on streets or upon private property.

C. Delete Section 27-1112.7 and renumber Sections 27-1112.8, .9, and .10 as 27-1112.7, .8, and .9.

**SECTION 8.** Amend Section 27-1302.5.E to state as follows:

E. Erosion and sedimentation control measures, facilities, and structures, provided no increase in flood heights or frequency, unhealthful ponding, or other unsanitary conditions shall occur. Sediment basins may be converted to stormwater detention facilities provided the basin is only located on soils identified in §27-1302.2.B.

**SECTION 9.** Amend Section 27-1302.7.O to state as follows:

O. The placing or stripping of topsoil or fill material of any kind, exclusive of grading or filling necessary for the construction of a structure for which a building permit and other valid authorization has been issued, or for creation of a sediment basin or conversion of a sediment basin to a stormwater detention facility as defined in §27-1302.5.E.

**SECTION 10.** Delete Section 27-1304.3.B(b)(3) and establish new Section 27-1304.3.B(a)(10) which shall state as follows:

(10) Naturalized stormwater basins, provided the basin is located a minimum of 25 feet from the defined edge of identified watercourses, and such basin is landscaped consistent with the requirements of §22-629.8 and §22-629.9.

**SECTION 11.** Renumber Section 27-1304.3.B(a)(1)-(9) and (b)(1)-(3) as Section 27-1304.3.B(1)(a)-(i) and (2)(a)-(c).

**SECTION 12.** Amend Section 27-1505 (Design and Maintenance Standards) to state as follows:

Compliance with the following standards shall be required by the Township for any off-street parking area serving a multi-family residential or nonresidential use with a minimum required capacity of five parking spaces:

1. The design and maintenance of off-street parking areas shall be consistent with the requirements in §22-617.

2. Lighting shall be provided to illuminate any off-street parking spaces to be used at night. Lighting facilities shall comply with the requirements of §27-1710 of this Chapter.

3. Parking area landscaping and screening shall be consistent with the requirements of §22-629.6.

**SECTION 13.** Amend Section 27-1507.D (Schedule of Required Parking) to state as follows:

*D. Industrial and Warehouse Uses.*

(1) *Wholesale Agricultural Produce Sales and Stockyard.* One parking space for each employee on the shift of greatest employment plus one space for every 500 square feet of gross leasable area intended for non-employee customer access.

(2) *Quarry, Junkyard, Municipal Landfill, Commercial Use of Water Resources, Concentrated Animal Feeding Operation, or Public Utility Building.* One parking space for each employee on the shift of greatest employment, or one space for every 500 square feet of gross floor area, whichever is greater.

(3) *Warehouse or Wholesale Distribution.* 1.5 parking spaces for every employee on the shift of greatest employment.

**SECTION 14.** Amend Section 27-1508 (Parking Reserve Area) to state as follows:

If the number of spaces required in §27-1507, above, is greater than 125% of the number anticipated by the applicant, reserve parking may be used in accordance with the following criteria:

A. Suitable area must be available on the site to meet the parking required in §27-1507 of this Chapter.

B. The total number of spaces required under this ordinance may be reduced up to 50 percent by the Board of Supervisors, upon recommendation of the Planning Commission. All stormwater controls shall be engineered and constructed based on total parking requirements, including the reserve.

C. Suitable and sufficient area must be reserved for the balance of the total number of spaces required by §27-1507 of this Chapter. Whenever a parking capacity problem is identified, the Board of Supervisors may require installation of additional parking spaces, upon recommendation of the Planning Commission.

D. Parking capacity will be reevaluated by the Zoning Officer should any change occur in the use, ownership, size of building, or number of residents or employees. Following reevaluation, the Board of Supervisors may require the construction of additional parking spaces, up to the maximum required by §27-1507, upon recommendation of the Planning Commission.

E. The Zoning Officer may deny or revoke the Use and Occupancy Permit of any use that fails to comply with this provision.

F. The applicant shall provide a financial guaranty to cover the cost of engineering and installation of the reserved parking spaces, for a period of 60 months following installation of the initially constructed spaces. The type and amount of the guaranty must be approved by the Board of Supervisors upon recommendation of the Township Engineer.

G. To qualify for use of the reserve parking concept, the applicant shall provide evidence supporting reduced parking needs to the Planning Commission for their review and recommendation.

**SECTION 15.** Amend Section 27-1509.C(2) to state as follows:

(2) Every retail store, warehouse or wholesale use, industry or manufacturing use shall have at least one off-street loading area of suitable size, as provided in §27-1509.B. Where the

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aggregate gross floor area exceeds 20,000 square feet for such use, one additional off-street loading berth shall be provided for each additional 20,000 square feet of gross floor area or portion thereof.

**SECTION 16.** Amend Section 27-1708 (Access and Traffic Control) as follows:

A. Revise Subsection 27-1708.A. to state as follows:

A. *General Requirements for All Driveways.* Design and construction of all driveways shall comply with the requirements of §22-615.

B. Revise Subsection 27-1708.B. to add new subpart (5) which shall state as follows:

(5) *Driveway Design.* In all other respects, the design and improvement of driveways shall comply with the requirements of §22-615 of the Township Subdivision and Land Development Ordinance.

and renumber current subsection 27-1708.B(5) as 27-1708.B(6).

C. Revise Subsection 27-1708.C. to state as follows:

C. *Access Drive Requirements for Uses Other than Single-Family Dwelling or Agriculture.* Access drives for uses other than single-family dwellings or agricultural uses shall comply with the requirements of §22-615.

**SECTION 17.** Amend Section 27-1712 (Site Improvements and Surface Water Runoff) to state as follows:

Site improvements on any residential lot or agricultural property, including accessory structures, driveways and off-street parking facilities, patios, paved terraces, open porches, and landscaping, shall be comply with the requirements of Chapter 20. Subdivisions and land development shall comply with the requirements of §22-627.

**SECTION 18.** Amend Section 27-1713 (Screening and Buffering) to state as follows:

All uses developed subsequent to adoption of this Chapter, as amended, shall comply with the requirements of §22-629.

**SECTION 19.** Amend Section 27-1714.4 (Landscaping) to state as follows:

4. Landscaping of off-street parking areas shall comply with the requirements of §22-629.6.

**SECTION 20.** Amend Section 22-615 (Driveways) to state as follows

1. *General Driveway Design Requirements.*

A. Private driveways shall be provided, except as stated below, for all residences and the construction shall be in accordance with the regulations of this Section in order to provide safe access to Township and State roads, to eliminate problems of stormwater runoff, and to assure sufficient area for and access to off-street parking.

B. Under conditions where design consistency adjacent to the Borough would necessitate the use of alleys, driveway requirements may be modified or waived at the discretion of the Board of Supervisors. Where alleys are proposed, driveway access shall be through the alley. Pursuant to the findings of the Comprehensive Plan, new development in the Township in the vicinity of the Borough consistent with a more traditional town layout utilizing alleys and adjacent off-street parking may not require private driveways for each residence. The Board of Supervisors shall have the sole discretion to waive such requirements for new development, provided such development conforms to accepted practices of village-style design or to the official map.

C. Within the legal right-of-way of the intersected street or for a distance of at least 25 feet from the edge of the cartway, whichever is greater, the driveway shall have a grade of 4 percent or less. The remainder of the driveway shall have a maximum grade of 15 percent, and any portion of this remainder that exceeds 8 percent grade shall be limited to no more than 150 continuous feet.

D. A minimum of two parking spaces, not within the street right-of-way, shall be provided before the grade of the driveway at any point exceeds 8 percent. Such off-street parking spaces shall be of the minimum dimensions specified in the Township Zoning Ordinance [Chapter 27] and shall be on a grade not exceeding 8 percent.

E. All driveways shall contain a straight length of at least 40 feet, measured from the cartway edge of the intersecting street and extending inside the lot.

F. The first 20 feet of driveway adjacent to the cartway shall be paved with a base course of PA #3A modified stone compacted to 6 inches and a wearing course of ID-2 bituminous concrete compacted to a minimum thickness of 2 inches. In cases where common driveways are permitted, and in addition to the provisions of subparagraph E., above, the portions of the driveway in common use shall be paved to a minimum width of 18 feet for a minimum distance of 20 feet from the street cartway and a minimum width of 10 feet to a point where common use of the driveway ends.

G. A common driveway, as defined by this Chapter, shall be of sufficient width, in the opinion of the Township Engineer, to provide safe passage of two vehicles or shall have sufficient number of pull-over areas to provide safe passage of two vehicles. Sufficient land area shall be reserved on each abutting lot for the widening of such common driveway should the need arrive. Maintenance responsibilities shall be established by easement or covenant.

H. The edge of any driveway shall be at least 40 feet from the nearest side of the paving radius at a street intersection.

I. All new residential driveways shall provide the minimum safe stopping distance – SSSD, as defined by 67 Pa.Code, chapter 441, Form VI-1. See Figure 22-7 and 22-8.

J. The gutter line, wherever possible, shall be maintained as a paved swale. It shall have a maximum depth of 4 inches and minimum width of 24 inches. A pipe may only be placed under the driveway entrances when approved by the Township Engineer. The acceptability of such a pipe will be governed by the gutter depth on each side of the driveway. The minimum pipe size under a driveway shall be 15-inch minimum RCP or equal as approved by the Township Engineer.

K. Driveways shall be graded so that, wherever possible, surface drainage will be discharged to the owner's property; otherwise, adequately sized pipes, inlets, and/or headwalls shall be installed and gutter improvements shall be made to direct surface drainage into the road drainage system and not onto the paving of the intersecting road. Detention facilities may be required upon recommendation of the Township Engineer.

## 2. *Additional Driveway Requirements for Single-Family Detached Dwelling Lots.*

A. The number of driveways intersecting a street shall not exceed two per lot frontage.

B. Driveways shall intersect streets at angles of no less than 60 degrees. (The angle of intersection is the acute angle made by the intersection of the centerline of the driveway with the centerline of the road).

C. The width of the single-family dwelling driveway within the legal right-of-way of a street or when carried by a bridge shall be a minimum of 12 feet; it shall be a minimum of 10 feet at all

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other points within the property line. Except where the Board determines that limitations of lot size or lot configuration make it infeasible, adequate turnaround surface shall be provided on the property so egress to the street is in a forward direction.

D. Driveways shall not be located within 5 feet of a fire hydrant or adjoining lot lines.

E. Driveway access shall be provided to the street of lesser classification where there is more than one street classification involved.

3. *Additional Driveway Requirements for Uses Other than Single Family Dwellings.*

A. Distances between access drives and street intersections and between two access drive intersections, measured from centerline to centerline shall be as follows:

(1) Intersection separation distances involving an entrance and exit at the same opening along arterial, major collector and minor collector streets shall be 200 feet.

(2) Intersection separation distances along any other street classification shall be 50 feet.

B. Access drives shall be at least 15 feet from side and rear property lines, excepting common driveways.

C. Driveway entrances shall be no less than 20 feet in width and shall not exceed 36 feet in width at the street line unless provided with a median divider, and shall be clearly defined by use of curbing. The curbs of these driveway entrances shall be rounded with a minimum radius of 15 feet where they intersect a street.

D. An access drive shall not exceed a slope of 4 percent within 50 feet of the street right-of-way.

4. Any driveway intersecting a State-owned road shall require the approval and issuance of a highway occupancy permit from the Pennsylvania Department of Transportation. A copy of the approved permit shall be provided as part of the subdivision or land development application.

**SECTION 21.** Amend Section 22-617 (Parking Areas) to state as follows:

1. *General On-Site Parking Design Standards.*

A. Parking facilities for motor vehicles shall be provided off street in accordance with the requirements of the Township Zoning Ordinance [Chapter 27] and this Chapter.

B. At no time shall angle or perpendicular parking along the curbs of local public or private access roads or streets be permitted. All parking lots and bays allowing any parking other than parallel shall be physically separated from the cartway by a minimum of 5 feet and confined to barrier curbing.

C. No single area for off-street parking of motor vehicles in residential areas shall exceed 36 cars in capacity. Separate parking areas on a parcel shall be physically separated from one another by 8-foot wide planting strips.

D. Parking areas shall be a minimum of 20 feet away from all residential units, measured from the outside wall of the dwelling unit to the curb line or outside pavement edge of the parking area.

E. Parking shall be setback a minimum of 5 feet from any side or rear property line unless approved by the Board of Supervisors as a "common parking facility," as provided by §22-617.2.

F. Parking stall dimensions shall be not less than 9 feet in width and not less than 18 feet in depth, except as stipulated in subsection J., below, regarding parking lots.

G. Buffer planting requirements shall be applicable to parking lots along the area fronting major or secondary roads and along the area adjacent to other properties. Parking area landscaping and screening shall comply with the requirements of §22-629.6 of this Chapter.

H. All dead-end parking lots shall be designed to provide sufficient back up area for the end stalls.

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

J. Parking lot dimensions shall be no less than those listed in the following table:

| Angle of Parking | Parking Stall |        | Aisle Width |         |
|------------------|---------------|--------|-------------|---------|
|                  | Depth         | Width  | One-Way     | Two-Way |
| 90               | 18 feet       | 9 feet | 25 feet     | 25 feet |
| 60               | 19 feet       | 9 feet | 18 feet     | 20 feet |
| 45               | 17 feet       | 9 feet | 15 feet     | 18 feet |

K. Parking areas and site accessibility for handicapped persons shall be provided in accordance with applicable Federal and State standards, including in particular the Americans with Disabilities Act and the Pennsylvania Universal Accessibility Act, as each may be amended.

L. Parking spaces shall have a dust-free, all-weather surface; this requirement shall be met by paving unless otherwise approved by the Board of Supervisors. Pervious surfaces such as porous paving, concrete lattice blocks, or gravel may be substituted if approved by the Board for reserve or overflow parking. Parking areas shall have a minimum slope of 1 percent in any direction to provide for drainage, and maximum slope of 5 percent in any direction for safety, user convenience, and stormwater management.

M. All parking spaces shall be marked by durable painted lines at least 4 inches wide and extending the length of the space, or by curbs or other means, to indicate individual spaces. Signs or markers located on the surface within a parking lot shall be used as necessary to assure efficient and safe traffic operation.

N. Lighting shall comply with the requirements in §27-1710.

2. *Common Parking Facilities.* In commercial and industrial districts, provision of common parking facilities is hereby encouraged in recognition of their increased flexibility and efficiency. Such parking shall be designed based on the following requirements.

A. The reduction of the aggregate number of parking spaces required by each use may be reduced by the Zoning Hearing Board, where approval of such would provide greater efficiency by joint use of a common parking area.

B. When common parking facilities are approved, side and/or rear yard parking requirements may be waived in order to establish a unified and continuous parking area.

C. Access drives and sidewalks shall be aligned to as to maximize site circulation and arrangement and minimize traffic congestion.

D. Entrances and exits shall have clear sight lines and good visibility at street intersections and along access aisles.

3. *General On-Site Circulation Design Standards.*

A. Landscaped, paved, and property graded pedestrian walks, appropriate for use by wheelchairs, shall be provided along the paths of the most intense use, particularly from building entrances to parking areas and adjacent buildings. Such walks shall have a minimum width of 4 feet.

B. Accessways, parking areas, and loadings areas shall have clearly defined parking bays and traffic circulation lanes designated by markings, curbs, barriers, and/or landscaped islands. To assist in traffic channelization, raised islands shall be placed at the ends of parking bays so that the end of the bay adjacent to a driving aisle or ring road is clearly delineated. Such islands shall be designed and landscaped so as not to impair visibility needed for traffic flow and turning movements.

C. The design of access and traffic control and of interior circulation shall, in all other respects, comply with the requirements of §22-615.

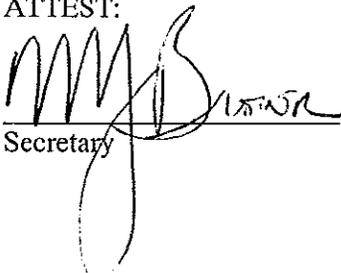
**SECTION 22, SEVERABILITY.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts 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 23, REPEALER.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

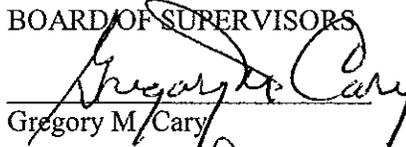
**SECTION 24, EFFECTIVE DATE.** This Ordinance shall become effective five days after enactment as provided by law.

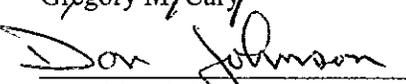
SO IT IS ENACTED AND ORDAINED this 13<sup>th</sup> Day of February, 2008.

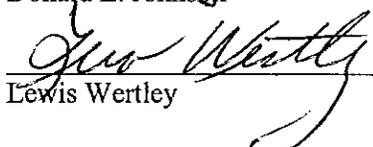
ATTEST:

  
Secretary

HONEY BROOK TOWNSHIP  
BOARD OF SUPERVISORS

  
Gregory M. Cary

  
Donald E. Johnson

  
Lewis Wertley