

Section 409. Preservation and Protection of Existing Vegetation

A. Preservation of Existing Vegetation.

1. All subdivisions and land developments shall be laid out in such a manner as to minimize the removal and/or disturbance of healthy trees, shrubs, and other vegetation on the site. Special consideration shall be given to mature specimen and/or Heritage trees and ecologically significant vegetation.
2. Removal or disturbance of vegetation in environmentally sensitive areas, including wetlands, floodplains, steep slopes, riparian corridors, wildlife habitats, and ecologically significant woodlands as identified in the Montgomery County Natural Areas Inventory or other sources shall be undertaken only as permitted in Section 409.D.1. to minimize the adverse effects of such actions.
3. The applicant shall prove to the satisfaction of the Springfield Township Board of Commissioners that vegetation removal is minimized. A written document or plan may be requested to be performed by a registered landscape architect or other qualified professional showing that more desirable layouts are not possible ~~no more desirable layouts are possible~~ and no alternative clearing or grading plan would reduce the loss of mature trees, tree masses, and woodlands.
4. Each freestanding mature tree, tree mass, or woodland on the site shall be designated "TO REMAIN" or "TO BE REMOVED" in accordance with the following criteria:
 - a. A mature tree, tree mass, or woodland may be designated "TO BE REMOVED" only if it meets one or more ~~all~~ of the following criteria:
 - 1) The outermost branches of the tree(s) are within at least five (5') feet or the trunk of the tree is within at least twenty (20') feet, ~~whichever is less, from~~ of any proposed buildings, structures, paving, parking, or utilities (overhead or underground).
 - 2) The outermost branches of the tree(s) are within at least five (5') feet or the trunk of the tree is within at least twenty (20') feet, ~~whichever is less, from~~ of any proposed changes in grade or drainage such as excavations, mounding, or impoundments.
 - 3) The tree(s) interferes with traffic safety or are located within proposed sight triangles or by its location poses any undue threat to the health, safety, and welfare of the community.
 - 4) The tree(s), by its ~~location or~~ apparent health, poses any undue threat to the health, safety, and welfare of the community, and is declared a "dead tree" or has declined beyond recovery, to be determined by a certified arborist.
 - 5) The tree blocks required solar access as determined by and/or certified by a solar panel installer and with proof that solar panels

will be installed in a form deemed acceptable by the Planning Director.

- b. Mature trees, tree masses, or woodlands that do not fit the above criteria should be designated "TO REMAIN."
- c. Unique or Specimen Trees shall ~~should~~ be preserved. No Heritage tree is to be removed for any reason without the prior approval of the Board of Commissioners.

B. Protection of Existing Vegetation

- 1. Existing vegetation designated "TO REMAIN," in accordance with Section 409 D. 1., as part of the landscaping of a subdivision or land development shall be identified in the field prior to any clearing and shall be physically protected throughout the construction process.

- a. A temporary, sturdy physical barrier, such as a snow fence, shall be erected a minimum of one foot outside the drip line or a minimum of twenty (20') feet from the tree's trunk, whichever is greater on all sides of freestanding trees, tree masses, or woodlands prior to major clearing or construction.
- b. The barrier shall be placed to prevent disturbance to or compaction of soil inside the barrier and shall remain until construction is complete.
- c. The barrier shall be shown on the erosion and sedimentation control plan and the landscape plan. Reference to the installation of tree protection should be included in the sequence of construction notes to insure incorporation of tree protection before the earliest stages of site disturbance.

- C. Credit for Preserved Trees Requirements for street trees and buffer plantings may be met, whenever possible, by preserving existing trees. Credit for existing trees which are "To Remain", as determined in Section 409.A.4, to offset either the street tree or buffer planting requirements are to be calculated as follows:

Preserved Tree (dbh)	Number of Trees Credited (2 ½" caliper)
30" or greater	8 Trees
18"-29"	6 Trees
12"-17"	4 Trees
6"-11"	2 Trees

D. Tree Replacement Planting Requirements

- 1. Any subdivision or land development proposal which will result in the destruction of 25 (%) percent of the existing trees six (6) inches dbh or greater on a lot shall replace the removed trees. The total tree removal impact of woodland areas designated "TO BE REMOVED" shall be measured by a forest density

survey that calculates the approximate quantity of trees (with 6" or greater dbh) per square foot area. Calculated woodland tree removals and individual mature tree removals shall be listed on the plan. Tree replacement shall occur in the following manner:

- a. Each tree six (6) inches dbh or greater that is destroyed shall be replaced with two or more ~~one~~ trees with a caliper of 2½ " inch caliper.
 - b. Replacement trees shall generally comply with the general landscape design criteria in Section 438 of this ordinance.
 - c. Replacement trees must be identified as a species native to the area or chosen from a List of Recommended Species.
2. Replacement trees shall be planted on the site to mitigate for the existing trees removed, in addition to other landscaping requirements. Proposed replacement tree plantings shall be listed on the plan.
 3. If the site does not reasonably contain enough room for the required replacement trees, the Springfield Township Board of Commissioners may allow the developer to locate some or all of the replacement trees on public lands or accept an equivalent fee-in-lieu of plantings dedicated to the future planting of vegetation by the Township, at their discretion.
 4. Calculation and estimation of existing trees shall be performed before any clearing commences and shall be documented on the plan.
 5. Calculation and estimation of the existing trees remaining after construction shall be performed and compared with the calculations of the approved plan. Any tree removals additional to those on the approved plan shall be replaced as required by this section prior to the issuing of any occupancy permits.
 6. The species of replacement trees are to be hardy to the area and noninvasive and 50% shall be native, consistent with the provisions of this section. The applicant can refer to the Pennsylvania Department of Conservation and Natural Resources Bureau of Forestry's latest publication of tree species for listing of selections.
 7. Replacement of removed trees shall be made within one year during the spring or fall planting season following the completion of the development project. The cost of such replacements shall be borne by the applicant.

Section 410. Wetland Protection.

- A. The presence of hydric soils may indicate wetlands. When hydric soils are indicated on the site, a wetlands study shall ~~should~~ be conducted in accordance with the federal Corps of Engineers Wetlands Delineation Manual (1987 Manual). In the event no wetland study is undertaken, the location of soils with soils rated as all hydric in the county soil survey on site will be assumed to be wetlands for the purpose of this ordinance and so noted on the plan.

- B. Wetlands as defined by the U.S. Army Corps of Engineers and the Commonwealth of Pennsylvania in accordance with Section 404 of the Federal Clean Water Act of 1977 and the Pennsylvania Clean Streams Act shall be preserved in subdivisions and land developments. Required permits shall be obtained at an early stage to determine the extent and location in the proposed subdivision and/or land development.
- C. A twenty-five (25')-foot setback shall be maintained around the perimeter of all wetlands. This area will be known as the Wetland Buffer. No removal of vegetation, except the selective removal of dead trees and or other noxious vegetation in the wetland area or buffer shall take place without the specific permission of the Township.
- D. Required building setbacks as described in the Zoning Ordinance shall be measured from the edge of the Wetland Buffer.

Section 411. Riparian Corridor Management.

- A. Whenever a pond, watercourse, stream, or intermittent stream as identified by the USGS is located within a development site, it shall remain open in its natural state and location.
- B. Unless otherwise described in the Zoning Ordinance or separate code, a fifty (50') foot buffer (twenty-five (25') feet from each bank of the water body) shall be maintained along all intermittent or perennial water courses and ponds. This buffer area will be known as the Riparian Corridor. No removal of vegetation, except for removal of dead trees and shrubs or periodic mowing of existing lawns or fields, shall take place within this buffer area without the specific permission of the Township.
- C. No stormwater detention basins shall be allowed within the twenty-five (25') foot buffer zone.
- D. Within any Riparian Corridor, no construction, development, use, activity, or encroachment shall be permitted unless a Corridor Management Plan is submitted and approved by the Township and the impacts of such development are mitigated by the implementation of the Corridor Management Plan.

Section 412. Top Soil Protection and Grading.

- A. Minimal Grading: Grading shall be limited to the minimum amount of disturbance of soil or natural topography.
- B. Top Soil Protection. The top six (6") inches of soil that existed naturally on the site prior to subdivision or land development shall be managed in the following way:
 - 1. In areas to be graded, the top soil shall be stripped off and stockpiled on the site in accordance with the erosion and sediment control plan.
 - 2. Following construction, the stockpiled soil shall be redistributed uniformly on the site to a minimum depth of six (6") inches.
 - 3. Any topsoil in excess of soil needed to for the reestablishment of six (6") inches depth in areas of the site that will not be paved may be removed from the site based upon the determination of the Township Engineer.

- C. Grading. All permanent and temporary cutting, filling, grading, regrading, and/or other forms of earth-moving activities shall be known as "grading" and shall be conducted only in compliance with the standards as described below.
1. All grading shall be set back from property lines at least three (3') feet, or a sufficient distance to prevent any adverse effects on adjacent properties.
 2. No permanent excavation shall be made with a cut face steeper in slope than three (3) horizontal to one (1) vertical. For steeper slopes, a soils report prepared by a qualified engineer or geologist experienced in performing such studies and registered in the Commonwealth of Pennsylvania shall be prepared to document the soil stability.
 3. Wherever grading will increase the volume or velocity of stormwater flow toward a property line, the applicant shall install and maintain drainage facilities sufficient to prevent adverse effects on the adjoining property. The construction and operation of these drainage facilities shall not cause any adverse effects on abutting properties.
 - ~~4. Within the property proposed for development or along property lines, where grading creates an abrupt drop-off in contrast to a previously existing gradual change or where a wall is being installed, the applicant shall be required to install a fence or other suitable protective barrier.~~
 5. A permit shall be required for grading operations. Permits shall be issued by the Planning Director upon recommendation of the Township Engineer for each tract, lot, parcel, or site which comprises a separate operation, unrelated to or not contiguous with nearby grading proposed or performed by the applicant. A permit shall not be required in the following situations, however:
 - a. For an excavation that does not exceed twenty (20) cubic yards total material removed.
 - b. For a fill that does not exceed twenty (20) cubic yards of material deposited.
 - c. For an excavation below finished grade for basements and footings for a single-family detached or two-family dwelling, swimming pool, or underground-structure authorized by building permits, excavation for a driveway for a single-family detached or two-family dwelling, or the regrading of such excavated materials into the site from which they were excavated.
 6. Each application for an earth disturbance permit shall include a tree survey plan comprised of existing and proposed topographic information at two-foot contour intervals, existing and proposed building and structures, driveways, and parking areas, drainage structures, water detention/retention areas, utilities, construction material staging area, and all limits of grading.

Section 413 Erosion and Sediment Control.

- A. General. Erosion and Sediment Control must be addressed in the following manner:
1. An Erosion and Sediment Control Plan, which meets the requirements of the Chapter 102 regulations must be approved by the Montgomery County Conservation District (MCCD) and available on site for all earth disturbance activities greater than or equal to ~~over~~ 5,000 sq. ft.
 2. All construction activities proposing to disturb more than one (1) acre ~~between one and five acres with point source discharge to surface waters of the Commonwealth, or projects disturbing five (5) or more acres~~ of land must be authorized by a National Pollutant Discharge Elimination System (NPDES) permit.
 3. No subdivision or land development plan shall be approved unless:
 - a. There has been a plan approved by the MCCD and/or Township Engineer Board of Commissioners ~~Board of Commissioners~~ that provides for minimizing erosion and sedimentation consistent with this Section, and an improvement bond or other acceptable securities are deposited with the township in the form of an escrow guarantee which will insure installation and completion of the required improvements; or
 - b. There has been a determination by the MCCD and/or Township Engineer Board of Commissioners ~~Board of Commissioners~~ that a plan for minimizing erosion and sedimentation is not necessary.
 4. The Board of Commissioners, in its consideration of any Preliminary Plan of subdivision and land development, shall condition its approval upon the execution of measures designed to prevent accelerated soil erosion and resulting sedimentation, as required by PADEP. All applicable regulations and permit requirements of PADEP as stipulated in its Soil Erosion and Sedimentation Pollution Control Manual shall be followed for all earth-moving activities.
- B. Performance Principles.
1. Any appropriate action which minimizes erosion and sedimentation as described in the Pennsylvania Erosion and Sediment Pollution Control Program Manual can be included in the plan. Alternative methods should be discussed with the Township Engineer prior to the preparation of an erosion and sediment control plan.
 2. No unfiltered stormwater coming from an area which has been disturbed shall be permitted onto an adjacent tract or allowed to be discharged into any waterbody.
- C. Responsibility.
1. Whenever sedimentation is caused by stripping vegetation, regrading or other development activity, it shall be the responsibility of the applicant to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at their expense as quickly as possible.

2. It is the responsibility of applicant performing any work or disturbance ~~doing any~~ act-on or across a stream, watercourse, or swale or upon the floodplain to maintain, as nearly as possible, in its present state the stream, watercourse, swale, floodplain or right-of-way during the activity and to return it to its original or equal condition after such activity is completed. Adjacent to the watercourse, dominant vegetation shall be composed of a variety of native riparian tree and shrub species and appropriate plantings necessary for streambank stabilization.
3. Disturbed areas shall be re-vegetated with riparian corridor plants, in compliance with Section 437 (B).
4. Areas that cannot be re-vegetated shall be restored using management practices accepted by PA DEP ~~experts qualified in riparian corridor management.~~

Section 414. Preservation of Existing Structures and Historic Features

The design of subdivisions and land developments should be done to preserve desirable structures containing cultural and historic features wherever reasonably possible.

- A. No proposal will be approved with a property line extending through any portion of an existing building, except where that property line follows a party wall separating semi-detached or attached units, in accordance with the Springfield Zoning Ordinance.
- B. When existing structures ~~buildings~~ are retained:
 1. Minimum building setbacks shall be met or exceeded, in respect to all new lot lines created, for the district in which the buildings are located, even if this results in a lot area or dimensions in excess of the otherwise applicable minimums.
 2. When new lot lines are created, building setbacks in excess of the applicable minimums are encouraged, in respect to all new lot lines created, when the height of the existing building significantly exceeds that of proposed, abutting development. For tall buildings, a setback equal to the height of the building is recommended. should be used. For proportionally wide or deep structures, a setback at least equal to one-half the width or depth of the structure is suggested.
 3. Structurally deficient buildings shall be rehabilitated in conformance with the Township Building Code.
 4. Additions to retained buildings shall conform in all respects to the requirements of the Zoning Ordinance applicable to the district in which the building is located, and shall be in harmony with the character, design, building materials, and other architectural features of the building.
 5. The design of subdivisions and land developments shall preserve notable structures containing cultural and historic features, wherever reasonably possible. ~~Historical or culturally significant buildings shall retain their respective character, to the greatest extent practical.~~

6. New buildings abutting any retained building should reflect the retained structure's character ~~their respective characters~~, to the greatest extent practical.
 7. In non-residential districts, retained buildings shall be provided with adequate parking, service, and landscaped areas in accordance with the zoning ordinance provisions for the intended use. ~~If the applicant cannot specify the intended use, then the most land consumptive provisions shall be applied, to ensure sufficient land area for uses permitted in that district.~~
- C. When existing structures ~~buildings~~ will be removed:
1. The plan must show the location and include a brief description of the structure(s) ~~building(s)~~ to be removed.
 2. Final plan approval will be conditioned upon written agreement to the expeditious removal of structures ~~buildings~~ intended for removal, in conformance with township demolition permits requirements.
 3. All applicable township requirements and procedures regarding demolition of structures ~~buildings~~ and disposition of the reusable parts and/or disposal of the rubble shall be complied with.
 4. If the structure ~~building~~ will not be removed immediately, it shall be secured in a manner that it is not a public safety hazard and a financial guarantee must be posted for its removal, in compliance with Section 702, herein.

Section 415. New and Existing Streets Design Standards

- A. All new streets and additions to existing streets shall:
1. be offered for dedication to the township. The township may accept or refuse dedication of any street.
 2. conform with the transportation element of the most recently adopted Springfield Township Comprehensive Plan and county or state highway plans, and be designed to conform with the existing street system.
 3. provide appropriate access between abutting tracts of land for immediate or future use.
 4. create a road hierarchy among interior subdivision and land development streets and exterior streets to ensure proper through-traffic flow, local access, and internal traffic distribution and flow.
 - i. On tracts of fifteen (15) acres or more, new streets shall have a street connectivity index of 1.4 or more. The street connectivity index shall be computed by dividing the number of new street links (defined as street segments between intersections and/or cul-de-sac heads) by the number of new street intersections/permanent cul-de-sac heads.
 5. conform to existing topography to assure reasonable grades, alignment and drainage, appropriate access to lots, and to minimize regrading and removal of vegetation.

6. ~~be designed to continue existing streets at equal or greater right-of-way and cartway width, as recommended by the Township Engineer and Planning Commission.~~
 7. ~~include curbs and sidewalks installed along all existing and proposed public and private streets and common parking areas, except when this requirement is waived at the discretion of the Springfield Township Board of Commissioners, upon recommendation of the Township Planning Commission and Engineer.~~
- B. Street names shall be assigned in accordance with Section 616.

Section 416. Private Streets:

- A. Private streets shall be designed and constructed in conformance with all design and engineering regulations of the Township Code and this chapter that apply to public streets, unless otherwise provided herein.
- B. Whenever dedication of a street is not accepted by the Board of Commissioners, the applicant shall submit and record with the plan a covenant address the ownership, access rights, and maintenance responsibilities for that street.
- C. When, in the determination of the Board of Commissioners, it becomes necessary for the Township to assume responsibility for a private street in order to maintain the health, safety, and welfare of the residents of the township, the township may do so and assess the property owner(s) or abutting owners who use the street for any improvements necessary to restore the street to conformance with township specifications.

~~Whenever an applicant proposes to establish a street which is not offered for dedication of public use or when dedication is not accepted, the Springfield Township Board of Commissioners shall require the applicant to submit, and also to record with the plan, a copy of the agreement made with the township addressing the ownership, access rights, and maintenance responsibilities for that street. Such streets shall be constructed in conformance with the Township Engineering standards for public streets. Maintenance responsibility shall be outlined and defined by the applicant and reviewed by the Township prior to final approval. When, in the determination of the Board of Commissioners, it becomes necessary for the Township to assume responsibility for a private street in order to maintain the health, safety, and welfare of the residents of the township, the township may do so and assess the property owner(s) or abutting owners who use the street for any improvements necessary to restore the street to conformance with township specifications.~~

- A. ~~Residential Private Streets. Private streets may be permitted by the Board of Commissioners to provide access to land which abuts its right-of-way. Private streets shall comply with the following:~~
 1. ~~The minimum right-of-way or equivalent right-of-way shall be fifty (50') feet.~~
 2. ~~Minimum paved cartway width shall be eighteen (18') feet.~~

- ~~3. Streets shall be built in accordance with the Construction and Engineering Standards in Article Six of this ordinance.~~
- ~~4. An irrevocable right of access shall be guaranteed to all properties whose access depends upon the private street, by means of legal agreement or covenants, subject to approval by the Board of Commissioners as advised by the Township Solicitor.~~
- ~~5. The legal access agreements and/or covenants shall be:
 - ~~a. Clearly noted on the subdivision or land development plans for all properties using private streets for access.~~
 - ~~b. Included in the deeds for all properties having these access rights.~~
 - ~~c. Recorded in the Montgomery County Office of the Recorder of Deeds.~~
 - ~~d. Clear and specific with regard to property owner's rights to further subdivision or land development, especially in regard to the need to receive approval from the private street owner and/or waiver from the requirement of this ordinance.~~~~
- ~~6. The private street may be owned by one or more of the property owners who have right of access or may be jointly owned by an association of these property owners.~~
- ~~7. When several properties use a private street, maintenance shall be guaranteed by the formation and administration of an association or other legally binding organization of all land owners with access rights.
 - ~~a. Documents governing such associations shall be subject to approval of the Board of Commissioners upon the advice of the Township Solicitor, shall be filed with the township, and shall be recorded with the deed for each property with access rights.~~
 - ~~b. All property owners in such an association or other type of organization shall have a share in the rights and bear a share of the costs and other burdens of maintenance, as specified in the access agreements and/or covenants. This share shall also apply to the assessed costs for upgrading to public street standards, in accordance with the Construction and Engineering Standards in Article Six of this ordinance.~~
 - ~~c. If one or more property owners in the association or other type of organization believe that the street is not being properly maintained, and cannot succeed in having the association or other type of organization authorize or conduct proper remedies, then that/those property owner(s) may request the Township to authorize an inspection of the street by the Township Engineer. The cost of the inspection shall be paid by those property owners requesting the inspection. If the Township Engineer determines that the street is not being properly maintained, the Township may take corrective actions against the entity maintaining the road.~~~~

~~8. The Board of Commissioners reserves the right to order the private street to be upgraded to meet all of the standards and requirements for a public street, if, at any time, they deem the road to be a health or safety hazard for reasons of improper or inadequate maintenance.~~

~~a. The full costs of upgrading the street, including engineering, legal and related costs, shall be assessed against the owner of the road. The share of the assessment to be determined by the association's legal access agreements and/ or covenants recorded for the private street.~~

~~b. Prior to such action by the Board of Commissioners, the landowners with access rights shall be notified, in writing, by certified mail, of the pending action. The landowners will have thirty (30) days from the date of such notice to propose an alternative solution acceptable to the Board of Commissioners.~~

~~9. Additional Provisions~~

~~a. Any vehicular access way which provides the primary access to more than three (3) lots or housing units, but is not offered for dedication as a public street, shall be considered a private street subject to these requirements.~~

~~b. Not more than ten (10) dwelling units may be served by a private street which has access to a public street (private dead-end or cul-de-sac street) if the street is not owned and managed by a homeowners association or owner of the entire property.~~

~~c. Emergency access to a private street which has only one public street access may be required.~~

~~d. For private cul-de-sac streets, a suitable turnaround shall be provided, subject to the approval of the Township Engineer. A forty (40') foot radius paved bulb turn-around is preferred, but other configurations may be used if acceptable to the Township Engineer.~~

~~10. Further subdivision or land development of any lot depending upon a private road for vehicular access where properties and streets are under multiple ownership or not subject to a homeowners association is prohibited if it would exceed the number of lots permitted, maximum length of a cul-de-sac, or any other applicable requirements contained in this ordinance. If an applicant requests such further subdivision, the following standards shall apply:~~

~~a. The street must be upgraded to meet all the standards and requirements for public street construction, and must be offered for dedication to the township, or~~

~~b. Further subdivision may be permitted and the street may remain private, if the Board of Commissioners approves the waiver of necessary design standards.~~

- ~~e. The applicant shall apply in writing to the Board of Commissioners for approval to upgrade the street or to be granted appropriate waivers.~~
 - ~~d. Application to the Board of Commissioners shall include written approval from the association or organization which controls the street for the applicant to seek township approval for upgrading or waivers.~~
 - ~~e. Upgrade of the street or waivers should not be approved by the Board of Commissioners unless approval is first received from the association or other organization which controls the street.~~
 - ~~f. The costs of upgrading a private street to public street standards including the dedication, and/or costs involved in granting waivers shall be borne by the association of individual property owners in accordance with the association's legal access agreements and/or covenants.~~
- ~~11. An individual private driveway may be legally reclassified and physically upgraded and improved to become a private street upon approval of the Board of Commissioners.~~
 - ~~a. A right-of-way shall be established to contain the private street in compliance with the requirements herein.~~
 - ~~b. The private driveway shall be physically improved to comply with private street construction and paving width standards, as well as applicable dimension standards.~~
 - ~~c. Maintenance shall be guaranteed as established for a private street in this ordinance.~~
 - ~~d. Upgrading of existing individual driveways to private street status is encouraged where it would take the place of several individually owned and maintained access strips.~~
- ~~12. Parking shall not be permitted within the minimum eighteen (18') foot wide cartway of a private street, but may be permitted outside the cartway in a manner that does not interfere with the free movement of emergency vehicles along the private street.~~
 - ~~a. The legal access agreements and/or covenants shall guarantee free unobstructed access throughout the minimum eighteen (18') foot wide cartway. If violations occur, attempts should be made to resolve the problems within the structure of the association or organization which controls the street. Under situations of repeated and/or flagrant violations, individual property owners may request police enforcement of free and unobstructed access.~~
 - ~~b. If there is a continuing access problem caused by improper parking, the Board of Commissioners shall notify the owner of the private street or homeowners association, in writing, that the problem must be corrected by some means satisfactory to the Township Engineer or~~

~~Solicitor, depending upon whether the solution is a physical or legal remedy.~~

~~c. If, after written notification, the owner or association or organization which controls the road fails to correct the parking problem, the Board of Commissioners may order the upgrading of the private street to public street standards as specified herein. The owner or association or organization which controls the road shall have thirty (30) days from the date of written notification to propose a solution to the parking problem.~~

~~13. In considering applications for waivers of private street standards, the Board of Commissioners shall consider the following:~~

~~a. Number of lots and/or dwelling units in excess of the permitted maximum.~~

~~b. Whether or not more lots could be proposed along the private street, in conformance with the applicable zoning, in addition to those proposed in conjunction with the waiver application. For example, one additional unit may be acceptable in itself, but may not be acceptable if a potential would exist for five more lots.~~

~~1) The Board of Commissioners may require the applicant to submit a sketch plan and/or information showing the approximate maximum number of lots and/or dwelling units which could be created under the applicable zoning requirements, on all lands serviced by the private street.~~

~~2) When conditions are considered favorable for limited additional subdivision under the private street access, the Board of Commissioners may request deed restrictions against further subdivision as a condition of final approval of the subdivision.~~

~~c. Ability of a private street to be served by an emergency access as a condition of granting a waiver.~~

~~d. Characteristics of properties, neighborhood and private street(s) involved:~~

~~1) Configuration of the properties.~~

~~2) Lot sizes and development characteristics, with particular regard to avoiding congested appearance and functioning.~~

~~3) Topography, including vegetation and other environmental characteristics.~~

~~4) Character of land and development surrounding the properties in question, including their development status and potential development.~~

~~e. Whether or not requiring a public street would have an appreciable benefit to the properties and/or the township in terms of access and traffic circulation.~~

~~f. The economic impact of permitting the waiver compared to requiring a public street.~~

- ~~B. Non-residential Private Streets. Private streets may be permitted by the Board of Commissioners to provide access to various non-residential developments or lots.~~

Section 417. Street Classifications.

Every street, road, or highway within the township shall be classified by its function as shown on the Functional Classification Map in the most recently adopted Springfield Township Comprehensive Plan, and shall be subject to the requirements for its classification as contained in this Article. ~~These classifications are based on the Montgomery County Comprehensive Plan which incorporates standards established by the American Association of State Highway and Transportation Officials (AASHTO), and used by PADOT, and~~ Street classifications are intended to provide appropriate standards for each road, as well as to coordinate street functions and improvements among neighboring municipalities, the region, and the state. The classifications are as follows:

- A. General. The design standards for each road classification are contained in Table 417.1.
- B. Expressways. The highway carrying the largest traffic volume is an expressway which is a Expressways are multi-lane divided highway with fully controlled access provided only at grade separated interchanges. Expressways serve high volumes of traffic at high speeds while providing high levels of safety and efficiency. The typical posted speed is fifty five (55) miles per hour.
- C. Arterials. Arterial roads provide a high degree of mobility in order to better serve trips of longer length. Since access to abutting property is not their major function, access controls are desirable to enhance mobility. They are further classified as follows:
1. Principal Arterials. The design standards for principal arterials are contained in Figure 4.2. Principal arterials generally provide between two (2) and four (4) lanes of travel depending upon traffic volume and land use density. Urban Principal arterials may have wider travel lanes and should have parking lanes. Both urban and rural principal arterials generally have posted speeds of forty five (45) miles per hour dependent upon local site conditions. Bicycles and pedestrians should be accommodated with dedicated bicycle lanes and sidewalks or with a multi-use side-path separated from traffic. Intersections should have high-visibility crosswalks and other pedestrian safety features.
 2. Minor Arterials. Minor Arterials interconnect with and augment Principal Arterials in serving major activity centers. They typically accommodate trips between three (3) and five (5) miles in length. They are spaced at intervals consistent with population density and carry vehicles within or between several municipalities of the county. ~~The only difference between rural and urban design for minor arterials is the location of a parking lane on urban arterials. Lastly, they link other communities not connected by a principal arterial and provide key~~

connections between roads of higher classification. Minor arterials should have parking lanes. The design standards for minor arterials are included in Figure 4.2.

D. Collectors. Collector roads provide serve a dual function of providing a mix of accessibility and mobility. They typically serve trips of up to four (4) miles in length and channel or distribute traffic to or from a road of a higher classification. Collectors may accommodate trips within and between neighboring municipalities. They are further sub classified as Major and Minor Collectors. Sidewalks should be provided. On-street parking may be permitted where practical.

1. Urban Collectors: These types of roads provide a combination of mobility and access with a priority on mobility. Ideally access is partially controlled with preference given to through traffic. Access is permitted with at grade intersections and major access driveways of selected land uses such as a retail or employment center. Few if any individual driveways should be permitted off of urban collections. Urban collectors may accommodate trips within and between neighboring municipalities and may serve as the major road through large industrial complexes or office parks or provide key connections between roads of higher classification. The typical posted speed is thirty five (35) to forty (40) miles per hour. The design standards for urban collectors are in Figure 4.2.

2. Rural Collectors: Rural collectors provide a combination of access and mobility with more emphasis on access. They allow more access to abutting properties with little or no restriction. Individual driveway access is permitted. Generally rural collectors accommodate trips only within a small segment of a municipality. They are spaced at intervals to collect traffic from local roads and neighborhoods and channel it to urban collectors and arterials. Finally rural minor collectors may serve as a major road through a residential neighborhood. Rural minor collectors serve the same function as urban collectors, though due to their location, they handle smaller volumes of traffic and generally have smaller travel lanes and shoulders. The typical posted speed is twenty five (25) to thirty five (35) miles per hour. The design standards for minor collectors are in Figure 4.2.

E. Local Roads. Local roads and streets have relatively short trip lengths, generally not exceeding one mile. Because property access is their main function, there is little need for mobility and high operating speeds. This function is reflected by use of lower posted speed. Local roads are further classified as follows: between twenty five (25) and thirty five (35) miles per hour. Through traffic is discouraged from using local roads. Local roads can only provide a link between individual properties and the collector road network. Rural local roads can be more narrow due to the lower volumes of traffic expected on them. Local roads should be oriented on an east-west axis to maximize the potential solar access on adjoining lots

1. Residential Streets. New streets or extensions of existing streets in residential developments function primarily to provide vehicular access and street frontage for each lot. The design standards for residential streets are in Figure 4.2. Parking

on both sides will be assumed on residential streets unless no driveways take access on them or the development otherwise provides significant off street public parking which is convenient to all the proposed houses.

2. Non-residential Access Streets: These streets shall function primarily to provide vehicular access and street frontage for industrial, office, institutional, and commercial lots and land uses. ~~The standards for non-residential access streets are in Figure 4.2.~~
3. Alleys. Alleys are small service roads which provide a secondary access to lots, ~~and buildings, off-street parking and/or loading and unloading facilities.~~ They ~~may should~~ not be more than 800' feet in length and ~~shall should~~ have a paved cartway of twelve (12') feet with two foot clear stabilized grass or gravel shoulder area.

Table 417.1.1 Road Design Standards

Functional Classification	Right of Way ¹	Number of Lanes ²	Travel Lane Width ³	Left Turn Width	Paved Shoulder Width ⁴	Parking Lane Width ⁵	Bicycle Lane Width ⁶	Border Area ⁷	
								Grass Strip	Sidewalk/ Pathways ⁸
Arterials									
Principal	80'-100'	4-6	12'-14'	11'-12'	8'-10'	8'-10'	5'-6'	5'	5'-8'
Minor	80'-100'	2-5	11'-14'	11'-12'	8'-10'	8'-10'	5'-6'	4'	5'-8'
Collectors	60'-80'	2-3	11'-14'	10'-12'	8'-6'-10'	8'-10'	5'-6'	4'	4'-8'
Local	50'	Total Cartway	Width 28 to 32 feet	26 to 30 feet ⁹				Provided in compliance with Section 425.	Provided in compliance with Section 425.
Alley	33'	Total Cartway	Width 16 Feet					N/A	N/A

¹The right-of-way may be adjusted to accommodate highly urbanized and laterally restricted areas as well as unrestricted areas.

²The number of lanes vary in order to accommodate the traffic volume, turning movements, and land capacity demand for selected level of service. This number does not include right-turn lanes where needed.

³Lane width is based upon minimum and desirable standards as well as other conditions such as being adjacent to a curb or the anticipation of heavy truck traffic. When feasible, a 14 foot lane should be located next to a curb.

⁴Shoulder width is based upon minimum and desirable standards as well as other conditions such as highly urbanized and laterally restricted areas, or the anticipation of heavy truck traffic. Wide shoulders may function as bike lanes.

⁵Parking lane width is based upon minimum and desirable standards, as well as other conditions such as lot size, intensity of development, or potential for use as a traffic lane where required by future demand. For principal arterials, parking lanes are only recommended in highly developed areas.

⁶A portion of a roadway that has been designated by striping, signing or pavement markings for the preferential or exclusive use of bicyclists. Width specifications must be in accordance with FHWA / AASHTO standards. Wide shoulders may function as bike lanes.

⁷ The presence of curbing, grass planter strips, and sidewalks will depend upon adjacent land uses and site conditions. Otherwise, the border area would consist of a drainage swale and slope.

⁸ Sidewalk width is based upon minimum desirable standards for use along each particular roadway. Under certain circumstances, the location, feasibility, and other site-specific conditions may require deviations from these guidelines.

⁹ For local roads, the total cartway width generally includes travel lane, parking lanes, and/or shoulders.

- Section 410, Wetland Protection

Existing	<ul style="list-style-type: none"> • No mention of wetland protection in SALDO • Removal of wetlands from net developable acreage in Zoning • Estate Lots in the AAA / AAA-AT Overlay Districts <ul style="list-style-type: none"> ○ “Wetlands, floodplain areas, riparian corridors, and slopes with a grade of 15% or more shall be preserved and maintained in their natural condition.”
Model	<ul style="list-style-type: none"> • A wetlands study shall be conducted when hydric soils are present on the site. • A 25' setback shall be maintained around the perimeter of all wetlands, called the Wetland Buffer. In this setback, vegetation removal shall only take place with specific Township permission. • Building setbacks shall be measured from the edge of the Wetland Buffer
Cheltenham	<ul style="list-style-type: none"> • Same as the Model.
Whitemarsh	<ul style="list-style-type: none"> • Riparian Corridor Conservation Overlay District <ul style="list-style-type: none"> ○ Includes wetlands in definition of overlay
L Merion Draft	<ul style="list-style-type: none"> • Unless otherwise described in Chapter 155, Zoning or separate code, a 25-foot-wide buffer from each bank of the water body) shall be maintained along all intermittent or perennial water courses and ponds. [No stormwater detention basins, no construction or encroachment except flood retention dams, culverts, and bridges approved by engineer AND PADEP.]

- Section 411, Riparian Corridor Management

Existing	<ul style="list-style-type: none"> • Estate Lots in the AAA / AAA-AT Overlay Districts <ul style="list-style-type: none"> ○ “Wetlands, floodplain areas, riparian corridors, and slopes with a grade of 15% or more shall be preserved and maintained in their natural condition.” ○ Homes within estate lots shall be set back at least 25 feet from riparian corridors. ○ Note: “Riparian Corridor” is not defined.
Model	<ul style="list-style-type: none"> • Ponds, watercourses, stream, or intermittent streams shall remain open in their natural states. • A 25' buffer from each bank of the waterbody, known as the Riparian Corridor. In this setback, vegetation removal shall only take place with specific Township permission. • No basins within the Riparian Corridor. • No construction shall be permitted unless a Corridor Management Plan is submitted and approved by the BoC.
Cheltenham	<ul style="list-style-type: none"> • Ponds, watercourses, stream, or intermittent streams shall remain open in their natural states. • Zoning Ordinance defines two corridors: Zone 1 (25 feet from waterbody), and Zone 2 (75 feet from Zone 1) • Corridor Management Plan <ul style="list-style-type: none"> ○ Existing conditions, long-term management and goals, proposed activities within and adjacent to the corridor, proposed management ○ Management Practices shall include stabilization of streambanks, allowing organic material to remain where it falls, preserving existing woody and other vegetation, designing stream crossings at 90 degrees ○ Mitigation of vegetation removal shall include increasing the area of the corridor or increasing the effectiveness of the corridor by planting new canopy trees at a minimum rate of one tree per 225 ft² ○ Vegetation selection shall be <ul style="list-style-type: none"> ▪ Native riparian trees and shrubs and appropriate plantings for stream bank stabilization along the watercourse ▪ Riparian trees and shrubs with an emphasis on native species and soil stabilization • A conservation easement shall be placed on the riparian corridor to preserve the corridor in perpetuity.
Whitemarsh	<ul style="list-style-type: none"> • Riparian Corridor Conservation Overlay District <ul style="list-style-type: none"> ○ Zoning Ordinance defines two corridors: Zone 1 (25 feet from waterbody), and Zone 2 (75 feet from Zone 1) ○ Passive uses in Zone 1 ○ Open space, agricultural, passive, and residential accessory uses in Zone 2

L Merion Draft	<ul style="list-style-type: none">• Ponds, watercourses, stream, or intermittent streams shall remain open in their natural states.• A 25' buffer from each bank of the waterbody, known as the Riparian Corridor. In this setback, vegetation removal shall only take place with specific Township permission.• No basins within the Riparian Corridor.• No construction shall be permitted except flood retention dams, culverts, and bridges, approved by the Township Engineer and approved by PADEP for watercourses which drain an area of more than ½ square mile.• In other cases, no construction shall be permitted unless a Corridor Management Plan is submitted and approved by the BoC.<ul style="list-style-type: none">○ Management plan shall identify existing conditions, proposed activities, and proposed management techniques
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- Section 412, Top Soil Protection and Grading

Existing	<ul style="list-style-type: none"> • Grading discussed in Chapter 88, Stormwater Management
Model	<ul style="list-style-type: none"> • Grading shall be limited to the minimum extent necessary • Top 6 inches of soil that existed naturally on the site shall be removed prior to grading, stockpiled, and redistributed uniformly on the site to a minimum depth of 6 inches • All grading shall be set back at least three feet, or a sufficient distance to prevent adverse effects on adjacent properties • No permanent excavation shall be made with a steeper slope than 3:1 horizontal to vertical. • Where grading will increase stormwater flow towards a property line, applicant shall install and maintain drainage • Where grading creates an abrupt drop-off, applicant shall be required to install a fence • Grading shall require a permit, except for excavations removing or fills adding less than 20 cubic yards or for excavations for a basement, footings for a single-family detached or two-family dwelling, swimming pool, driveway for a single-family detached or two-family dwelling, or the regrading of excavated materials into original location.
Cheltenham	<ul style="list-style-type: none"> • Increased the definition of topsoil to 8 inches. • Decreased the cutoff for permits to 10 cubic yards.
Whitemarsh	<ul style="list-style-type: none"> • Grading shall conform to the final plan. • Exceptions to permit process include addition of topsoil with contours of 1 foot or less
L Merion Draft	<ul style="list-style-type: none"> • Lots shall be graded to provide drainage away from buildings, and towards the street whenever possible • Additional water may not be drained directly onto an adjoining property owner without written consent. • Regulations of Ch 121, Stormwater Management and Erosion Control, must be followed.

- Section 413, Erosion and Sediment Control

This section was a goal to cover in Springfield’s last comprehensive plan: “3.2 Ensure that the updated subdivision and land development ordinance standards exceed the current NPDES permit requirements.”

Existing	<ul style="list-style-type: none"> • Chapter 28, Erosion and Sedimentation Control <ul style="list-style-type: none"> ○ Stormwater management plan and E&S Plan are required for <ul style="list-style-type: none"> ▪ 400 ft² of disturbance when 70% of tract is impervious ▪ 7,500 ft² of disturbance, regardless of impervious coverage ▪ Disturbance of 20% or more of the tract’s area ○ Stormwater management plan and E&S Plan <i>may</i> be required by the Township Engineer for <ul style="list-style-type: none"> ▪ 5,000 ft² of disturbance when 40% of tract is impervious ▪ Increase of impervious surface by 25% on already developed properties ▪ Any land development on a property with approved stormwater management facilities ▪ Earth disturbance on a surface with more than 10% grade • Chapter 88, Section 10, Erosion and sediment control during regulated earth disturbance activities <ul style="list-style-type: none"> ○ PADEP Requires E&S Plan for earth disturbance activity of 5,000 square feet or more
Model	<ul style="list-style-type: none"> • E&S Plan must be approved by MCCD for earth disturbance over 5000 ft² • Activities proposing to disturb between 1 and 5 acres with point source discharge to surface waters of the Commonwealth must be authorized by an NPDES permit • Activities disturbing more than 5 acres of land must by authorized by an NPDES permit
Cheltenham	<ul style="list-style-type: none"> • E&S Plan must be approved by MCCD for earth disturbance over 1 acre • Activities disturbing more than 1 acre of land must by authorized by an NPDES permit
Whitemarsh	<ul style="list-style-type: none"> • No exceptions for small changes, either the Township Engineer approves the E&S plan or the Board of Supervisors determines that an E&S plan is not necessary. <ul style="list-style-type: none"> ○ Less than 20 cubic yards excavation or fill, excavation below grade for basements, swimming pools, driveways less than 100 feet in length, increases in impervious surface less than 1,000 ft², less than 1,200 ft² of disturbance on developed properties, nursery operations, environmental remediation projects
L Merion Draft	<ul style="list-style-type: none"> • Meet the requirements of Chapter 121, Stormwater Management and Erosion Control

- Section 414, Preservation of Existing Structures and Historic Features

Existing	<ul style="list-style-type: none"> • Chapter 46, Historic Resources, provides a demolition and alteration permit process for designated historic structures based on appended list.
Model	<ul style="list-style-type: none"> • No proposal will be approved with a property line extended through any portion of an existing building, except where that line follows a party wall separating semi-detached or attached units. • Minimum setbacks shall be met, even if it creates lot area and dimensions in excess of otherwise applicable minimums • Building setbacks in excess of the applicable minimums are encouraged when the height of the existing building significantly exceeds that of the proposed abutting development. A setback equal to the height of the building should be used for tall buildings. • Structurally deficient buildings should be rehabilitated in conformance with the Building Code. • Additions to retained buildings shall be in compliance with the Zoning Ordinance and be in harmony with the character, design, building materials, and other architectural features of the building • Historical or culturally significant buildings shall retain their respective character to the greatest extent practical • New buildings abutting any retained building should reflect their respective characters, to the greatest extent practical. • In non-residential districts, retained buildings should be provided with adequate parking, service, and landscaped areas in accordance with the zoning ordinance provisions for the intended use. If the applicant cannot specify the intended use, then the most land consumptive provisions shall be applied.
Cheltenham	<ul style="list-style-type: none"> • Reduces the tall structure suggestion to $\frac{1}{2}$ the width or depth of the structure
Whitemarsh	<ul style="list-style-type: none"> • N/A
L Merion Draft	<ul style="list-style-type: none"> • Subdivision of lots that would create nonconforming setbacks will not be permitted • Alteration and replacement will be permitted regardless of setbacks, but extensions to the building must conform with the requirements of the Zoning Ordinance • Conversion from non-dwelling uses to dwelling-uses shall comply with the requirements of Building Construction and Zoning Codes.

- Section 415, New and Existing Streets Design Standards

Note: The proposed addition of the street connectivity index under this section is taken from MCPC's Town Center model zoning ordinance. This index would help to alleviate congestion in new developments by ensuring that drivers have alternate routes to take without requiring connections on streets that shouldn't have a significant number of intersections on them. Many of the neighborhoods in the township already meet this criteria, so it is guaranteeing a continuation of the pattern you already have.

Existing	<ul style="list-style-type: none"> • Adjoining streets. The highway system shall take into consideration present streets and roads of adjoining tracts already laid out and of adjoining tracts not yet subdivided. Circles, islands, culs-de-sac or circular segments shall be permitted only where and as expressly approved by the Board. • Sidewalks. Concrete sidewalks, not less than four feet wide each, shall be provided on any street or road which is residential or commercial in character, except where otherwise permitted by the Board.
Model	<ul style="list-style-type: none"> • Streets shall be offered for dedication. Township reserves the right to refuse. • New streets and additions to existing streets shall conform with existing street system, transportation element of the Comprehensive Plan, county and state highway plans, and existing topography. • Create a road hierarchy through interior streets and exterior streets to insure proper through-traffic flow, local access, and internal traffic distribution and flow. • Existing streets shall be continued at equal or greater right-of-way width. • Include sidewalks and curbs.
Cheltenham	<ul style="list-style-type: none"> • Existing streets shall be continued at equal or greater right-of-way width and be aligned with and connected to existing streets. • Shall conform to the design standards of the PennDOT Design Manual Part 2 Highway Design, as amended from time to time.
Whitemarsh	<ul style="list-style-type: none"> • Residential streets shall be so laid out as to discourage through traffic; however, the arrangement of streets shall provide for continuation of existing or platted streets and for proper access to adjoining undeveloped tracts suitable for future subdivision. • Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as culs-de-sac. Stub streets shall be properly closed to through traffic until such time as the street is extended. • Stub streets greater in length than one lot depth shall be provided with a turnaround designed to meet the standards required for culs-de-sac and shall be provided with sufficient rights-of-way to permit the future extension of the street onto the adjacent property.

L Merion Draft	<ul style="list-style-type: none">• New streets and additions to existing streets shall have shoulders that are graded to the full width of the right-of-way and provision made for slopes beyond the right-of-way• New streets and additions to existing streets shall avoid imposing on an abutting property an increased setback requirement under the provisions of the Zoning Ordinance.
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- Section 416, Private Streets

The standards written into the model ordinance regarding private streets are extensive, largely focusing on acceptable access and maintenance agreements. Springfield currently has less than two miles of private roads and limited locations which may become in need of a significant private street – the country clubs, the land along Springfield’s panhandle.

Existing	<ul style="list-style-type: none"> • N/A
Model	<ul style="list-style-type: none"> • When a street is not dedicated to the Township, the applicant shall submit a copy of the agreement made with the municipality regarding ownership, access rights, and maintenance responsibilities for that street. • When in the determination of the Board of Commissioners, it becomes necessary for the Township to assume responsibility for a private street, the Township may do so and assess the property owners or abutting owners who use the street for any improvements to restore the street to conformance with township specifications • Private residential streets shall comply with the following: <ul style="list-style-type: none"> ○ Minimum 50’ ROW ○ Minimum 18’ cartway ○ Irrevocable right-of-access agreement shall be guaranteed to all properties dependent on private road ○ May be owned by one or more of the property owners who have right-of-access or may be jointly owned by an association of these property owners ○ When several properties use a private street, maintenance shall be guaranteed by the formation and administration of an association or other legally binding organization of all land owners with access rights. ○ The Board of Commissioners reserves the right to order the private street to be upgraded to meet all of the standards and requirements for a public street if, at any time, they deem the road to be a health or safety hazard for reasons of improper or inadequate maintenance. ○ Any vehicle access way which provides primary access to more than three housing units shall be considered a private street. ○ No more than 10 housing units may be served by a private street which is not owned by a homeowners association or owner of the entire property ○ Further subdivision of a lot depending on a private road is prohibited if it would exceed the number of lots permitted. ○ An individual driveway may be reclassified and upgraded to become a private street upon approval of the Board of Commissioners. ○ Parking shall not be permitted within the minimum 18’ cartway, but may be permitted outside the cartway in a

	<p>manner that does not interfere with the free movement of emergency vehicles.</p> <ul style="list-style-type: none"> • Non-residential private streets may be permitted by the Board of Commissioners to provide access to various non-residential developments or lots.
Cheltenham	<ul style="list-style-type: none"> • Increases minimum cartway to 20'
Whitemarsh	<ul style="list-style-type: none"> • In AAAA and AAA districts, private residential streets will be approved only if they comply with the following <ul style="list-style-type: none"> ○ No more than eight lots may front on a private street ○ The private street shall have a ROW width and horizontal and vertical alignment consistent with the requirements for public streets ○ The private street shall be owned and maintained by all abutting property owners through the formation of a homeowner's association or other legal entity ○ The Board of Supervisors shall reserve the right to order the reconstruction of the private street to public street standards and subsequent dedication. • No mention of whether private streets are allowed or not in other zoning districts.
L Merion Draft	<ul style="list-style-type: none"> • Private streets shall be designed and constructed in conformance with all design and engineering regulations of the Township Code and this chapter that apply to public streets unless otherwise provided herein. • Whenever dedication of a street is not accepted by the Board of Commissioners, the applicant shall submit and record with the plan a covenant addressing the ownership, access rights, and maintenance responsibilities for that street.

- Section 417, Street Classifications

Existing	Right-of-way. Streets or roads which are essentially residential in character shall have a right-of-way of not less than 50 feet; streets or roads which are not main thoroughfares, but are essentially commercial or partially commercial and partially residential in character, shall have a right-of-way width of not less than 60 feet; and main thoroughfares shall have a right-of-way width of not less than 70 feet. In addition, rights-of-way and types of construction shall conform to the following schedule, provided that the Board may, in any case where it is deemed necessary, require a greater right-of-way width or a greater cartway width than the minimum herein shown, or may require a city-type highway to be installed in place of a suburban-type highway:																																																																									
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COLLECTORS								Provided in compliance with § 260-40, Sidewalks and verges	Provided in compliance with § 260-40, Sidewalks and verges																																																																	
Major	60 to 80	2 to 3	10	10 to 12	6 to 10	8	5 to 6																																																																			
LOCAL ROADS	50	[Total cartway width 26 feet to 30 feet] ⁹																																																																								

Whitemarsh	<p>The following chart indicates the required dimensional standards for the various classifications of streets as defined in § 105-5:</p> <table border="1" data-bbox="386 279 1341 567"> <thead> <tr> <th>Class</th> <th>Right-of-Way (feet)</th> <th>Cartway (feet)</th> <th>Curbs</th> <th>Sidewalks</th> <th>Tree Zone***</th> </tr> </thead> <tbody> <tr> <td>Expressways</td> <td>*</td> <td>*</td> <td>*</td> <td>No</td> <td>No</td> </tr> <tr> <td>Arterials</td> <td>*</td> <td>*</td> <td>Yes</td> <td>Yes</td> <td>Yes</td> </tr> <tr> <td>Major collectors</td> <td>80</td> <td>48</td> <td>Yes</td> <td>Yes</td> <td>Yes</td> </tr> <tr> <td>Minor collectors</td> <td>60</td> <td>40</td> <td>Yes</td> <td>Yes</td> <td>Yes</td> </tr> <tr> <td>Local streets</td> <td>56</td> <td>36</td> <td>Yes</td> <td>Yes</td> <td>Yes</td> </tr> <tr> <td>Courts</td> <td>50</td> <td>30**</td> <td>Yes</td> <td>Yes</td> <td>Yes</td> </tr> </tbody> </table>	Class	Right-of-Way (feet)	Cartway (feet)	Curbs	Sidewalks	Tree Zone***	Expressways	*	*	*	No	No	Arterials	*	*	Yes	Yes	Yes	Major collectors	80	48	Yes	Yes	Yes	Minor collectors	60	40	Yes	Yes	Yes	Local streets	56	36	Yes	Yes	Yes	Courts	50	30**	Yes	Yes	Yes
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L Merion Draft	<ul style="list-style-type: none"> Provides standard cross section diagrams (see excerpt), showing roadway width, travel lanes, sidewalks. Recommends which roadway classifications are compatible with bicycle lanes, on-street parking, intersection improvements, and transit stop design features. <table border="1" data-bbox="386 709 1453 1096"> <thead> <tr> <th>Functional Classification</th> <th>Minimum ROW</th> <th>Minimum Cartway</th> <th>Verge</th> <th>Pedestrian Amenities</th> </tr> </thead> <tbody> <tr> <td>Primary Arterial</td> <td>80 ft</td> <td>46 ft</td> <td>4 ft min</td> <td>Sidewalk; 8 ft min</td> </tr> <tr> <td>Secondary Arterial</td> <td>60 ft</td> <td>38 ft</td> <td>5 ft min</td> <td>Sidewalk; 5 ft min</td> </tr> <tr> <td>Tertiary Arterial</td> <td>60 ft</td> <td>27 to 38 ft</td> <td>3 ft min</td> <td>Sidewalk; 5 ft min</td> </tr> <tr> <td>Local (Minor)</td> <td>50 ft</td> <td>27 to 30 ft</td> <td>3 ft min</td> <td>Sidewalk; 5 ft min</td> </tr> <tr> <td>Local (Minor) In Open Space Overlay</td> <td>34 ft (45 if dedicated)</td> <td>20 ft</td> <td>3 ft min</td> <td>Sidewalk; 5 ft min</td> </tr> <tr> <td>Alley</td> <td>33 ft</td> <td>16 ft</td> <td>N/A</td> <td>N/A</td> </tr> </tbody> </table>	Functional Classification	Minimum ROW	Minimum Cartway	Verge	Pedestrian Amenities	Primary Arterial	80 ft	46 ft	4 ft min	Sidewalk; 8 ft min	Secondary Arterial	60 ft	38 ft	5 ft min	Sidewalk; 5 ft min	Tertiary Arterial	60 ft	27 to 38 ft	3 ft min	Sidewalk; 5 ft min	Local (Minor)	50 ft	27 to 30 ft	3 ft min	Sidewalk; 5 ft min	Local (Minor) In Open Space Overlay	34 ft (45 if dedicated)	20 ft	3 ft min	Sidewalk; 5 ft min	Alley	33 ft	16 ft	N/A	N/A							
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Chapter 95. Subdivision of Land

Article III. Standards; Improvements Guaranty

§ 95-11. Other standards and specifications.

- A. Electric service. Provision shall be made for electric service for public streetlighting by underground conduits or cables with suitable metal poles for lights, and the method and location of such streetlighting facilities shall be shown on the plans submitted for approval.
- B. Sewers.^[1] Where connection with the Township sanitary sewer systems is practicable, the owner shall install sanitary sewers and sewer laterals in conformity with Township specifications for sanitary sewer construction before streets and roads shown on the plans are constructed. All gas, water, electric and other mains, pipes and conduits, together with all service connection or laterals, shall be laid before the streets and roads shown on the plans are constructed and shall be located to minimize or eliminate flood damage and infiltration of floodwaters into the systems and discharges from the systems into the floodwaters.
[Amended 6-8-1977 by Ord. No. 663; 8-10-1977 by Ord. No. 665]
[1] *Editor's Note: See Ch. 81, Sewers.*
- C. Reserve strips. There shall be no reserve strips controlling access to streets, roads or alleys.
- D. Lot configuration.
[Amended 10-11-2006 by Ord. No. 881]
- (1) Every lot shall have frontage along the right-of-way line of a street or road, except where otherwise permitted by the Board.
 - (2) Lot lines intersecting street lines shall be substantially at right angles or radial to street lines, from the street line to the rear lot line. "Substantially at right angles" shall mean an intersection angle of not less than 80°.
- E. Dedication of land suitable for park and recreation use to the Township.
[Amended 10-13-2004 by Ord. No. 866]
- (1) The developer or applicant shall offer for dedication land suitable for park or recreation use to Springfield Township. Land shall not be offered for dedication until the completion of any necessary and agreed upon public improvements on the land proposed to be dedicated have been completed by the developer or applicant. All improvements shall be completed prior to 50% of the homes in the subdivision being occupied.
[Amended 10-11-2006 by Ord. No. 881]
 - (2) The amount and location of land to be offered for dedication to the Township shall bear a reasonable relationship to the incremental need for additional park and recreation facilities in the Township created by the additional residents or occupants of the proposed development. At a minimum, the following criteria for dedication of park and recreation areas to the Township shall apply:
[Amended 10-11-2006 by Ord. No. 881]

- (a) Residential subdivision or land development. The amount of land to be offered for dedication for park and recreational areas in residential subdivision or land developments of three or more individual dwelling units, whether they are single-family dwellings or contained within a multifamily (two or more units assembled together in any fashion) arrangement, shall be 3,000 square feet per residential dwelling unit; in the event that any existing building is converted to accommodate three or more residential dwelling units, the developer will be subject to the aforementioned regulations.
 - (b) Nonresidential subdivision or land development. The amount of land to be offered for dedication for park and recreational areas in a nonresidential subdivision or land development shall be 3,000 square feet per 4,000 square feet of building area.
 - (c) The land dedicated to the Township for park and recreation purposes need not be a part of the land development or subdivision and may be located on a separate parcel of land, provided that the Board of Commissioners determines that the land offered for dedication is convenient to the subdivision or land development. The developer, with the approval of the Board of Commissioners, may construct park and recreation facilities at existing Township facilities or facilities of another developer to satisfy the requirements of this section. Park and recreation facilities which are available to all Township residents as opposed to facilities which are available only to the residents of a particular subdivision or land development are encouraged.
 - (d) No more than 25% of the park and recreation space may consist of floodplain areas or areas with slopes in excess of 8%. Floodplain and steep slope areas may not be used for active recreation.
 - (e) The land to be offered for active recreation must be suitable for active recreation by reason of its size, shape, location and topography.
 - (f) The land to be offered for passive recreation must be suitable by reason of its size, shape, location and topography for walking, hiking and similar passive recreation.
- (3) When land is offered for dedication, notwithstanding the foregoing, the land must meet the minimum lot size for the district within which it is offered for dedication.
 - (4) Any land offered for dedication to the Township shall be used only for the purpose of providing park and recreation facilities.
 - (5) When land is offered for dedication, acceptance by the Township shall be by means of a signed resolution to which a property description of the dedicated recreational area shall be attached.
 - (6) Where a developer dedicates land, the acquisition value of the land plus any improvements placed on the land for park and recreation purposes must equal or exceed the fee in lieu of dedication as established by the Board of Commissioners from time to time. If the value of the fee in lieu of dedication is not met or exceeded, the developer must supply the balance of his obligation to supply park and recreation facilities by one or more of the alternatives set forth in this chapter.
 - (7) Criteria for locating recreation areas. The Planning Commission and Board of Commissioners, in exercising their duties regarding the review of subdivision and land development plans, shall consider the recommendations of the Park and Recreation Advisory Committee as well as the following criteria in determining whether to approve the proposed recreation plan submitted by the developer/applicant. A recreation plan shall include both the use and location of the proposed park and recreational area in an applicant's subdivision or land development plan.
 - (a) Land being offered for dedication shall be easily and safely accessible. For a park being dedicated to the Township, the proposed park and recreation area shall be located in the front of the subdivision, with direct access onto the external street to which the

subdivision has access. If the land is to be dedicated to a homeowners' association, it may be located in the interior of the subdivision in a location that is convenient to all of the residents of the subdivision.

- (b) The geometry of the land being dedicated shall be as close to square as is reasonably possible.
 - (c) Land being offered for dedication shall be a single contiguous parcel.
 - (d) Land being offered for dedication shall have suitable topography and soil conditions for use and development as a recreation area.
 - (e) Land being offered for dedication shall be directly accessible to essential utilities, such as sewer, water and power. If water, sewer and power is not readily available, the developer/applicant shall provide the necessary utilities to the site.
 - (f) Land being offered for dedication shall be provided with off-street parking to serve the proposed facilities.
 - (g) Sidewalks and /or a trail must be provided to the land being offered for dedication to allow all residents of the subdivision to have access to the proposed park and recreation facilities.
 - (h) The land being offered for dedication shall be in conformance with the Township's Comprehensive Plan.
 - (i) Where the proposed subdivision or land development is located adjacent to existing park and recreation facilities, the land offered for dedication shall be adjacent to the existing park and recreation facilities and shall be contiguous thereto. The land being offered for dedication shall be laid out to maximize the usefulness of the combined facilities as a single unified park and recreation facility.
- (8) Alternatives to dedication of land.
- (a) Fee in lieu of dedication.

[1] Where the Board of Commissioners determines that, because of the size, shape, location, access, topography or other physical features of the land or any other need of the Township, it is impractical to dedicate land to the Township as required by the chapter, the Commissioners may permit dedication of the land to the homeowners' association. If the Board of Commissioners determines that it is impractical or undesirable to dedicate land to either the Township or the homeowners' association, the Commissioners shall require a payment of a fee in lieu of dedication of such land from the applicant/developer to the Township. The fee in lieu of dedication shall be set forth from time to time in a resolution and shall bear a reasonable relationship to the demand for and the use of the park and recreation facilities of Springfield Township by the future residents or occupants of the proposed development.
[Amended 10-11-2006 by Ord. No. 881]

[2] Any fee in lieu of dedication which is collected by the Township shall be used only for the purpose of providing park and recreational facilities within Springfield Township.

[3] A fee authorized under this subsection shall, upon its receipt by the Township, be deposited in an interest-bearing account, designated the Springfield Township Park and Recreation Fund. Interest earned on the account shall become funds of that account. Funds from the account may only be expended on specific park and recreation facilities approved by the Board of Commissioners.

[4] Upon request of any person who paid fees under this subsection, the Township shall refund such fee, plus interest accumulated thereon from the date of payment, if the Township has failed to utilize the fee paid for recreation purposes within three years

from the date such fee was paid unless return of the fee has been waived by written agreement between the applicant/developer and the Township.

(b) Improvements to park facilities.

[1] With the approval of the Board of Commissioners, the applicant/developer may perform improvements to park and recreation facilities as identified by the Board of Commissioners.

[2] Improvements to park facilities shall be constructed in accordance with Township standards under the direction and inspection of the Township Engineer or his assigned designee.

(c) Combination. With the approval of the Board of Commissioners, the applicant/developer may utilize any combination of the aforementioned techniques to satisfy his park and recreation obligations. However, in no circumstance shall the total value of the acquisition of land, improvements to park and recreation facilities or dedicated land fail to meet or exceed the value of the fee in lieu of dedication established by the Board of Commissioners.

F. Parking. Provision shall be made for garage structures or open spaces suitably located and adapted for parking for automobiles and trucks, wherever and to the extent deemed desirable by the Board.

G. Right-of-way. A right-of-way not less than 40 feet wide shall be provided along natural watercourses, where required by the Board, in order to enable the Township to construct and maintain sanitary and storm sewers.

H. Survey monuments.

[Amended 6-12-1974 by Ord. No. 636]

(1) Complete outline survey of the property to be subdivided or developed and the final placement of all street control survey monuments shall be provided, showing all bearings, distances and tie-ins to all adjacent intersections. The survey shall not have an error of closure greater than one part in 10,000.

(2) The surveyor's field work must be performed to locate and position all major control survey monuments and property corners accurately. The allowable positional tolerances of said survey points may not be greater than 0.04 foot in suburban lots or parcels and/or 0.02 foot in suburban area blocks wherein buildings can be erected along the property line or where high land values so warrant.

(3) The surveyor shall furnish to the Township upon completion of the survey work a statement to read as follows:

This is to certify that the survey performed for the property located at _____, Springfield Township, Montgomery County, Pennsylvania, was made in accordance with the Minimum Standard Detail Requirements for Land Title Surveys jointly established and adopted by A.T.A. and A.C.S.M. in 1962.

(Signed)

(Seal)

(License No.)

I. Landscaping. The Board of Commissioners shall require, as a condition for approval of subdivisions and land developments, appropriate landscaping. This shall include but not be limited to side and rear boundaries, along streets and for off-street parking to soften visual impact and screen glare and to minimize noise and other threats to safety or the environment while preserving the aesthetic nature of the community.

[Added 10-8-1975 by Ord. No. 645; amended 7-8-1992 by Ord. No. 786]

- (1) Subdivisions and land developments shall be required to provide landscape buffering along side and rear boundaries of the tract to be subdivided or developed except in the development of single-family detached residences.
 - (a) Types of buffers. Softening buffers are designed to soften visual impact of adjacent land uses. Screening buffers are designed to provide a more substantial visual barrier between conflicting land uses. The impact of the proposed use on adjacent properties is the basis for establishing buffer standards. The buffer type is subject to approval of the Board of Commissioners.
 - (b) Softening buffers shall have a minimum width of at least 15 feet. Screening buffers shall have a minimum width of at least 10 feet and a maximum width of 15 feet. In cases where zoning setback requirements for side or rear yards are narrower than the required buffer width, the buffer shall be the width of the actual side or rear yard or the required buffer width of the side or rear yard, whichever is less. Buffer areas may be considered as part of the required yard setback.
 - (c) Softening buffers shall provide an average one canopy tree, one understory tree and one evergreen tree per 35 feet. When consistent with the character of the neighborhood, plantings should be in naturalized clusters which soften the transition rather than form a solid barrier. Screening buffers will be used when the buffer width is 10 feet or less. These should include one canopy tree, one understory tree, four evergreen shrubs and four deciduous shrubs per 35 feet. Additional planting shall be required for each portion thereof exceeding the dimensions listed above. All trees and shrubs shall be selected from the recommended plant materials in Table I. The Board of Commissioners may permit other species if they are adapted to the area, are not generally subject to insects or diseases and are of the same general character and growth habit as those listed in Table I. All plant materials shall meet the standards of the American Association of Nurserymen.
 - (d) Buffers shall be located parallel to property or right-of-way boundaries but may be sited on any portion of the property if permitted by the Board of Commissioners.
 - (e) The buffer requirement may be wholly or partially waived by the Board of Commissioners if they determine that existing plantings, topography, increased setbacks or man-made structures provide adequate buffers.
- (2) Street trees. Within any subdivision or land development, street trees shall be planted along new and existing streets.
 - (a) Street trees shall be planted within all front yard setbacks between 15 feet and 25 feet from the curb or edge of pavement, but in no case shall they be planted within the right-of-way. At intersections, trees shall be located no closer than 25 feet from the radius of the curb. Care should be taken to avoid eventual interference with overhead utilities.
 - (b) No less than one tree shall be provided for each 35 feet of street length or portion thereof. Trees shall be an approved species of canopy tree, as noted with an asterisk in Table I, and shall be installed pursuant to an approved landscape plan.
- (3) Parking area landscaping. Except in single-family detached residences, all off-street parking areas and all loading areas shall be landscaped in accordance with the following standards:
 - (a) Perimeter landscaping. All parking and loading areas shall be landscaped with buffers along the front yard, as well as side and rear yard boundaries.
 - (b) Internal landscaping. All parking areas containing more than 10 spaces shall be landscaped in accordance with the following standard:
 - [1] For each 10 spaces or portions thereof, at least 500 square feet of planting area shall be provided in the form of landscaped islands, which shall contain at least two canopy trees, one understory tree, six shrubs and ground cover or mulch of 100%.

- [2] The minimum square footage of any one island shall be 200 square feet, with a minimum width of six feet. All trees shall be drawn from the list of street trees marked with an asterisk in Table I. All plant materials shall meet the standards set forth in Subsection I(7).
- [3] All landscape material within parking and loading areas shall be protected from injury due to vehicular encroachment by the use of berms, wheel stops, concrete curbs, bollards, railings and other similar devices.
- (4) Parking area landscaping shall be designed so as not to obstruct or interfere with pedestrian circulation. For example, landscaped islands should not be placed between parking spaces and building entrances unless pedestrian walkways across these islands are provided.
- (5) Nonconforming buffers.
 - (a) Where property boundary buffers or street buffers are nonexistent or nonconforming, such buffers shall be installed as a condition for permission to:
 - [1] Make a change in zoning district, when requested by property owner(s); or
 - [2] Expand an existing structure beyond 25% of gross square footage or 25% of lot coverage.
 - (b) The applicant shall conform to this chapter to the maximum extent possible. If the required minimum buffer width is not available, structural measures such as fences, walls or berms may be used in conjunction with landscape material, with the approval of the Board of Commissioners, to provide an equivalent degree of screening.
- (6) Recommended plant materials. The landscaping material shall be as follows:
 - (a) Table I. Recommended plant materials:
 - [1] Canopy trees shall be a minimum of 2 1/2 to three inches in caliper. The table of permitted canopy trees is on file in the business office of the Board of Commissioners. All trees listed may be used in rear and side buffer yards. Only trees marked with an asterisk are permitted as street trees or in buffers along streets.
 - [2] Small understory trees shall be a minimum of two to 2 1/2 inches in caliper or eight feet in height. The table of permitted small understory trees is on file in the business office of the Board of Commissioners. All trees listed may be used in rear and side buffer yards. Only trees marked with an asterisk are permitted as street trees or in buffers along streets.
 - [3] Evergreen trees for buffers shall be a minimum height of six feet (not for use as street trees; may be used in buffers along streets if a minimum width of 10 feet is available). The table of permitted evergreen trees for buffers is on file in the business office of the Board of Commissioners.
 - [4] Shrubs shall be any locally grown shrubs, a minimum height of three feet, that conform to the standard set forth in Subsection I(b)(a)[2] above and are native or well-adapted to southeastern Pennsylvania, which may be planted in buffers or other landscaped areas.
- (7) Landscaping installation and maintenance criteria. The criteria set forth in this subsection shall apply to all landscaping material installed under the provisions of this chapter.
 - (a) Plant material shall not at maturity obstruct the necessary visibility of traffic control signs or signals or obstruct visibility at street intersections or driveway entrances or within parking lots.
 - (b) All plant material should be of locally grown nursery stock. It shall be free of insects, pests and disease and in conformity with the standards of the American Association of

Nurserymen.

- (c) All landscape material shall be installed to ensure the availability of sufficient soil, water and drainage to sustain healthy growth. No impervious material which impedes the passage of air, water or other nutrients shall be permitted within the dripline of trees or shrubs at maturity.
- (d) A depth of soil of at least 30 inches, with a depth of loose friable topsoil of at least 12 inches, shall be provided in any planter used for trees or shrubs. Either the planter should be slightly raised above ground level to ensure good drainage or the subsurface drainage system should be specified.
- (e) Street trees, when planted, shall be a minimum of 2 1/2 inches in caliper and shall have a minimum clearance under the lowest branches of seven feet where pedestrians or vehicular traffic will pass under the tree.
- (f) A thirty-percent maintenance bond shall be posted to ensure replacement of landscape materials that are removed, destroyed, damaged or in ill health within 18 months of installation.
- (g) The following vegetation shall not be installed as landscape material:

Scientific Name	Common Name
Acer platanoides	Norway maple
Acer pseudo-platanus	Sycamore maple
Acer saccharinum	Silver maple
Lonicera japonica	Japanese honeysuckle
Lonicera morrowi	Morrow honeysuckle
Pyrus calleryana cv. Bradford	Bradford callery pear
Polygonum cuspidatum	Japanese knotweed
Populus species	Poplars
Pueraria thunbergiana	Kudzu
Salix species	Willows
Ulmus pumila	Siberian elm

- (h) The number of tree species to be planted in new development shall be according to the following table:

Number of Trees	Minimum Number of Species	Maximum Percent of Any 1 Species
1 to 5	1	100%
6 to 15	2	50%
16 to 30	3	40%
31 to 50	4	30%
51 and over	6	20%

- (8) Protection of existing landscape material. All subdivisions and land developments shall be laid out in such a manner as to preserve the healthy trees and shrubs intended to remain on the site.

- (a) Existing vegetation shown to remain as part of the landscape plan for a land development shall be identified in the field prior to any clearing and physically protected

throughout the construction process. No construction activities or storage of construction materials shall take place within the dripline of existing trees that are to be retained.

- (b) A temporary physical barrier such as a snow fence shall be erected a minimum of one foot from the dripline on all sides of stands of vegetation or individual trees shown to remain prior to clearing or construction. The barrier shall be placed to prevent disturbance to or compaction of soil inside the barrier and shall remain until construction is complete. The specific method of preserving existing vegetation shall be noted on the landscape plan.
 - (c) If topsoil is to be stockpiled, it shall be located in an area outside the dripline of any tree shown to remain.
 - (d) Those trees whose removal will damage other trees which are to remain must be removed by hand, and the resulting stumps must be carefully removed to minimize damage to roots and trunks of other trees.
- (9) Pruning standards.
- (a) Within any commercial, industrial or multifamily development, pruning of new or existing street, buffer and parking lot trees required by this chapter shall be limited to the following purposes:
 - [1] To provide 12 feet of clearance for mature trees above streets and sidewalks;
 - [2] To provide clear sight triangles at vehicular intersections as per § 114-136 of Chapter 114, Zoning;
 - [3] To provide a six-foot clearance radius for transmission wires and cables; and
 - [4] To remove tree limbs which are hazards to safety, to existing structures or to the health of the tree or shrub.
 - (b) All pruning shall be done to preserve the natural form of the tree. Pruning shall be performed by an arborist certified in Pennsylvania or according to the standards of the National Arborists Association. Topping of trees is not permitted.
- (10) Damage and destruction of existing or required street, buffer and parking lot trees or of trees planted through the expenditure of public moneys. Except in cases of immediate necessity for protection of life or property, it shall be a violation of this subsection for any person to do any of the following acts:
- (a) To remove, cut, break, climb with spurs or injure in any manner any tree.
 - (b) To interfere in any manner with the main roots of any tree.
 - (c) To place any rope, guy wire, cable, sign, poster or other fixture on a tree. This shall not apply to rope, wire, cable, etc., placed on the tree to protect the integrity of the subject tree.
 - (d) To interfere with or remove any device placed to protect trees.
- (11) Standards for tree removal.
- (a) No tree over three inches in caliper within a tract proposed for subdivision or land development shall be removed unless any of the following conditions exist:
 - [1] Immediate danger to life or property.
 - [2] Affliction by a disease which threatens to injure or destroy other trees.
 - [3] Where compliance with federal, commonwealth or Township laws, regulations and rules which supersede these provisions requires removal.

- [4] There exists an approved land development plan showing landscape material to be retained or removed. Tree removal pursuant to such a plan shall be limited to those trees within 15 feet of a proposed structure, six feet of a proposed impervious surface or an area to be graded pursuant to an approved grading plan.
- (b) All specimen trees which are not to be removed shall be preserved in their natural condition. Retention or replacement of substantial areas of small trees and vegetation is encouraged.
- (c) In the event that a tree over three inches in caliper must be removed for reasons stated in Subsection I(11)(a)[4] above, said trees shall be replaced with approved trees of two to 2 1/2 inches caliper at a rate of two new trees to each one tree removed.

(12) Replacement of trees.

- (a) All trees required by this chapter which are removed or substantially damaged pursuant to Subsection I(10) shall be replaced on the parcel from which the trees were removed, with trees of a minimum caliper of 3 1/2 inches. When the tree damage or tree removal was intentional or in any manner inconsistent with provisions of this chapter, a fine of \$1,000 shall also be paid for each tree removed. Trees shall be installed in accordance with the provisions of Subsection I(7) and shall be of the same category of tree (canopy, understory or evergreen) as those removed.
- (b) Notwithstanding the three-inch caliper limitation in Subsection I(11), retention or replacement of substantial areas of small trees and vegetation is encouraged.

(13) Landowner liability.

- (a) The cost of planting, destroying or replacing any tree or part thereof, the necessary protection of any tree and the repair or replacement of any pavement or sidewalk necessarily disturbed in the excavation for such work shall be paid for by the owner of the real estate upon which the vegetation is located whether such work is performed by the Township or by a contractor hired by the Township or by the owner of the real estate or by a contractor hired by the owner of the real estate.
- (b) The amount the owner of the real estate is required to pay shall be limited to the costs incurred in performing the work required by this subsection, plus administration costs, as determined by the Township.
- (c) The Township shall give 30 days' written notice to the person against whose property an assessment will be made. The notice shall state the amount of the assessment and the time and location of payment.
- (d) The amount assessed against the real estate shall be a lien from the time of the filing of the notice. If the lien is not paid within the time designated on the notice, a claim may be filed and collected by the Township in the same manner that municipal claims are filed and collected.

(14) Township Landscape Fund.

[Added 2-10-1999 by Ord. No. 836]

- (a) In those instances when the Township agrees to waive any portion of the landscaping improvements required by Chapter 95, Subdivision of Land, the applicant shall be required to make a monetary contribution to the Springfield Township Landscape Fund.
- (b) Such fees should be in the amount equal to the cost of acquiring and establishing the required landscape materials on the subject parcel as determined by the Township.
- (c) The Township Landscape Fund will be used to perform landscaping improvements for public benefit only. Such improvements shall include but not be limited to new tree

plantings and maintenance to all new and existing landscape materials on public lands throughout the Township.

- (d) Projects financed using the Township Landscape Fund shall be reviewed by the Springfield Township Shade Tree and Planning Commissions and approved by the Board of Commissioners.

J. Stormwater management.^[2] All land-disturbance activities shall be consistent with the following:
[Added 11-13-1985 by Ord. No. 735]

- (1) All subdivision and land development proposals shall comply with Chapter 28 of this Code unless specifically excluded, by § 28-7 of Chapter 28, from the stormwater management plan requirement.
- (2) Unless the Township Engineer recommends an alternative approach, water should be drained to the streets rather than across lots within the subdivision or land development.
- (3) It shall be the responsibility of the applicant to obtain any stormwater easements required by the Board of Commissioners on, over or through other properties.

[2] *Editor's Note: Former Subsections J and K were redesignated as Subsections K and L in order to accommodate the addition of this new Subsection J.*

K. ^[3]All subdivision and land development proposals shall be reviewed to ensure that such proposals are consistent with the need to minimize flood damage and that adequate drainage is provided to reduce exposure to flood hazards.

[Added 6-8-1977 by Ord. No. 663; amended 8-10-1977 by Ord. No. 665]

[3] *Editor's Note: Former Subsections J and K were redesignated as Subsections K and L in order to accommodate the addition of the new Subsection J.*

L. Where a watercourse is to be altered or relocated as a result of any development activity, the developer shall submit to the Township evidence that the Pennsylvania Department of Community Affairs and all neighboring communities have received prior notification of this fact. Furthermore, the developer shall assure the Township that the carrying capacity of the watercourse will be maintained.

[Added 6-8-1977 by Ord. No. 663; amended 8-10-1977 by Ord. No. 665]