

POCOPSON TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 3 of 2019

AN ORDINANCE OF POCOPSON TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 190 OF THE POCOPSON TOWNSHIP CODE, TITLED "SUBDIVISION AND LAND DEVELOPMENT" TO AMEND SECTION 190-29 TITLED, "STREETS" TO AMEND THE MINIMUM SIGHT DISTANCE AND SPECIFICATIONS FOR HORIZONTAL CURVES ON RESIDENTIAL STREETS; SECTION 190-30.B TO AMEND THE SPECIFICATIONS FOR PRIVATE DRIVEWAYS; AND TO AMEND CHAPTER 250 OF THE POCOPSON TOWNSHIP CODE, TITLED "ZONING" SECTION 250-17.D(3)(b) TO PROVIDE ACCESS AND TRAFFIC IMPROVEMENT STANDARDS FOR LOTS IN THE RESIDENTIAL AND AGRICULTURAL DISTRICT, AND OTHER MISCELLANEOUS PROVISIONS CONTAINED HEREIN.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Pocopson Township that Chapter 190 of the Pocopson Township Code titled "Subdivision and Land Development," and Chapter 250 of the Pocopson Township Code titled "Zoning" shall be amended as follows:

**SECTION 1.** Section 190-29.B(1) shall be amended as follows:

- (a) Collector street: shall meet Minimum Stopping Sight Distance in accordance with current PennDOT design guidelines.
- (b) Cul-de-sac streets and residential streets: 250 feet.

**SECTION 2.** Section 190-29.B(2)(b) shall be amended as follows:

- (b) Residential streets: 150 feet.

**SECTION 3.** Section 190-30.B(1)(e) and (f) shall be amended as follows:

- (e) In order to provide safe and convenient ingress and egress, private driveways shall have a minimum width of 10 feet. In addition, the width of private driveway entrances shall comply with the following design criteria:

- i) For driveways accessing local residential streets, 45° flares (or equivalent) shall be provided and the minimum width at the cartway edge or curbline shall be 20 feet .
  - ii) For driveways accessing local collector streets or state highways, minimum 15 foot radii shall be provided and the minimum width at the cartway edge or curbline shall be 40 feet.
  - iii) If the dwelling is located farther than 500 feet from the public right-of-way, the adequacy of the access to the site for emergency vehicles shall be subject to review by the Fire Marshal or his designee, and approval by the Board of Supervisors.
- (f) The first 50 feet of a driveway shall be constructed with one of the following material specifications:
- i) A minimum base of graded aggregate stone compacted to 6 inches with a surface of at least 1-1/2 inches asphalt wearing course; or,
  - ii) A minimum base of graded aggregate compacted to 4 inches with a surface of at least 6 inches of reinforced Portland Cement Concrete with a minimum compressive strength of 4,000 psi and steel reinforcement for temperature and shrinkage control; or,
  - iii) An approved equal, using progressive or innovative paving materials. The alternative design shall be submitted to the Township Engineer for approval.

The remaining length of the driveway shall be surfaced with non-erosive materials.

**SECTION 4.** Section 190-30.B(2) shall be amended to read as follows:

- (2) Driveways for two single-family dwellings: Except as authorized in Subsection C, privately owned driveways shall not be permitted to provide access to more than two single-family dwellings. In cases where property access poses a particular safety problem with respect to inadequate sight distance or similar concerns, the Board may require the construction of a common driveway in the place of two individual driveways to serve two

adjacent lots, provided that the required street frontage and all other applicable requirements of Chapter 250, Zoning, and this chapter are complied with on each lot. In addition to the requirements for individual driveways for single-family residences in Section 190-30.B(1), common or shared driveways shall also comply with the following requirements:

- (a) Driveways serving two dwellings shall be constructed with the minimum pavement sections specified in Section 190-30.B(1)(f) above for the entire length of the shared portion of the driveway. The remaining length of the driveway shall be surfaced with non-erosive materials.
- (b) The first 50 feet of the shared driveway shall have a minimum width of 18 feet. In addition, if the length of the shared portion of the driveway exceeds 100 feet, additional passing areas shall be provided at intervals as determined by the Board of Supervisors. Passing areas shall have a total width of 18 feet and be 30 feet long.
- (c) Terms for ownership and maintenance of the driveway shall be approved by the Board. When a Subdivision and Land Development Agreement is required, the terms of the driveway agreement shall be included in the development agreement. The required driveway maintenance agreement shall provide, among other things, lien authority and a method for compounding interest on unpaid portions of costs incurred where one owner is unwilling or unable to pay for needed improvements or repairs. It shall be the responsibility of the subdivider, or lot owners, as applicable, to have such an agreement recorded at the Office of the Recorder of Deeds of Chester County and indexed against the deeds of the abutting property owners. The recording of the driveway agreement shall take place simultaneously with recording of the subdivision and/or land development plan. A recorded copy of such document shall be provided to the Township prior to issuance of building permits."

**SECTION 5.** Section 250-17.D(3) shall be amended to read as follows:

D(3). Access and traffic improvements.

- (a) The developer of any property or a landowner building a residence shall construct such road and traffic improvements as are necessary to serve the development or residence or make proportional contributions to specific improvements that benefit the development or lot or are directly affected by it.

(b) All dwelling units or residential streets taking access from any Township-designated arterial or collector road shall provide a minimum clear sight distance equal to the Minimum Stopping Sight Distance in accordance with current PennDOT design guidelines.

**SECTION 6. SEVERABILITY.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Pocopson Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

**SECTION 7. REPEALER.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 8. GENERAL CODE.** General Code is hereby authorized to make non-substantive formatting and numbering changes necessary to clarify references to other sections of the Pocopson Township ordinances and/or codification and to bring the Ordinance into conformity with the Pocopson Township ordinances/codification.

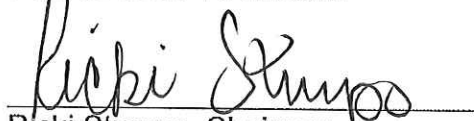
**SECTION 9. EFFECTIVE DATE.** This Ordinance shall become effective in five days.

ENACTED AND ORDAINED this 20<sup>th</sup> day of May, 2019.

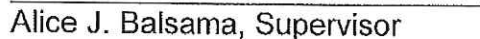
ATTEST:

  
Susan Simone, Secretary

BOARD OF SUPERVISORS  
POCOPSON TOWNSHIP

  
Ricki Stumpo, Chairman

  
Elaine DiMonte, Vice-Chairman

  
Alice J. Balsama, Supervisor