

**SOUTH ABINGTON TOWNSHIP**  
LACKAWANNA COUNTY, PENNSYLVANIA

**ORDINANCE NO. 151**

AN ORDINANCE AMENDING THE SOUTH ABINGTON TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO REQUIRE LANDSCAPING FOR LAND DEVELOPMENTS AND MAJOR SUBDIVISIONS, ADD CERTAIN DEFINITIONS APPLICABLE TO LANDSCAPING, AND DELETE CERTAIN SECTIONS.

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of South Abington Township, Lackawanna County, Pennsylvania by authority of and pursuant to the provisions of Act of 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, approved July 31, 1968, as reenacted and amended, known and cited as the "Pennsylvania Municipalities Planning Code," as follows:

The South Abington Township Subdivision and Land Development Ordinance of 1990, as amended, is hereby amended as follows:

☛ **ITEM 1 -- ADD THE FOLLOWING SECTION 6.400:**

**6.400 LANDSCAPE REQUIREMENTS**

A landscape plan meeting the requirements of this Section 6.400 shall be prepared for all land developments and major subdivisions, and no land development or major subdivision shall be finally approved until all landscaping has been installed or guaranteed in accord with this Ordinance. This shall apply to all *improvements* as defined in Article 4 of this Ordinance. The provisions of the Township Shade Tree Ordinance shall also apply and the continued maintenance of all landscaping shall be consistent with the Shade Tree Ordinance, and in the case where the requirements are different, the provisions of this Subdivision and Land Development Ordinance shall apply.

**6.401 Legislative Intent**

- A. Article I, Section 27 of the Constitution of the Commonwealth of Pennsylvania states that people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and aesthetic values of the environment. It is the intent of these landscape planting requirements to protect this right by conserving existing vegetation and/or requiring new plants in critical areas of land developments.
- B. Specifically, it is the intent of these landscape planting requirements to conserve existing healthy plant communities, such as woodlands, and to require new landscape plantings in critical areas of new developments in order to:
  - 1. Reduce soil erosion and protect surface water quality by minimizing stripping of existing woodlands or tree masses.
  - 2. Reduce stormwater runoff velocity and volume by providing planting areas where stormwater can infiltrate.

3. Improve air quality by conserving existing or creating new plantings, which produce oxygen and remove carbon dioxide from the atmosphere.
  4. Encourage tree planting and landscaping along public streets. (See definition of *improvement*.)
  5. Provide wind breaks, shade, and the other microclimate benefits of trees and landscape plantings.
  6. Conserve historically, culturally, or environmentally important landscapes such as wooded hillsides, scenic views, or aesthetic natural areas.
  7. Preserve and enhance property values through the implementation of good landscape architectural standards.
  8. Provide planted buffers between land developments, which act to visually integrate a development into the existing landscape.
  9. Provide planted and architectural visual screens around visually obtrusive site elements within development.
  10. Enhance the aesthetic appearance of the community and provide privacy and beauty.
  11. Improve traffic flow in parking lots by requiring planted parking islands and medians to separate traffic.
  12. Conserve energy by moderating solar radiation and providing shade.
  13. Improve the environment for pedestrians along streets, parking lots, and other pedestrian areas.
  14. Aesthetically improve stormwater management facilities, such as detention basins, without impairing function.
- C. Finally, it is the intent of these regulations to protect the health, safety, and welfare of the community by requiring planting plans for land developments, to be sealed by a landscape architect registered in the Commonwealth of Pennsylvania.

#### 6.402 Preservation of Existing Vegetation

- A. Preservation of Existing Vegetation - Each mature tree, tree mass, or woodland on the site shall be designated "TO REMAIN" or "TO BE REMOVED" and be shown on the plan in accord with the following criteria:
1. All subdivisions and land developments shall be laid out in such a manner as to minimize the removal of healthy trees and shrubs on the site. Special consideration shall be given to major specimen trees. The plan shall show the location and elevation of major specimen trees (12" or greater DBH) in areas of the site proposed for development, and the edge of existing woodlands.

2. The applicant shall document that vegetation removal is minimized. If challenged by the Township, the applicant shall produce evidence such as written documents or plans certified by a registered landscape architect or other qualified professional showing that no alternative layouts are possible and that no alternative clearing or grading plan would reduce the loss of mature trees, tree masses, and woodlands.
  3. The following criteria shall be used by the Township to make the final determination of which mature trees, tree masses, or woodland shall be designated "TO REMAIN":
    - a. The outermost branches of the tree(s) are at least five (5) feet from any proposed buildings or structures.
    - b. The outermost branches of the tree(s) are at least five (5) feet from any proposed changes in grade or drainage such as excavations, mounding, or impoundments.
    - c. The tree(s) are clear of any proposed sight triangles and do not, by their location or apparent health, pose any undue threat to the public health, safety, or welfare.
  4. Mature trees, tree masses, or woodland that are not designated "TO REMAIN" shall be designated "TO BE REMOVED." These trees shall be removed in the field during the construction process.
  5. Specimen tree preservation or removal shall be considered on an individual basis and site conditions.
- B. Protection of Existing Vegetation - Existing vegetation designated "TO REMAIN" in accord with Section 6.402, A, 3 above shall be identified in the field prior to any clearing and shall be physically protected throughout the construction process. A temporary physical barrier, such as a snow fence, shall be erected a minimum of one (1) foot outside the drip line on all sides of individual trees, tree masses, or woodlands prior to major 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 barrier shall be shown on the landscape plan.
- C. Hydrology - Alteration of existing drainage patterns and water supply for the protected vegetation shall be minimized.
- D. Transplanting Existing Plants - Specimen trees or individual trees from woodlands or tree masses designated "TO BE REMOVED" are encouraged to be transplanted from one area of the site to another. Transplanted trees must conform to the requirements of Section 6.407 and section 6.408 of this Ordinance.

#### 6.403 Parking Lot Landscaping

- A. Landscaping Benefits - Parking lots shall be effectively landscaped with trees and shrubs to reduce the impact of glare, headlights, and parking lot lights; to delineate driving lanes; and define rows of parking. Furthermore, parking lots shall be adequately landscaped to provide shade in order to reduce the amount of reflected heat and to improve the aesthetics of parking lots.

B. Lots With Ten or More Stalls - All parking lots with ten (10) or more stalls shall be landscaped in accord with the criteria in this Section 6.403.

1. One (1) planting island shall be provided for every ten (10) parking stalls. There shall be no more than ten (10) contiguous parking stalls in a row without a planting island.
  2. The ends of all parking rows shall be divided from drives by planting islands.
  3. In residential developments, large parking lots shall be divided by planting strips into smaller parking areas of no more than forty (40) stalls.
  4. In nonresidential developments, large parking lots shall be divided by planting strips into smaller parking areas of no more than one hundred (100) stalls.
  5. Planting islands shall be a minimum of nine (9) feet by eighteen (18) feet in dimension, underlain by soil (not base course material); mounded at no more than a three-to-one (3:1) slope, nor less than a five-to-one (5:1) slope; and shall be protected by curbing or bollards. Each planting island shall contain one (1) shade tree plus shrubs and/or ground cover sufficient to cover the entire area.
  6. All planting strips shall be a minimum of eight (8) feet wide. Strips shall run the length of the parking row, underlain by soil (not base course material), mounded at no more than a three-to-one (3:1) slope, nor less than a five-to-one (5:1) slope; and shall be protected by curbs, wheel stops, or bollards. Planting strips shall contain plantings of street-type shade trees at intervals of thirty (30) to forty (40) feet, plus shrubs and/or ground cover, as approved by the Township, to cover the entire area.
  7. The placement of light standards shall be coordinated with the landscape plan to avoid a conflict with the effectiveness of light fixtures.
  8. Plants shall comply with the requirements of Section 6.407 of this Ordinance. The use of plants selected from the *List of Acceptable Plants* in Section 6.408 is encouraged.
  9. In the case where this or another Township ordinance requires a buffer or other landscaping at the end of a parking lot, such buffer or landscaping may take the place of the planting strip provided the buffer or landscaping meets the minimum requirements of this Section 6.403.
- C. Buffers - All parking lots shall be buffered from public roads and from adjacent properties as required in Section 6.406 of this Ordinance.

#### 6.404 Street Trees

A. Street Trees Required - Street trees shall be required:

1. Along all existing streets abutting or within the proposed subdivision or land development.
2. Along all proposed streets.

3. Along access driveways that serve five (5) or more residential dwelling units.
  4. Along access driveways that serve two (2) or more nonresidential properties.
  5. Along major walkways through parking lots and between nonresidential buildings, as recommended by the Township Planning Commission.
- B. Waiver for Existing Vegetation - The street tree requirement maybe waived by the board of Supervisors where existing vegetation is considered sufficient to provide effective screening and to maintain scenic views of open space, farmland, natural features, or other valued features.
- C. Standards - Street trees shall be located between the ultimate right-of-way line and the building setback line and shall meet the following standards:
1. Trees shall be planted a minimum distance of five (5) feet and a maximum distance of fifteen (15) feet outside the ultimate right-of-way line. However, in certain cases, as follows, the Board of Supervisors may permit trees to be planted within the ultimate right-of-way:
    - a. In areas, such as existing neighborhoods where front yards may be located within the ultimate right-of-way.
    - b. In cases where closely spaced rows of street trees may be desirable and future street widening is considered unlikely.
  2. In nonresidential developments, trees shall be located within a planting bed within the front yard setback, at least ten (10) feet in width, planted in grass or ground cover. In areas where wider sidewalks are desirable, or space is limited, tree planting pits within the sidewalk may be approved.
  3. Trees shall be located so as not to interfere with the installation and maintenance of sidewalks and utilities. Trees shall be planted a minimum distance of three (3) feet from curbs and sidewalks, fifteen (15) feet from overhead utility poles with appropriate species selection for trees under utility wires, and six (6) feet from underground utilities.
  4. Trees shall be planted at a ratio of at least one (one) tree per fifty (50) linear feet of frontage or fraction thereof. Trees shall be distributed along the entire frontage of the property, although they need not be evenly spaced.
  5. Trees shall comply with the requirements of Section 6.407 of this Ordinance. The use of tree species selected from the *List of Acceptable Plants* in Section 6.408 is encouraged.

6.405 Stormwater Basins and Associated Facilities

Landscaping shall be required in and around all stormwater management basins according to the following:

- A. Vegetative Cover Required - All areas of stormwater management basins, including basin floors, side slopes, berms, impoundment structures, or other earth structures, shall be planted with cover vegetation such as lawn grass or naturalized plants specifically suited for stormwater basins. (See Section 6.408

for recommended plants for stormwater basins.)

1. Lawn grass areas shall be sodded or hydro-seeded to minimize erosion during the establishment period, and once established, these areas shall be maintained at a height of not more than six inches.
2. Naturalized cover plants, such as wild flowers, meadows, and nonaggressive grasses specifically designed for the permanently wet, intermittently wet, and usually dry areas of stormwater basins, may be planted as an alternative to lawn grass provided:
  - a. The plantings provide continuous cover to all areas of the basin.
  - b. The plantings do not interfere in the safe and efficient function of the basin as determined by the municipal engineer.
3. Trees and shrubs shall be allowed in and around stormwater basins provided no interference is caused to the proper function of the basin and no trees with a rooting depth greater than thirty (30) inches are planted on an impoundment structure or dam.

B. Basin Shape - Basin shape shall incorporate curvilinear features to blend with the natural surrounding topography and the use of sharp geometric shapes shall be avoided.

C. Basin Grades - Minimum grades inside stormwater basins shall be two (2) percent unless infiltration is an integral part of the design; and maximum side slopes of the basin shall be thirty-three (33) percent (3:1 slope).

D. Buffers - Stormwater basins shall be buffered with landscaping from adjacent properties in accord with Section 6.406

#### 6.406 Buffers and Screens

A. Property Lines and Site Elements - All subdivisions and land developments shall be landscaped with the following two (2) components:

1. Property line buffers that act to integrate new development with its surroundings and to separate incompatible land uses.
2. Site element screens that act to minimize or eliminate views to certain other site elements.

B. Minimum Requirements - The requirements in this Section 6.406 are minimum standards; additional plants, berms, or architectural elements may be required by the Township as necessary to meet the intent of this Section 6.400 or may be included in the plan at the applicant's discretion.

C. Property Line and Road Right-of-Way Buffer Requirements

1. Property line and road right-of-way buffers shall be required for the following types of development as defined by the Township Zoning Ordinance and as otherwise specified in the Zoning Ordinance:

- a. All nonresidential development.
  - b. All multi-family development.
  - c. All single-family detached cluster development.
  - d. All mobile home parks.
2. An on-site investigation by the applicant shall identify the adjacent land uses along each property boundary. In the case of vacant land, the uses permitted by the Zoning Ordinance shall be used. The existing or zoned uses shall be noted on the plan, and the case of several permitted uses on a site, the most restrictive requirements shall apply. The Board of Supervisors shall make the final determination of the designation of the existing or zoned land uses.
  3. The quantity and type of plants required shall be determined by the intensity of the proposed land use and the adjacent land use, vacant land, or zoning district, according to Table 6.400-1.

**TABLE 6.400-1**  
**PROPERTY LINE AND ROAD RIGHT-OF-WAY BUFFERS**  
 (See Section 6.406,C for buffer intensity requirements.)

PROPERTY LINE BUFFERS				
PROPOSED USE	ADJACENT USE			
	Office/Institutional & Public Recreation	Commercial/ Industrial	Multi-Family Mobile Home Park	Single-Family Two-Family
	BUFFER REQUIREMENT (see Section 6.406,C,4 for width)			
Office/Institutional	Low	Low	Medium	High
Commercial/Industrial	Medium	Low	High	High
Residential*	Low	Medium	Low	Medium
Active Recreation (play fields, golf courses, swim clubs, etc.)	Low	none	Low	Low
*Buffers are required for all multi-family, clustered single-family and mobile home parks.				
ROAD RIGHT-OF-WAY BUFFERS				
SIZE OF PARKING LOT	BUFFER REQUIREMENT (see Section 6.406,C)		BUFFER WIDTH	
1 to 10 stalls	low		10 feet	
11 to 30 stalls	medium		10 feet	
more than 30 stalls	high		10 feet	

4. Buffer Area Location and Dimensions

- a. A buffer area with the following minimum width shall be established along all property lines and curbing or shoulder edge of existing or proposed public streets, unless a wider buffer is otherwise specified in the Zoning Ordinance.

BUFFER TYPE	PROPERTY LINE	PUBLIC STREET
	Minimum Width	
Low Intensity	10 feet	10 feet
Medium Intensity	15 feet	10 feet
High Intensity	20 feet	10 feet

- b. The buffer area may be included within the front, side, or rear yard setback.
- c. The buffer area shall be a continuous pervious planting bed consisting of trees and shrubs, grass or ground cover.
- d. Parking shall not be permitted in the buffer area.
- e. Site element screens shall be permitted in the buffer area.
- f. Stormwater basins shall be permitted in the buffer area.
5. Plant Quantities and Types - In accord with Table 6.400-1, for every one hundred (100) linear feet of property line to be buffered, the following minimum quantities and types of plants shall be required:

BUFFER TYPE	PLANTS (per 100 linear feet)
Low Intensity	2 canopy trees, and 1 ornamental tree
Medium Intensity	2 canopy trees, and 2 ornamental trees, and 2 evergreen trees (5 shrubs may be substituted for 1 ornamental tree)
High Intensity	5 evergreen trees, and 2 ornamental trees, and 2 canopy trees (10 shrubs may be substituted for 1 ornamental tree)

6. Design Criteria

- a. The required plants shall be distributed over the entire length and width of the buffer area.
- b. Buffer plants may be arranged symmetrically (formal) or asymmetrically (informal) and may be grouped to form plant clusters. However, informal groupings that reflect the natural character of the region are encouraged.
- c. Plants shall be spaced to provide optimum growing conditions.
- d. A variety of tree species is required as follows:

NUMBER OF TREES	MINIMUM NUMBER OF TREE SPECIES	MAXIMUM PERCENT OF ANY ONE SPECIES
0-5	1	100
6-15	2	50
16-30	3	40
31-50	4	30
51+	6	20

e. All plants shall meet the requirements of Section 6.407.

- 7. Existing healthy trees, shrubs, or woodlands may be substituted for part or all of the required plants with the approval of the Board of Supervisors. The minimum quantities and/or visual effect of the existing vegetation shall be equal to or exceed that of the required buffer as determined by the Township.
- 8. Existing topographic conditions, such as embankments or berms, in conjunction with existing vegetation, may be substituted for part or all of the required property line buffers with the approval of the Board of Supervisors. The minimum visual effect shall be equal to or exceed that of the required buffer.

D. Site Element Screens

- 1. Site element screens shall be required in all proposed land developments around the following site elements, when these are located partially or fully within one hundred (100) feet of a property line or existing road right-of-way.
  - a. Parking lots.
  - b. Dumpsters, trash disposal, or recycling areas.
  - c. Service or loading docks.

TABLE 6.400-2  
 SITE ELEMENT SCREENS  
 (See Section 6.406,D,6 for screen types and design criteria.)

PROPOSED USE	EXISTING ADJACENT LAND USE (OR ZONED USES WHEN UNDEVELOPED*)			
	Office or Institutional	All Other Nonresidential	Single-Family, Two-Family, Townhouses	All Roads
Dumpster, trash, or recycling area	4 or 8	3	4 or 8	4 or 8
Service or loading docks	2 or 5	--	2 or 5	2 or 5
Outdoor sales yard and vehicle storage (excluding vehicle sales areas)	1	1	1	1, 7 or 9
Multi-family rear yards	--	--	--	6
Active recreation facilities (tennis, basketball, court games, etc.)	--	--	7	--
Retention or detention basins	6	--	6	--
Sewage treatment plants and pump stations	1 or 8	--	1 or 8	1 or 8

\*When residential and nonresidential uses are allowed by the zoning district on undeveloped adjacent land, the residential requirements shall apply.

- d. Outdoor storage.
  - e. Vehicle storage.
  - f. Multifamily rear yards.
  - g. Active recreation facilities.
  - h. Detention basins.
  - i. Sewage treatment plants and pump stations.
2. An on-site investigation by the applicant shall identify the adjacent land uses along each property boundary. In the case of vacant land, the uses permitted by the Zoning Ordinance shall be used. The existing or zoned uses shall be noted on the plan, and the case of several permitted uses on a site, the most restrictive requirements shall apply. The Board of Supervisors shall make the final determination of the designation of the existing or zoned land uses.
  3. The type of site element screen required shall be determined by the site element and the adjacent existing land use or zoned use in the case of vacant land, according to Table 6.400-2.

4. Site elements not included in the above list that have similar visual impact shall be screened in accord with requirements for the most similar elements as determined by the Board of Supervisors.
5. The site element screen shall be placed between the site element and the property line and shall be designed to block views to the maximum extent possible. Unless the screen is most effective at another location, it shall be located as close as possible to the site element and shall surround the element without impeding function or encroaching on sight triangles.
6. Screen Types and Design Criteria - The following types of screens shall be used where specified in Table 6.400-2.

SCREEN TYPE	DESIGN CRITERIA
Screen Type #1 <i>Evergreen or Deciduous Shrubs</i>	Shrubs shall be placed three feet on center in a minimum 5-foot-wide bed surrounding the site element and arranged to provide a continuous hedge-like screen up to a minimum height of 3.5 feet at maturity. Shrubs may be clipped to form a hedge or left in their natural habit.
Screen Type #2 <i>Double Row of Evergreen Trees.</i>	A double row of evergreen trees shall be placed 10 feet on center and offset 10 feet to provide a continuous screen at a minimum height of 12 feet at maturity.
Screen Type #3 <i>Opaque Fence</i>	A six-foot opaque fence surrounding the site element on at least three sides.
Screen Type #4 <i>Opaque Fence with Ornamental Trees and Shrubs</i>	A 6-foot opaque fence surrounding the site element on at least 3 sides with additional plantings at the minimum rate of 3 shrubs and 2 ornamental trees or large shrubs for each 10 linear feet of proposed fence, arranged formally or informally next to the fence.
Screen Type #5 <i>Architectural Extension of the Building</i>	An 8-foot minimum height architectural extension of the building (such as a wing wall) shall enclose service or loading docks. The building materials and style of the extension shall be consistent with the main building.
Screen Type #6 <i>Berm with Ornamental Trees</i>	A 2-to-3-foot-high continuous curvilinear berm with ornamental trees at the rate of 1 tree for every 20 feet, clustered or arranged informally. The maximum slope of the berm shall be 3: 1.
Screen Type #7 <i>A 2-to-3-foot-high continuous curvilinear berm with grass alone.</i>	The maximum slope of the berm shall be 3: 1.
Screen Type #8 <i>Evergreen Hedge</i>	An evergreen hedge (such as arborvitae, chamaecyparis, etc.) with a minimum height at planting of 6-foot plants, 4 feet on center maximum.
Screen Type #9 <i>Low Wall</i>	A wall of brick or stone (not concrete block), at least 50 percent opaque, no less than 3 and no more than 4 feet in height.

7. Existing healthy trees, shrubs, or woodlands may be substituted for part or all of the required plants with the approval of the Board of Supervisors. The minimum quantities and/or visual effect of the existing vegetation shall be equal to or exceed that of the required screen.
8. Existing topographic conditions, such as embankments or berms may be substituted for part or all of the required screen with the approval of the Board of Supervisors. The minimum visual effect shall be equal to or exceed that of the required screen.
9. The applicant may propose the use of alternative screen types or changes in plants or designs which fulfill the intent of this Ordinance, with the approval of the Board of Supervisors.
10. Plants shall meet the specifications of Section 6.407: Use of plants selected from the *List of Acceptable Plants* in Section 6.408 is recommended.

6.407 Materials Specifications, Maintenance, and Guarantee

The following standards shall apply to all plants or trees as required under this Ordinance.

A. General Requirements

1. The location, dimensions, and spacing of required plantings shall be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and present and future environmental requirements, such as wind, soil, moisture, and sunlight.
2. Plants shall be selected and located where they will not contribute to conditions hazardous to public safety. Such locations include, but are not limited to, public street rights-of-way, underground and aboveground utilities, and sight triangle areas required for unobstructed views at street intersections.
3. Plastic or other artificial materials shall not be used in place of plants.

B. Plant Specifications

1. All plants shall meet the minimum standards for health, form, and root condition as outlined in the latest edition of the American Association of Nurserymen (AAN) Standards.
2. All plants shall be selected for hardiness and shall be suitable for planting in the United States Department of Agriculture Hardiness Zone applicable to South Abington Township, and to the specific localized microclimate and micro environment of the planting site.
3. Canopy trees, sometimes called shade trees, shall reach a minimum height or spread of thirty (30) feet at maturity as determined by the AAN Standards and shall be deciduous. New trees shall have a minimum caliper of two and one-half inches at planting.
4. Ornamental trees or large shrubs shall reach a typical minimum height of fifteen (15) feet at maturity, based on AAN Standards. Trees and shrubs may be deciduous or evergreen and shall have a distinctive ornamental character such as showy flowers, fruit, habit, foliage, or bark. New ornamental trees shall have a minimum height of six (6) feet or one and a half inch caliper. New

large shrubs shall have a minimum height of two and one-half (2.5) to three (3) feet at the time of planting.

5. Small shrubs may be evergreen or deciduous and shall have a minimum height at maturity of four (4) feet based on AAN Standards. New shrubs shall have a minimum height of eighteen (18) inches at the time of planting.
6. Evergreen trees shall reach a typical minimum height of twenty (20) feet at maturity based on AAN Standards for that species and shall remain evergreen throughout the year. New evergreens shall have a minimum height at planting of six (6) feet.

#### C. Maintenance

1. Required plants shall be maintained in a healthy, vigorous condition and be kept free of refuse and debris for the life of the project to achieve the required visual effect of the buffer or screen. It shall be the ultimate responsibility of successive property owners to insure that the required plants are properly maintained. Dead or diseased plants shall be removed or treated promptly by the property owner and replaced at the next growing season.
2. All sight triangles shall remain clear, and any plants that could endanger safety such as unstable limbs shall be removed and the plants replaced if necessary. It shall be the responsibility of the property owner to maintain all plants and architectural elements to assure public safety.
3. Maintenance guidelines for the plants are encouraged to be published by the planting plan designer, to be used by grounds maintenance personnel to insure that the design's buffering and screening concepts are continued.

#### D. Landscape Replacement; Performance Guarantee

1. Any tree or shrub that dies within eighteen (18) months of planting shall be replaced by the current land owner or developer. Any tree or shrub that within eighteen (18) months of planting or replanting is deemed, in the opinion of the Township, not to have survived or not to have grown in a manner characteristic of its type, shall be replaced. Substitutions for certain species of plants may be made only when approved by the Board of Supervisors.
2. Landscaping shall be considered an improvement for the purposes of installation and the provision of a performance guarantee in accord with Section 7.700 of this Ordinance. In addition, the developer or landowner shall provide to the Township a performance guarantee equal to the amount necessary to cover the cost of purchasing, planting, maintaining, and replacing all vegetative materials for a period of eighteen (18) months following the installation and approval of the landscaping.

#### 6.408 List of Acceptable Plants

All plants used for landscaping and vegetative cover shall be selected from the *List of Acceptable Plants* established by Resolution of the Board of Supervisors. The list is intended to offer a broad selection of plants suitable for the various required landscapes required by this Ordinance. Native plants are indicated

for use in natural or naturalized settings. Plants not found on the list may be substituted, provided that the Board of Supervisors determines that the requirements of Section 6.407,B are satisfied and the plants are suitable for the proposed purpose and location.

6.409 Plan Requirements

All areas of the site shall be included in the landscaping plan, and buffers, screening, and those areas immediately adjacent to buildings and walkways shall be given extra consideration. Landscape plans shall be submitted concurrently with all sketch, preliminary or final plans. Landscape plans shall be prepared by a landscape architect licensed and registered to practice by the Commonwealth of Pennsylvania. In addition to the information required by the other plan information provisions of this Ordinance, the following information shall be provided:

- A. A sketch landscape plan shall show the following:
  1. Approximate location of specimen or mature trees.
  2. Approximate location of tree masses.
- B. The preliminary landscape plan shall show the following:
  1. Existing Features - The location and character of existing buildings; mature trees standing alone; location and elevation of major specimen trees (12" or greater DBH) in any area of the site proposed for development; outer limits of tree masses and other existing vegetation; and, the location of floodplain, wetlands, and other natural features that may affect the location of proposed streets, buildings, and landscape plantings.
  2. Proposed Landscaping
    - a. Approximate location of all proposed landscaping required by this Ordinance.
    - b. Demarcation of existing vegetation "TO REMAIN" or "TO BE REMOVED" and the means of protecting existing vegetation during construction.
    - c. Approximate location of proposed buildings, paving, utilities, or other improvements.
- C. The final landscape plan shall show the following:
  1. Location of all outside storage and trash receptacle areas.
  2. Sidewalks, berms, fences, walls, free-standing signs, and site lighting.
  3. All existing and proposed contours at an interval deemed adequate by the Township to determine the relationship of planting and grading areas with slopes in excess of 3:1.
  4. Existing mature trees, woodland, and tree masses to remain.

5. Existing mature trees, woodland, and tree masses to be removed.
6. Location of all proposed landscaping, including required street trees, stormwater basin landscaping, parking lot landscaping, property line buffers, and site element screen landscaping.
7. A planting schedule listing the scientific and common name, size, quantity, and root condition of all proposed plants.
8. A schedule showing all landscape requirements and plants proposed for each category.
9. Planting details, including method of protecting existing vegetation, and landscape planting methods.
10. Information in the form of notes or specifications concerning seeding, sodding, ground cover, mulching, and the like, etc.
11. A detailed cost estimate shall be submitted, showing the value of all proposed landscaping, including all labor and materials.

**ITEM 2 -- ADD OR AMEND THE FOLLOWING DEFINITIONS TO ARTICLE 4:**

**BUFFER:** A strip of land that separates one use from another use or feature, and is not occupied by any building, parking, outdoor storage or any use other than open space, landscaping or approved access drives. It is used to provide separation between incompatible uses to effect a visual barrier, reduce noise, block physical passage between uses, and reduce dust and litter. The separation may be effected by fencing, dense vegetative planting, the provision of additional setback distances, berms or a combination thereof; and, in general, widths of buffers are increased as the density or opaqueness of the barrier decreases. A buffer yard may be a part of the minimum setback distance but land within an existing street right-of-way shall not be used to meet a buffer yard requirement.

**CALIPER:** The diameter of a tree's trunk measured twelve (12) inches above the ground.

**DIAMETER AT BREAST HEIGHT (DBH):** The diameter of a tree trunk measured at four and one-half (4.5) feet above the ground.

**IMPROVEMENT:** For the purpose of classification as a land development as defined in this Article 4, a physical addition or change to the land that may be necessary to make the land suitable for the proposed use, including but not limited to, buildings, structures, additions to buildings and structures, roads, driveways, parking areas, the addition of ten (10) or more parking stalls, the paving or re-paving of any area of more than two thousand (2,000) square feet, sidewalks, stormwater controls and drainage facilities, landscaped areas, utilities, water supplies and sewage disposal systems, and any work involved with highway reconstruction.

**MATURE TREE:** Any tree of six (6) inches or more in caliper, whether standing alone, in tree masses, or woodlands. A mature tree shall be a healthy specimen and shall be a desirable species, as determined by

the Township.

**MINIMIZE:** To reduce to the smallest amount possible. *Minimize* does not mean to *eliminate* but rather that the most substantial efforts possible under the circumstances have been taken to reduce the adverse effect of the action (such as grading, clearing, construction, etc.).

**SCREEN:** A device, material or construction used to conceal an element of a development from other elements or from adjacent development or public road rights-of-way, which may include walls, fences, topography, berms, natural and planted vegetation or other means approved by the Township.

**SPECIMEN TREE:** Any tree with a caliper that is twelve (12) inches or more in diameter at breast height or is of exceptional character as determined by the Township.

**MASS:** A grouping of three (3) or more trees, each at least one and one-half (1.5) inch in caliper, within an area of one hundred (100) square feet.

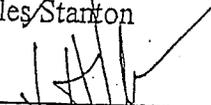
**WOODLAND:** A stand of predominantly native vegetation covering at least one (1) acre, consisting of at least fifty (50) percent cover of mature trees of varying size.

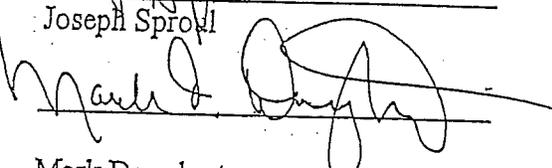
☞ **ITEM 3 -- DELETE THE CONTENTS OF SECTION 6.100, (12) - VEGETATION AND MARK IT AS RESERVED.**

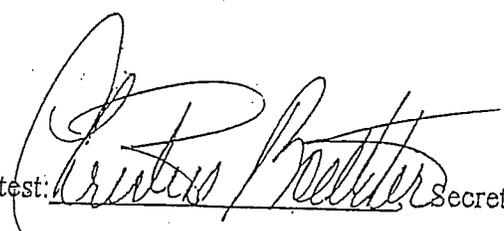
☞ **ITEM 4 -- DELETE SECTION 6.312 - STREET TREES.**

ENACTED and ORDAINED this 22<sup>nd</sup> Day of March 1999 by the South Abington Township Board of Supervisors.

  
Giles Stanton

  
Joseph Sproll

  
Mark Dougherty

Attest:  Secretary

# STREET TREES

## Section 6.408 - LIST OF ACCEPTABLE PLANTS

Botanical Name	Common Name	Height	Classification	Evergreen (E) Deciduous (D)	Ornamental Feature	Stormwater Basin Plant	Hedge	Notes
<i>Acer platanoides</i> 'Columnare'	'Columnare' Norway Maple	40-50'	large tree	D	columnar/fastigate habit			
<i>Acer platanoides</i> 'Emerald Queen'	'Emerald Queen' Norway Maple	40-50'	large tree	D	broad, spreading habit			good salt tolerance
<i>Acer platanoides</i> 'Erectum'	'Erectum' Norway Maple	40-50'	large tree	D	columnar/fastigate habit			
<i>Acer rubrum</i> 'Red Sunset'	'Red Sunset' Red Maple	40-60'	large tree	D				
<i>Celtis occidentalis</i> 'Magnifica'	Magnifica Hackberry	50-60'	large tree	D				Native
<i>Cercidiphyllum japonicum</i> <i>Fraxinus americana</i> 'Autumn Purple'	Katsuratree 'Autumn Purple' White Ash	40-60'	large tree	D				drought tolerant, salt tolerant, tolerates compacted urban soil
<i>Fraxinus pennsylvanica</i> 'Summit'	'Summit' Green Ash	50-80'	large tree	D				Native
<i>Ginkgo biloba</i> <i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster'	Maidenhair Ginkgo Tree 'Shademaster' Common Thornless Honeylocust	50-80'	large tree	D	upright, fall color (yellow) foliage, fall color			Native Native pollution tolerant
<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Halka'	'Halka' Common Thornless Honeylocust	40-100'	large tree	D	fall color (yellow)			high canopy, good salt tolerance
<i>Liquidambar styraciflua</i> 'Moraine'	'Moraine' Sweet Gum Tulip Tree	40-100'	large tree	D	fall color (yellow)			high canopy, good salt tolerance
<i>Liriodendron tulipifera</i> <i>Nyssa sylvatica</i> <i>Phellodendron amurense</i> 'Macho'	Black Tupelo 'Macho' Amur Corktree	60-70' 70-90' 30-50'	large tree large tree medium tree	D D D				Native Native Native
<i>Quercus macrocarpa</i>	Bur Oak	30-45' 70-80'	large tree large tree	D D	bark			Native

South Abington Township

Ordinance No. 151

## Section 6.408 - LIST OF ACCEPTABLE PLANTS

<i>Quercus rubra</i>	Northern Red Oak	60-75'	large tree	D			Native, good salt tolerance
<i>Tilia cordata</i>	Littleleaf Linden	60-80'	large tree	D			
<i>Ulmus americana</i>	'Delaware #2' American Elm	60-80'	large tree	D			resistant to Dutch Elm Disease, Native
<i>Zelkova serrata</i>	'Green Vase' Zelkova	60-70'	large tree	D			pollution tolerant, reflected heat tolerant

## SHADE/CANOPY TREES \*

\*In addition to Street Trees

Botanical Name	Common Name	Height	Classification	Evergreen (E)			Notes
				Deciduous (D)	Ornamental	Feature	
<i>Acer saccharum</i>	'Green Mountain' Sugar Maple	60-75'	large tree	D			
<i>Carya ovata</i>	Shagbark Hickory	60-80'	large tree	D			
<i>Fagus grandifolia</i>	American Beech	50-70'	large tree	D	bark		Native
<i>Fagus sylvatica</i>	European Beech	50-60'	large tree	D		columnar/fastigate habit	
<i>Fagus sylvatica</i>	Weeping European Beech	50-70'	large tree	D		weeping habit	
<i>Metasequois glyptostroboides</i>	Dawn Redwood	70-100'	large tree	D		fall color	
<i>Platanus xacerifolia</i>	London Planetree	70-100'	large tree	D			
<i>Quercus alba</i>	White Oak	50-80'	large tree	D			tolerates wet conditions
<i>Quercus coccinea</i>	Scarlet Oak	50'+	large tree	D			Native, good salt tolerance
<i>Quercus palustris</i>	Pin Oak	60-70'	large tree	D			Native
<i>Sassafras albidum</i>	Sassafras	65'	medium tree	D		foliage, yellow flower, fall color	Native
<i>Taxodium distichum</i>	Common Baldcypress	50-70'	large tree	D		fall color	tolerates wet conditions

Section 6.408 - LIST OF ACCEPTABLE PLANTS

ORNAMENTAL TREES/LARGE SHRUBS (minimum 15')

Botanical Name	Common Name	Height	Classification	Evergreen (E)			Notes
				Deciduous (D)	Ornamental Feature	Stormwater Basin Plant	
<i>Acer campestre</i>	Hedge Maple	25-35'	small tree	D			
<i>Acer ginnala</i>	Amur Maple	15-18'	small tree	D	fall color, fruit		
<i>Acer griseum</i>	Paperbark Maple	20-30'	small tree	D	bark, fall color (red)		
<i>Acer japonicum</i>	Japanese Maple	20-30'	small tree	D	fall color		
<i>Acer palmatum</i> var. <i>atropurpureum</i>	'Bloodgood' Japanese Maple						
<i>Acer palmatum</i> var. <i>dissectum</i>	'Red Select' Sunset Maple	15-25'	small tree	D	foliage		
<i>Acer platanoides</i>	'Columnare' Norway Maple	6-8'	small tree	D	foliage		
<i>Amelanchier canadensis</i>	Shadblow Serviceberry	40-50'	large tree	D	columnar/fastigate habit		
<i>Betula nigra</i>	River Birch	15-25'	small tree	D	bark, fall color, white flower		tolerates wet conditions
<i>Betula papyrifera</i>	Paper Birch	40-70'	medium tree	D	bark (exfoliating)	✓	
<i>Carpinus caroliniana</i>	Ironwood	50-70'	large tree	D	bark (white)		
<i>Carya ovata</i>	Shagbark Hickory	20-30'	small tree	D	bark, fall color		tolerates wet conditions
<i>Cercis canadensis</i>	Eastern Redbud	60-80'	large tree	D	bark	✓	
<i>Cercis canadensis</i>	'Pansy'	20-30'	small tree	D	red flower		Native
<i>Chionanthus virginicus</i>	'Pansy' Eastern Redbud	20-30'	small tree	D	white flower, bark in winter		not stress tolerant
<i>Cladrastis lutea</i> (kentuckea)	White Fringe Tree	12-20'	small tree	D	flower (white)		
<i>Cornus alternifolia</i>	American Yellowwood	30-50'	medium tree	D	flower (white), fall color		
<i>Cornus florida</i>	Pagoda Dogwood	15-25'	small tree	D	flower (cream)		
<i>Cornus kousa</i>	Flowering Dogwood	30-40'	medium tree	D	flowers		
<i>Cornus mas</i>	Kousa Dogwood	20-30'	small tree	D			
<i>Cornus mas</i>	Corneliancherry						
<i>Cornus mas</i>	Dogwood						
<i>Cornus officinalis</i>	Japanese Cornel	20-25'	small tree	D	yellow flower, fall color		urban planting
<i>Cornus officinalis</i>	Dogwood	22'	small tree	D	yellow flowers		urban planting

South Abington Township

Ordinance No. 151

## Section 6.408 - LIST OF ACCEPTABLE PLANTS

Plant Name	Common Name	Height	Size	Flower Color	Notes
<i>Crataegus phaenopyrum</i>	Washington Hawthorn	20-25'	small tree	flower (white), fall color (scarlet)	
<i>Fagus grandifolia</i>	American Beech	50-70'	large tree	bark	
<i>Fagus sylvatica</i>	European Beech	50-60'	large tree	columnar/fastigate habit	
'Fastigiata'	Weeping European Beech	50-70'	large tree	weeping habit	
<i>Fagus sylvatica</i>	European Beech	50-70'	large tree	flower (winter), fall color (yellow)	
'Pendula'	Weeping European Beech	20-30'	small tree	flower (winter), fall color (yellow)	
<i>Halesia carolinia</i>	Carolina Silverbell	20-30'	small tree	flower (white)	
<i>Hamamelis vernalis</i>	Vernal Witchhazel	6-10'	small tree	flower (winter), fall color (yellow)	
<i>Hamamelis virginiana</i>	Common Witchhazel	15-20' (30')	small tree	flower (winter), fall color (yellow)	
<i>Koeleruteria paniculata</i>	Goldenrain tree	30-40'	medium tree	flower (yellow)	
<i>Magnolia stellata</i>	Star Magnolia	15-20'	shrub	flowers	cold/heat tolerant Magnolia
<i>Magnolia stellata</i>	'Royal Star' Magnolia	10-12'	small tree	flowers	cold hardiness to -35 degrees F
<i>Magnolia x soulangeana</i>	Saucer Magnolia	20-30'	small tree	flowers	
<i>Malus 'Centurion'</i>	'Centurion' Crabapple	25'	small tree	flower (rose red)	
<i>Malus 'Prairie Fire'</i>	'Prairie Fire' Crabapple	20'	small tree	flower (red)	
<i>Malus 'Red Jade'</i>	Crabapple	20-25'	small tree	weeping habit	
<i>Malus sargentii</i>	Sargent Tina Crabapple	5'	shrub	flower (white)	
<i>Malus 'White Angel'</i>	'White Angel' Crabapple	20'	small tree	flower (white)	
<i>Oxydendron arboreum</i>	Sourwood	30-50'	medium tree	flower (white), fall color	
<i>Platanus x acerifolia</i>	London Planetree	70-100'	large tree	bark	tolerates wet conditions
<i>Prunus cerasifer</i>	Myrobalan Plum	20'	shrub	flower, foliage (purple)	
<i>Prunus glandulosa</i>	Dwarf Flowering Almond	4-5'	shrub	flower	
<i>Prunus sargentii</i>	Sargent Cherry	20-30'	small tree	flower	
<i>Prunus serrulata</i>	'Kwanzan' Flowering Cherry	20'	small tree	flower	
<i>Prunus subhirtell</i>	Higan Cherry	40'	small tree	flower	
<i>Prunus subhirtella</i>	Weeping Higan Cherry	40'	small tree	weeping habit	
<i>Prunus virginiana</i>	Common Chokecherry	20-35'	small tree	foliage (purple), fruit	
<i>Prunus xyedoensis</i>	Yoshino Cherry	40-50'	medium tree	flower (white)	

South Abington Township

Ordinance No. 151

# Section 6.408 - LIST OF ACCEPTABLE PLANTS

Botanical Name	Common Name	Height	Classification	Evergreen (E) Deciduous (D)	Feature	Stormwater Basin Plant	Notes
<i>Sassafras albidum</i>	Sassafras	65'	medium tree	D	foliage, yellow flower, fall color		
<i>Sophora japonica</i>	Japanese Pagoda Tree	50-70'	large tree	D	flower		
<i>Sorbus americana</i>	American Mountainash	10-30'	small tree	D	flower (white), fruit (red), fall color (yellow)		
<i>Syringa amurensis japonica</i>	Japanese Tree Lilac	20-30'	small tree	D	flower (white)		
<i>Taxodium distichum</i>	Common Baldcypress	50-70'	large tree	D	fall color	✓	tolerates wet conditions

## SHRUBS

minimum 4 feet height

Botanical Name	Common Name	Height	Classification	Evergreen (E) Deciduous (D)	Feature	Stormwater Basin Plant	Notes
<i>Berberis julianae</i>	Wintergreen Barberry	6-8'	shrub	E			
<i>Berberis thunbergii</i>	Japanese Barberry	3-6'	shrub	D			
<i>Berberis thunbergii</i> var. <i>atropurpurea</i>	'Rose Glow' Japanese Barberry	5-6'	shrub	D	foliage (red)	✓	
<i>Berberis thunbergii</i>	'Aurea' Japanese Barberry	5-6'	shrub	D	foliage (red)	✓	
<i>Buddleia davidii</i>	Butterfly Bush	5-10'	shrub	D	flower (fragrant)	✓	
<i>Clethra alnifolia</i>	Summersweet Clethra		shrub	D	flower (fragrant), fall color (yellow)		tolerates wet conditions
<i>Cotoneaster divaricatus</i>	Spreading Cotoneaster	5-6'	shrub	D	flower, fruit, fall color (red)	✓	
<i>Cotoneaster lucidus</i>	Hedge Cotoneaster	6-10'	shrub	D	fall color		
<i>Daphne xburkwoodii</i>	'Carol Mackie'	3-4'	shrub	D	flower (fragrant)	✓	
<i>Euonymus alata</i>	Winged Euonymus	5-12'	shrub	D	fall color, bark		
<i>Fothergilla gardenii</i>	Dwarf Fothergilla	5-6'	shrub	D	flower (fragrant), fruit, fall color	✓	
<i>Fothergilla major</i>	Large Fothergilla	6-10'	shrub	D	flower (fragrant), fall color		
<i>Hibiscus syriacus</i>	Rose-of-Sharon	8-12'	shrub	D	flower		
<i>Hydrangea arborescens</i>	Smooth Hydrangea	3-5'	shrub	D	flower		
<i>Hydrangea</i>	'Annabelle'						

South Abington Township

Ordinance No. 151

## Section 6.408 - LIST OF ACCEPTABLE PLANTS

Plant Name	Common Name	Height	Small Tree	D	Flower	Notes
<i>Hydrangea paniculata</i>	Pee Gee Hydrangea	15-25'	small tree	D	flower	
<i>'Grandiflora'</i> (tree form)	Oakleaf Hydrangea	4-8'	shrub	D	flower, leaf, fall color (red)	
<i>Hydrangea quercifolia</i>	'Beehive' Japanese Holly	5-10'	shrub	E	fruit	
<i>Ilex crenata</i> 'Beehive'	Dwarf Japanese Holly	4'	shrub	E		✓
<i>Ilex crenata</i> 'Helleri'	Inkberry	4-6'(8')	shrub	E		✓
<i>Ilex glabra</i> 'Compacta'	Meserve Hybrid Hollies	20'	shrub	E		✓
<i>Ilex xmeserveae</i>	Mountainlaurel	7-15'	shrub	E		✓
<i>Kalmia latifolia</i>	Japanese Kerria	3-6'	shrub	D	flower, fall color (yellow), bark (winter)	State flower
<i>Kerria japonica</i>	Tartarian Honeysuckle	10-12'	shrub	D	flower	
<i>Lonicera tatarica</i>	Oregon Grapeholly	3-6'	shrub	E	flower (fragrant), fruit	
'Arnolds Red'	Northern Bayberry	5-12'	shrub	D	fruit	
<i>Mahonia aquifolium</i>	Sweet Mockorange	8-10'	shrub	D	flower (fragrant)	tolerant to salt
<i>Myrica pensylvanica</i>	Shrubby Cinquefoil	4'	shrub	D	flower	thrives in neglect
<i>Philadelphus xvirginalis</i>	Carolina Rhododendron	3-6'	shrub	E		
'Sunset'	Catawba Rhododendron	6-10'	shrub	E		
<i>Potentilla fruticosa</i>	Rosebay Rhododendron	15-20'	shrub	E		
<i>Rhododendron carolinianum</i>	PJM Rhododendron	3-6'	shrub	E	leaves turn reddish-purple in winter	
<i>Rhododendron catawbiense</i>	Royal Azalea	6-8'	shrub	D	flower	
<i>Rhododendron maximum</i>	Pinkshell Azalea	5-10'	shrub	D	flower	
<i>Rhododendron 'PJM'</i>	Swamp Azalea	5-8'	shrub	D	flower	
<i>Rhododendron schiffenbachii</i>	Rosemary Willow	6-10'	shrub	D	flower	
<i>Rhododendron vaseyii</i>	Japanese Spirea	3-4'	shrub	D	leaf, bark (winter)	✓
<i>Rhododendron viscosum</i>	Snowmound Nippon Spirea	3-5'	shrub	D	flower, fall color	
<i>Salix elaeagnos</i>	Weeping English Yew	2-4' (6')	shrub	D	flower, fall color	
<i>Spiraea japonica</i>	Yew	18'	shrub	E		
'Shirobana'	Yew	15-20'	shrub	E		
<i>Spiraea nipponica</i>						
'Snowmound'						
<i>Taxus baccata</i>						
'Repandens'						
<i>Taxus xmedia</i>						
'Densiflormis'						
<i>Taxus xmedia</i> 'Hicksii'						

South Abington Township

Ordinance No. 151

## Section 6.408 - LIST OF ACCEPTABLE PLANTS

Botanical Name	Common Name	Height	Classification	Evergreen (E) Deciduous (D)	fruit	flower (fragrant), fruit, fall color	Stormwater Basin Plant	Hedge	Notes
<i>Vaccinium corymbosum</i>	Highbush Blueberry	6-12'	shrub	D	fruit				
<i>Viburnum dentatum</i>	Arrowwood Viburnum	6-8'	shrub	D					
<i>Viburnum rhytidophyllum</i>	Leatherleaf Viburnum	10-15'	shrub	E					
<i>Viburnum xpragensis</i>	Pragne Viburnum	10'	shrub	E					

## EVERGREEN TREES

Botanical Name	Common Name	Height	Classification	Evergreen (E) Deciduous (D)	Ornamental Feature	Stormwater Basin Plant	Hedge	Notes
<i>Abies balsamea</i>	Balsam Fir	45-75'	large tree	E				
<i>Abies concolor</i>	White Fir	30-50'	medium tree	E				
<i>Abies fraseri</i>	Fraser Fir	30-50'	medium tree	E				
<i>Chamaecyparis obtusa</i>	Hinoki False Cypress	50-75'	large tree	E				
<i>Chamaecyparis obtusa</i>	Dwarf Hinoki False	6-8'	shrub	E				
<i>Picea abies</i>	Norway Spruce	40-60'	large tree	E				
<i>Picea glauca</i>	White Spruce	40-60'	large tree	E				
<i>Picea omorika</i>	Serbian Spruce	40-60'	large tree	E				
<i>Picea pungens</i> var. <i>glauca</i>		50-60'	large tree	E	narrow/columnnar growth			
<i>Pinus cembra</i>	Colorado Blue Spruce	30-60'	medium tree	E				
<i>Pinus nigra</i>	Swiss Stone Pine	30-40'	medium tree	E				
<i>Pinus resinosa</i>	Austrian Pine	50-60'	large tree	E	narrow/columnnar growth			
<i>Pinus strobus</i>	Red Pine	50-80'	large tree	E				
<i>Pinus strobus</i> 'Pendula'	White Pine	50-80'	large tree	E				
<i>Pinus sylvestris</i>	Weeping White Pine	7-20'	shrub	E	weeping habit			
<i>Pseudotsuga menziesii</i>	Scotch Pine	30-60'	medium tree	E				
<i>Thuja occidentalis</i>	Douglas Fir	40-80'	large tree	E				
<i>Tsuga canadensis</i>	American Arborvitae	40-60'	large tree	E				
	Canada Hemlock	40-70'	large tree	E				

# SOUTH ABINGTON TOWNSHIP

LACKAWANNA COUNTY, PENNSYLVANIA

## ORDINANCE NO. 176 of 2003

AN ORDINANCE AMENDING THE SOUTH ABINGTON TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS TO MAKE CHANGES TO DEFINITIONS IN ARTICLE 4 AND SPECIFY THE CALCULATION OF AVERAGE CROSS SLOPE IN SECTION 6.201(2),

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of South Abington Township, Lackawanna County, Pennsylvania by authority of and pursuant to the provisions of Act of 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, approved July 31, 1968, as reenacted and amended, known and cited as the "Pennsylvania Municipalities Planning Code," as follows:

**THE SOUTH ABINGTON TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS OF 1990, AS AMENDED, ARE HEREBY AMENDED AS FOLLOWS:**

### SECTION 1 - Amend definitions in Article 4 - Definitions as follows:

Lot Area: The area contained within the lot lines excluding any area within a street right-of-way, but including the area of any easement. (See Section 6.201 which requires additional size for lots containing slopes over ten percent.)

Impervious Surface: Any area covered by roofs, concrete, asphalt or other man-made cover which has a coefficient of runoff of 0.7 or higher. The Township Engineer shall decide any dispute over whether an area is "impervious." Areas of land paved for the sole purpose of noncommercial tennis courts, trails or basketball courts or closely similar active outdoor recreation may be deleted from impervious surfaces for the purposes of determining permitted impervious coverage, unless those areas would also be used for non-recreational uses (such as parking).

#### Slope:

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

B. The change in elevation, measured in consistent units, from one point to another measured perpendicular to the contours (lines of equal elevation) of the land. Slope is generally expressed as a ratio based on the vertical difference in feet per 100 feet of horizontal distance. (See Section 6.201 which requires additional size for lots containing slopes over ten percent.)

### SECTION 2 - Add the following to the end of Section 6.201(2):

Average cross slope shall be calculated perpendicular to the contours, with the measurement made from lot line to opposite lot line through the area of the steepest slope. The final determination of average cross slope shall be made by the Township with the advice of the Township Engineer.

### SECTION 3 - Severability.

The provisions of this ordinance are severable. If any part of this ordinance is declared to be

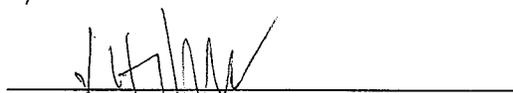
unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Board of Supervisors of the South Abington Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

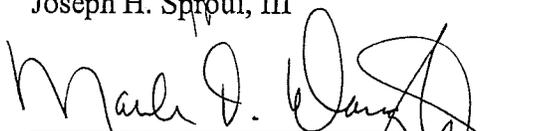
**SECTION 4 -**

In all other respects, the Subdivision and Land Development Regulations of 1990, of South Abington Township, as amended, shall remain in full force and effect, and are incorporated herein by reference and made a part hereof; copies of the full text of the Subdivision and Land Development Regulations of 1990, of South Abington Township, as amended, and amendments are on file for inspection and copying with the Township Secretary at 104 Shady Lane Road, Chinchilla, PA 18410.

**ENACTED** and **ORDAINED** this 24<sup>th</sup> of March, 2003, by the South Abington Township Board of Supervisors.

  
\_\_\_\_\_  
Giles W. Stanton

  
\_\_\_\_\_  
Joseph H. Sproul, III

  
\_\_\_\_\_  
Mark T. Dougherty

Attest:   
Christine Boettcher, Secretary

**SOUTH ABINGTON TOWNSHIP**  
LACKAWANNA COUNTY, PENNSYLVANIA

**ORDINANCE NO. 193**

AN ORDINANCE AMENDING THE SOUTH ABINGTON TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO REQUIRE FENCES AROUND STORM WATER BASINS, PROVIDE FOR THE COLLECTION OF ADMINISTRATIVE AND PROFESSIONAL CONSULTANT REVIEW FEES ASSOCIATED WITH SUBDIVISION AND LAND DEVELOPMENT APPLICATIONS, AND REVISE STANDARDS FOR CUL-DE-SAC STREETS.

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of South Abington Township, Lackawanna County, Pennsylvania by authority of and pursuant to the provisions of Act of 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, approved July 31, 1968, as reenacted and amended, known and cited as the *Pennsylvania Municipalities Planning Code*, as follows:

**SECTION 1 - AMENDMENTS**

THE SOUTH ABINGTON TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 1990, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

- • Item A -- Add the Following Paragraph to the End of Section 7.500:

All storm water detention and retention basins shall be surrounded by a vinyl coated chain-link fence not less than four (4) feet in height. Access to the basin shall be provided by a self-locking gate not less than ten (10) feet in width. A fence and gate meeting these minimum requirements may also be required by the Board of Supervisors for any storm water management facility where such fence is deemed necessary for public safety.

- • Item B -- Amend Section 5.403 as Follows:

**5.403 Fees**

Fees for administrative, plan review and inspection costs of public improvements are established by this Ordinance and may be adjusted by Resolution of the Supervisors. All fees shall be paid to the Township with the submission of the Preliminary or Final Plan, as applicable. Certification by the Commission that such fees have been paid shall form part of the developer's application. (See Article 17.)

- • Item C -- Amend the Title of Article 11 as Follows:

**ARTICLE 11 ADMINISTRATION, ENFORCEMENT, PENALTIES FOR VIOLATIONS, AND FEES.**

- • Item D -- Add the Following Section 11.600 to Article 11:

**11.600 Fees**

Fees to be paid by the Applicant shall be as established by this Section 11.600 and such fees may be adjusted by resolution of the Board of Supervisors.

(1) Purpose and Authorization - Such fees shall cover all costs incurred by the Township associated with the processing and review of all plans and documents and all plan and document revisions. Such cost may include, but not be limited to, Township administrative costs and the reasonable and necessary charges by the Township's professional consultants as defined and authorized by §503(1) and §510(g) of the Pennsylvania Municipalities Planning Code, as amended. Professional consultants, shall include, but shall not be limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects, and planners.

(2) Application Fees - At the time of the filing of any application, the Applicant shall pay to the Township a fee sufficient to cover the administrative costs associated with the review of the application. Application fees shall be as follows:

- (a) Residential Subdivision - \$50.00 per subdivision plus \$10.00 per lot.
- (b) Residential Land Development - \$50.00 per land development plus \$10.00 per lot and/or dwelling unit.
- (c) Nonresidential Subdivision - \$50.00 per subdivision plus \$10.00 per lot.
- (d) Nonresidential Land Development - \$250.00 per land development.

(3) Review and Inspection Fees - At the time of the filing of any application, the Applicant shall pay to the Township a fee deemed sufficient to cover the cost of:

- (1) Reviewing compliance with ordinance and engineering details.
- (2) Inspecting the site for conformance.
- (3) Evaluating cost estimates of required improvements.
- (4) Inspection of required improvements during installation.
- (5) Final inspection or reinspection on completion of installation of required improvements.
- (6) Fees charged for other related consulting services.
- (7) Any other review costs authorized by the Pennsylvania Municipalities Planning Code incurred by the Township.

The Township may require, before or after submission of a plan, a municipal escrow or other security for review fees by professional consultants as defined in the Municipalities Planning Code, as may be amended.

Review and inspection fees for the Township's professional consultants shall be as follows:

- (a) Township Engineer ..... \$70.00 per hour plus expenses
- (b) Township Solicitor ..... \$75.00 per hour plus expenses
- (c) Township Planner ..... \$70.00 per hour plus expenses
- (d) Township Landscape Architect ..... \$65.00 per hour plus expenses
- (e) others ..... current approved rate plus expenses

(4) Supplemental Fees and Adjustment - If the review fees collected at the time of application are not sufficient to cover the cost of engineering services and other related professional consulting services incurred by the Township, an additional fee shall be collected from the Applicant prior to any action on the plan. If after Township action on the plan, any review fees remain, there shall be a refund made to the Applicant of the balance within thirty (30) days of action on the plan.

(5) Disputes - Disputes between the Applicant and the Township regarding fees shall be settled pursuant to §503(1) and §510(g) of the Pennsylvania Municipalities Planning Code.

(6) Failure to Pay Fees - Any failure by the Applicant to pay any required fees shall be deemed a violation of this Ordinance and shall make null and void any approval granted by the Township.

• • Item E – Delete Section 6.305(4) and Amend Section 6.305(3) to Read as Follows:

(3) Cul-de-sac streets shall be permitted only in cases where the property configuration does not permit the logical use of continuous streets; and, the Township shall have the right to deny the use of cul-de-sac streets in cases where the Township determines that the use of continuous streets is practical. Cul-de-sac streets, where permitted, shall meet the following design regulations:

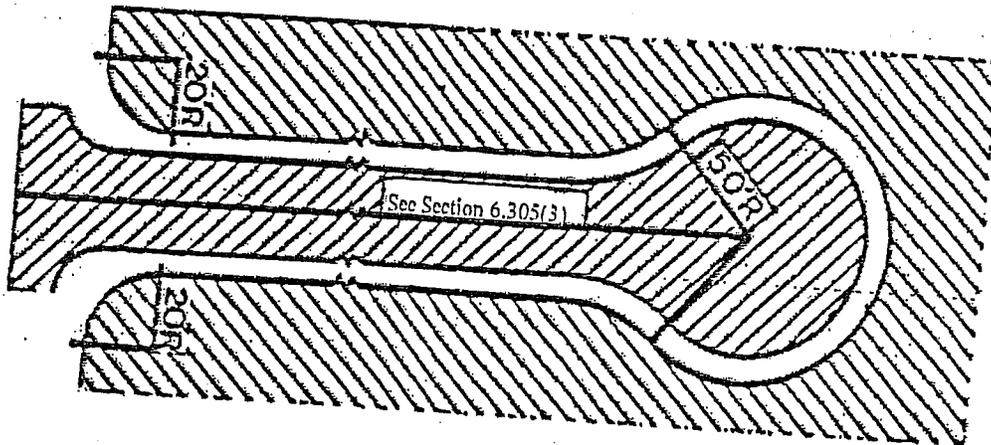
- a) Any temporary dead end street, if designed to provide future access to adjoining properties, shall be provided

with a temporary all-weather turn-around within the subdivision. The turn-around shall have a surfaced area with a radius equal to that required for a permanent turnaround; and, the use of such turnaround shall be guaranteed to the public but shall be removed when the street is extended.

- b) Cul-de-sac streets permanently designed as such, shall be a minimum of two hundred and fifty (250) feet in length, and shall not exceed one thousand two hundred (1,200) feet in length, and shall furnish access to not more than twenty-five (25) dwelling units. (See Chart II of this Ordinance.)
- c) Cul-de-sac streets shall terminate in a circular turn-around which shall have a minimum diameter of one hundred (100) feet overall, and eight (80) feet to the outer pavement edge or curb line.
- d) When the Township determines that a cul-de-sac street may be required to be converted to a through street to provide access to adjoining property, a right-of-way equal to the width of the cul-de-sac street shall be provided to the perimeter boundary of the development parcel.

- Item F – Amend the Cul-de-sac Diagram of Chart II to Read as Follows:

## CUL-DE-SAC DESIGN



A CUL-DE-SAC STREET SHALL BE A MINIMUM OF 250 FEET IN LENGTH AND A MAXIMUM IN LENGTH AS SET IN SECTION 6.305(3). A 50 -FOOT RADIUS SHALL BE USED TO ALLOW SMOOTH FLOW IN TURNING AROUND AT THE END OF THE CUL-DE-SAC STREET.

### SECTION 2 – SEVERABILITY

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

### SECTION 3 – REPEALER

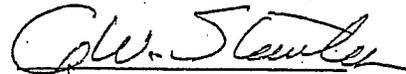
All other Ordinances or sections of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

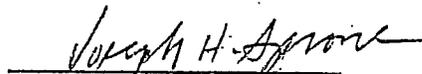
**SECTION 4 – LOCATION OF ORDINANCE**

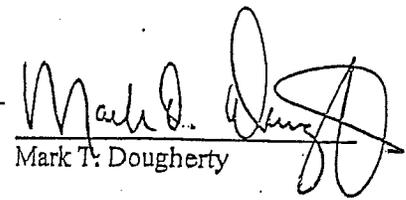
In all other respects, the Subdivision and Land Development Regulations of 1990, of South Abington Township, as amended, shall remain in full force and effect, and are incorporated herein by reference and made a part hereof; copies of the full text of the Subdivision and Land Development Regulations of 1990, of South Abington Township, as amended, and amendments are on file for inspection and copying with the Township Secretary at 104 Shady Lane Road, Chinchilla, PA 18410.

**SECTION 5 – ADOPTION**

Enacted and ordained this 22<sup>nd</sup> day of May, 2006, by the Board of Supervisors of South Abington Township, Lackawanna County, Pennsylvania, to be effective immediately.

  
Giles W. Stanton

  
Joseph H. Sproul, III

  
Mark T. Dougherty

Attest:   
Christine Boettcher, Secretary