

ORDINANCE NO. HR - 407

Tredyffrin Township
Chester County, Pennsylvania

AN ORDINANCE OF TREDYFFRIN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE TREDYFFRIN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT CODE, AS AMENDED, WHICH IS CODIFIED IN CHAPTER 181 OF THE CODE OF TREDYFFRIN TOWNSHIP, (ENTITLED "SUBDIVISION AND LAND DEVELOPMENT"), BY AMENDING ARTICLE IX, § 181-51 (ENTITLED "RECREATIONAL FACILITIES AND OPEN SPACE")

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Tredyffrin Township that the Code of Tredyffrin Township (the Code") is hereby amended as follows:

SECTION I: Article IX, Recreational Facilities and Open Space, §181-51, is hereby deleted in its entirety and replaced with the following:

A. As Tredyffrin Township provides over 1200 square feet of municipal park land per household as of the date of adoption of this Ordinance, and as Tredyffrin Township strives to maintain that same level of park services to future Township residents, the applicant or developer of any residential subdivision or land development comprising 3 or more dwelling units or building lots or the applicant or developer of any nonresidential land development on 5 acres or more shall provide the following:

(1) Park and recreational land dedication requirements.

(a) For Residential Uses

1. Single family detached-- 1,655 square feet per unit
2. Single family attached – 1,367 square feet per unit
3. Apartment -- 1,002 square feet per unit

(b) For Non-Residential Uses

1. 650 square feet per 1,000 square feet of new building area

(2) The land to be used for park and recreational facilities shall be in accordance with the principles and standards contained in the Township's Comprehensive Plan and Recreation and Open Space Plan and shall and meet the following criteria.

(a) The land shall be well-drained.

(b) The slope of the land shall be less than 10%.

(c) The land shall not require the filling of a wetland for use.

(d) The land shall not be traversed by utility easements unless said utilities are placed underground. Recreational areas shall not contain or be traversed by any underground gas pipelines.

- (e) If an existing park or trail is contiguous, the land shall connect to the existing park or trail.
 - (f) The land shall have appropriate and adequate access for maintenance purposes and for use by pedestrians.
 - (g) The land shall be within one location with a minimum 25 feet of street frontage
 - (h) The land shall not contain stormwater management facilities
- (3) In lieu of such dedication, and upon agreement with the Township, the applicant or developer may pay to the Township a fee as set forth below:
- (a) Fees in lieu of park land shall be used to buy land identified as potential recreation and open space sites in the most recent edition of Tredyffrin Township's Park and Recreation Master Plan. In addition to land purchases, such fees may be used for engineering, legal, transaction and planning costs and all other costs.
 - (b) The fee in lieu shall consist of the following:
 - 1. For Residential Uses (Refer to the Fee Schedule):
 - (a) Single family detached is: \$2,449 per unit (\$1.48 X 1,655)
 - (b) Single family attached is: \$2,023 per unit (\$1.48 X 1,367)
 - (c) Apartment is \$1,483 per unit (\$1.48 x 1,002)
 - 2. For Non-Residential Uses:
 - (a) The fee for non-residential is \$1.48 per square foot of land required, as calculated in Section I A (1) (b).
 - (c) Upon request of any person who paid any fee 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 the purposes set forth in this section within three years from the date such fee was paid.
 - (d) Fees due hereunder are payable at the time of application for building permits.
- (4) Except for those areas specifically approved for passive recreational uses, recreational areas should be developed with appropriate recreation facilities, as approved by the Planning Commission. Examples include, but are not limited to, play lots for school aged children, playgrounds for older children, sports fields, and multi-purpose or walking trails.
- (5) Ownership. Lands designated for recreation shall be offered for dedication to the Township or, at the option of the Township, be retained in private ownership by an association of landowners, by a land conservation organization, or by a state or county government. Lands not dedicated to the Township shall be made subject to such agreement with the Township and such deed restrictions duly recorded in the office of the

Recorder of Deeds of Chester County as may be required by the Board of Supervisors for the purpose of preserving and maintaining the land for recreation or open space use.

SECTION II: This Ordinance shall become effective thirty-one (31) days from enactment.

ENACTED AND ORDAINED this 16th day of March 2015 by the Board of Supervisors of Tredyffrin Township.

BOARD OF SUPERVISORS
TREDYFFRIN TOWNSHIP

ATTEST:

By: William Martin
William Martin, Manager

By: [Signature]

