

ORDINANCE NO. 23 – 4

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA TO AMEND THE CODE OF ORDINANCES BY AMENDING THE TEXT OF THE “HANOVER TOWNSHIP ZONING ORDINANCE” CHAPTER 185, ZONING; ARTICLE III REGULATIONS APPLICABLE TO ALL DISTRICTS AND SECTION 185-22 ADDITIONAL REGULATIONS, SUBSECTION E., BY AMENDING SAME IN ITS ENTIRETY AND REPEALING ALL ORDINANCES INCONSISTENT HERewith

WHEREAS, the Supervisors of Hanover Township, Northampton County, Pennsylvania, under the powers vested in them by the “Second Class Township Code” of Pennsylvania and the authority and procedures of the “Pennsylvania Municipalities Planning Code,” as amended, as well as other laws of the Commonwealth of Pennsylvania, do hereby enact and ordain the following amendments to the text of the Hanover Township Zoning Ordinance; and

WHEREAS, the Board of Supervisors of Hanover Township desires to amend its Zoning Ordinance by amending Article III Regulations Applicable to All Districts and Section 185-22 Additional Regulations, Subsection E., in its entirety.

NOW, THEREFORE, be it enacted and ordained by the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania, and the same is hereby ordained and enacted as follows, to wit:

SECTION 1: The Supervisors of Hanover Township, Northampton County, Pennsylvania, under the powers vested in them by the “Second Class Township Code” and the “Pennsylvania Municipalities Planning Code”, as amended, as well as other laws of the Commonwealth of Pennsylvania, do hereby ordain and enact the following amendment to the text of the Hanover Township Zoning Ordinance Chapter 185 Zoning, of the Code of Ordinances, as amended.

SECTION 2: Chapter 185 Zoning, of the Code of Ordinances of Hanover Township,
Article III Regulations Applicable to All Districts and Section 185-22 Additional Regulations,
Subsection E., is hereby amended in its entirety to read as follows:

“§ 185-22. Additional regulations.

- E. Traffic impact study. The Township reserves the right to require a traffic impact study in accordance with provisions hereinafter set forth, if, in the opinion of the Township, the proposed use could generate significant traffic flow. The traffic impact study shall be based on the following criteria:
- (1) General site description. The site description shall include the size, location, proposed land uses, construction, staging and completion date and types of dwelling units. A brief description of other major existing and proposed land developments within 1/2 mile of the proposal which shall constitute the study area, except that a study area of one mile from the proposal shall be used for any non-residential development of greater than 200,000 square feet of total floor area or residential development with greater than 100 units, unless characteristics of the surrounding area or project require greater or lesser areas as agreed to between the township engineer and the engineer preparing the study.
 - (2) Traffic facilities description. The description shall contain a full documentation of the proposed internal and existing highway system. The report shall describe the external roadway system within the area. Intersections analyzed in the study area shall be identified and sketched. All future highway improvements which are part of proposed surrounding developments shall be noted and included in the calculations.
 - (3) Existing traffic conditions.
 - (a) Existing traffic conditions shall be measured and documented for all streets and intersections in the area. Existing traffic volumes for average daily traffic, peak highway hour(s) traffic and for the hour(s) of predicted peak development-generated hour(s) traffic shall be recorded. Traffic counts at intersections in the study area shall be conducted, encompassing the peak highway and predicted peak development-generated hour(s), and documentation shall be included in the report. A volume/capacity analysis based upon existing volumes shall be performed during the peak highway hour(s) and the predicted peak development-generated hour(s) for all streets and intersections in the study area. Levels of service shall be determined for each major road segment and turning movement. Detailed traffic counts of existing local streets not provided or proposed for through-access are not required. A tabulation of accident locations during a recent three-year period shall be shown.

- (b) This analysis will determine the adequacy of the existing roadway system to serve the current traffic demand. Roadways and/or turning movements experiencing levels of Service D, E or F, as described in Highway Capacity Manual (HCM), latest edition acceptable to the Township Engineer, shall be noted as congestion locations.
- (4) Traffic impact of the development. Estimation of vehicular trips to result from the proposal shall be computed from the average daily peak highway hour(s). Vehicular trip generation rates to be used for this calculation shall be obtained from the Trip Generation Manual, published by the Institute of Transportation Engineers, or, at the request of the Township, said calculations shall be substantiated by physical counts at similar type developments. These estimated development-generated traffic volumes shall be provided for both inbound and outbound traffic movements, and the reference source(s) and methodology followed shall be documented. All turning movements shall be calculated. These estimated volumes shall be distributed to the area and assigned to the existing streets and intersections throughout the area. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to individual access points. Any characteristics of the site that will cause particular trip generation problems shall be noted. For retail sales uses, the increased traffic during the Christmas season and during weekends shall be forecast and analyzed.
- (5) Analysis of traffic impact.
 - (a) The total future traffic demand shall be calculated. This demand shall consist of the combination of the existing traffic expanded to the completion year (straight line projections based on historical data), the development-generated traffic and the traffic generated by other proposed developments in the study area. A second volume/capacity analysis shall be conducted using the total future demand and the future roadway capacity. If staging of the proposed development is anticipated, calculations for each stage of completion shall be made. This analysis shall be performed during the peak highway hour(s) and/or predicted peak development-generated hour(s), whichever is more relevant as determined in coordination with the Township Engineer, for all roadways and intersections in the study area. Volume/capacity calculations shall be completed for all intersections in the study area.
 - (b) All access points shall be examined as to the necessity of installing traffic signals. This evaluation shall compare the projected traffic to State warrant regulations for traffic signal installation.
- (6) Conclusions and recommendations. Levels of service for all streets and intersections shall be listed. All streets and/or intersections showing a level of service degradation below C shall be considered deficient, and specific recommendations for the elimination of these problems shall be listed. This listing of recommended improvements shall include, but not be limited to, the following elements: internal circulation design, site access location and design, external roadway and intersection design and improvements, and traffic

signal installation and operation including signal timing. All physical street improvements shall be shown in sketches.

- (7) Costs of needed projects. Approximate costs for all needed transportation improvements shall be developed within a defined impact area.

(8) Administration.

- (a) The full cost of the traffic study and Township reviews of the study shall be borne by the applicant.
- (b) The traffic study shall be reviewed by the Township Engineer or other professional reviewer designated by the Township.
- (c) The project manager for any traffic impact report shall be a professional traffic engineer or transportation planner with significant experience in traffic studies.
- (d) Joint traffic studies between different applicants are acceptable and are strongly encouraged.
- (e) The Board of Supervisors shall approve the traffic study as complete prior to granting final approval to a land development, subdivision or conditional use application, unless a specific process for determining any needed traffic improvements is made a condition of such approval.

- (9) Applicant's responsibilities. The applicant shall respond to the traffic impact report by stating to what degree he/she is willing to assist in funding or completing any off-site improvements that are needed and to state what on-site improvements he/she proposes. These improvements may include structural or nonstructural improvements. Nonstructural improvements include long-term commitments by employers or developers to support van pools, bus pools, staggered work hours or public bus service.

- (10) Future stages of development. The traffic study shall include not only an analysis of one individual project proposed at one point in time, but also the overall projected impacts of future development of all nearby lands owned by the applicant or that the applicant has an option to purchase. The study shall include a projection of the traffic expected from this future development, using reasonable alternatives if no definite plans are available.

- (11) Other proposed development. The study should also take into account traffic that can be expected as a result of other development which has been approved and development for which plans have been submitted to the Township and are being actively pursued.

- (12) Timing and phasing of required traffic improvements. No occupancy permit shall be granted for a use or uses until such traffic improvements that have been required by PennDOT or the Township to serve the use are in place and operating, unless the Board of Supervisors require or allow funds for a required traffic improvement to be placed in a dedicated escrow account to be used when such improvements are warranted. This allows for phased developments to have phased improvements appropriate to each phase.”

SECTION 3: SEVERABILITY. If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions of the Zoning Ordinance shall continue to be separately and fully effective.

SECTION 4: REPEALER. All provisions of Township ordinances and resolutions or parts thereof that are in conflict with the provisions of this Ordinance, are hereby repealed.

SECTION 5: ENACTMENT. This Ordinance shall be effective five (5) days after the date of passage.

THIS ZONING ORDINANCE AMENDMENT IS HEREBY ORDAINED AND
ENACTED this 10th day of October , 2023, by the Hanover Township Board of Supervisors.

ATTEST:

By: Kimberly R. Lymanstall
Kimberly R. Lymanstall, Secretary

HANOVER TOWNSHIP
BOARD OF SUPERVISORS

By: John N. Diacogiannis
John N. Diacogiannis, Chairman