

ALLEN TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. \_\_\_\_\_

**AMENDMENTS TO THE CODE OF ORDINANCES OF THE  
TOWNSHIP OF ALLEN**

**AN ORDINANCE OF THE TOWNSHIP OF ALLEN, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING AND REVISING CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT) OF THE CODE OF ORDINANCES OF ALLEN TOWNSHIP BY ADDING A NEW PART 8 ENTITLED “SPECIFIC REGULATIONS PERTAINING TO THE MIXED-USE VILLAGE USE”; WHICH CONTAINS REGULATIONS PERTAINING TO MODIFICATIONS AND WAIVERS, SPECIFIC DESIGN AND CONSTRUCTION STANDARDS FOR PUBLIC AND PRIVATE ROADS, SPECIFIC LOT REQUIREMENTS AND STANDARDS WITHIN THE MIXED-USE VILLAGE, OPEN SPACE REQUIREMENTS, TRAIL AND RECREATION REQUIREMENTS, STANDARDS FOR THE INSTALLATION OF LANDSCAPING AND STREET TREES, STORMWATER MANAGEMENT REQUIRMENTS, AND SANITARY SEWER AND OTHER PUBLIC UTILITY STANDARDS; AND BY REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS CONTAINED HEREIN. THIS ORDINANCE CONTAINS SIGNIFICANT, SUBSTANTIVE CHANGES TO THE ALLEN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS REGARDING MINIMUM STANDARDS AND REQUIREMENTS FOR THE MIXED-USE VILLAGE ZONING USES PERMITTED IN THE TOWNSHIP’S R1 ZONING DISTRICT AND SHOULD BE REVIEWED IN ITS ENTIRETY FOR A COMPREHENSIVE UNDERSTANDING OF ITS PROVISIONS.**

**WHEREAS**, Allen Township is a Township of the Second Class, located in Northampton County, Commonwealth of Pennsylvania; and

**WHEREAS**, the Township of Allen has previously adopted Ordinance 2007-04 on November 8, 2007, which codified all Township Ordinances and includes the Subdivision and Land Development Ordinance as Chapter 22 of the Code of the Township of Allen (hereinafter referred to as the “SALDO”); and

**WHEREAS**, the adoption of this Ordinance is in response to a Curative Amendment filed by a “Property Owner”; and

**WHEREAS**, the Board of Supervisors of Allen Township has determined that the content of this Ordinance is more in the best interests of Allen Township than the Curative Amendment proposed by the Property Owner; and

**WHEREAS**, the Board of Supervisors of Allen Township desires to amend the provisions of the SALDO to acknowledge the addition a new “Mixed-Use Village” use to the uses permitted in the R1 zoning district and to create regulations and dimensional specifications governing the Mixed Use Village use as further described herein; and

**WHEREAS**, the Board of Supervisors of Allen Township recognizes that there are large, topographically diverse tracts of land within the Township that are uniquely situated between existing residential uses and higher intensity uses and that such tracts require unique development considerations. It is the intent of the Mixed-Use Village use to provide for such unique development considerations and to allow residential, commercial, and recreational uses within a single tract and in close proximity to one another to provide an appropriate transition between otherwise juxtaposed land uses.

**WHEREAS**, the Board of Supervisors of Allen Township has determined that the adoption of this Ordinance containing the described amendments to the SALDO is in the best interest of the public health, safety, and welfare of the citizens of Allen Township.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Supervisors of the Township of Allen, Northampton County, Commonwealth of Pennsylvania, that the provisions of the Code of the Township of Allen are hereby amended as follows:

**Section 1. Amendment to Chapter 22 of the Code governing Subdivision and Land Development to add a new Part 8 entitled Specific Regulations Pertaining To A Mixed-Use Village Use setting forth the regulations governing subdivision and land development pertaining to a Mixed Use Village use, which will be read as follows:**

## **PART 8 SPECIFIC REGULATIONS PERTAINING TO A MIXED-USE VILLAGE USE**

Section 22-801 Procedures.

1. Administration of Modifications and/or Waivers. An Applicant for approval of a Mixed-Use Village development shall be entitled to modifications and/or waivers (“**Waivers**”) of any requirements of the SLDO where literal compliance with requirements of the SLDO:
  - (a) cause undue hardship; or
  - (b) an alternate standard can be demonstrated to provide equal or better results than the standard contained in the SLDO.

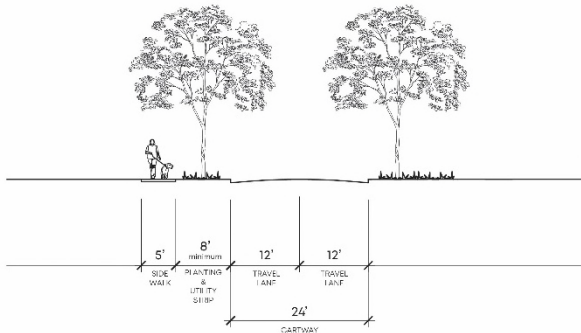
No modification and/or waiver will be approved if the approval thereof will be contrary to the intent of the Mixed-Use Village and materially detrimental to the public health or safety of the Township.

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Section 22-802 Design Standards.

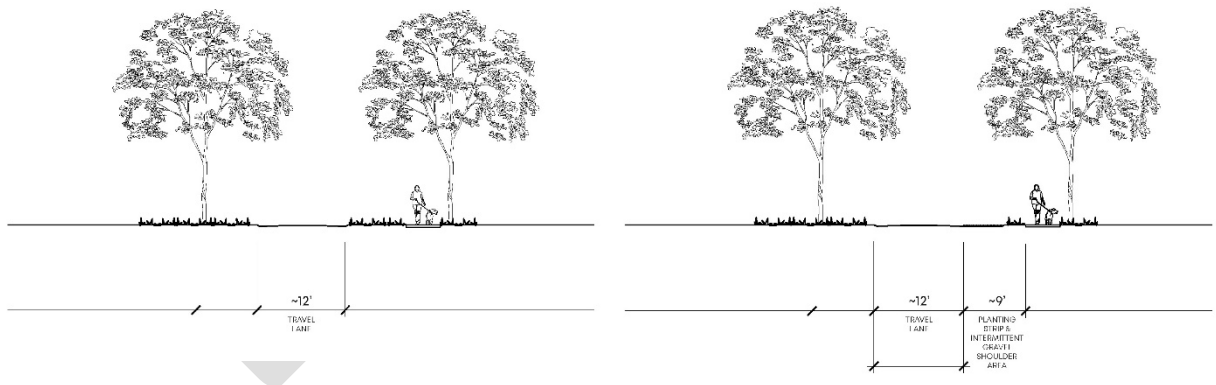
A. Intent.

1. To the extent that the provisions contained herein conflict with the provisions contained in this Chapter, the following provisions shall supersede. All other provisions contained in this Chapter shall, to the extent not inconsistent herewith, remain in effect.
2. Streets and Roads; General Requirements.
  - (a) All streets shall be private and therefore not subject to the provisions contained in Section 22-406, and may include a right-of-way and/or easement in order to accommodate the dimensional standards of the streets provided below:
  - (b) Private access entry roads shall be designed and regulated as follows:
    - (1) A 24-foot cartway containing two (2) 12-foot traffic lanes. Cartways may be widened to accommodate turning lanes as may be necessary.
    - (2) A sidewalk a minimum of five (5) feet in width shall be provided on at least one side of the street.
    - (3) A planting and utility strip a minimum of eight (8) feet in width shall be provided on the side of the street containing the sidewalk.
    - (4) On-street parking shall be prohibited along private access entry roads.
    - (5) Curbing shall be required, on both sides of private access entry roads.



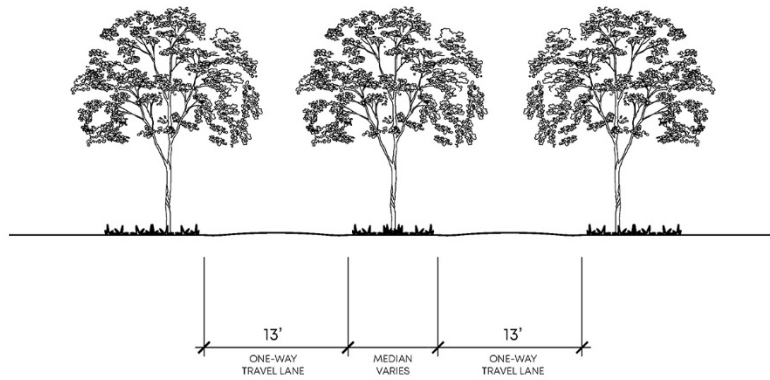
(c) Private access streets shall be designed and regulated as follows:

- (1) A 12-foot cartway containing the existing two-way traffic lane.
- (2) A sidewalk or trail a minimum of five (5) feet in width shall be provided on at least one side of the street.
- (3) A planting and utility strip a minimum of nine (9) feet in width shall be provided on the side of the street containing the sidewalk or trail.
- (4) Crushed stone shoulder areas, a minimum of nine (9) feet in width, shall be provided at intermittent locations to allow vehicles to pull over and yield.
- (5) To accommodate fire department and emergency access, the full width of the cartway shall be free of obstructions (including snow) at all times.
- (6) On-street parking shall be prohibited along private access streets.
- (7) Curbing shall not be required along private access streets.



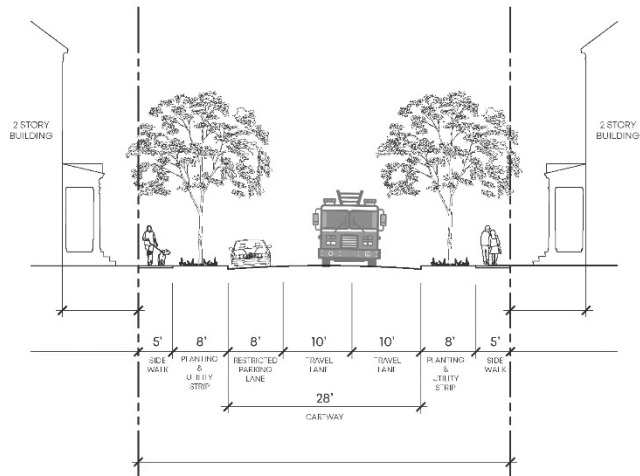
(d) Boulevards shall be designed and regulated as follows:

- (1) Two (2) 13-foot cartways, each containing a one-way traffic lane, separated by a variable-width median which shall contain trees and landscaping.
- (2) A sidewalk or trail a minimum of five (5) feet in width shall be provided on at least one side of the boulevard.
- (3) A planting and utility strip a minimum of eight (8) feet in width shall be provided along one side of the boulevard. Existing trees shall remain to the extent practicable.
- (4) On-street parking shall be prohibited along boulevards.
- (5) Curbing shall not be required along boulevards.



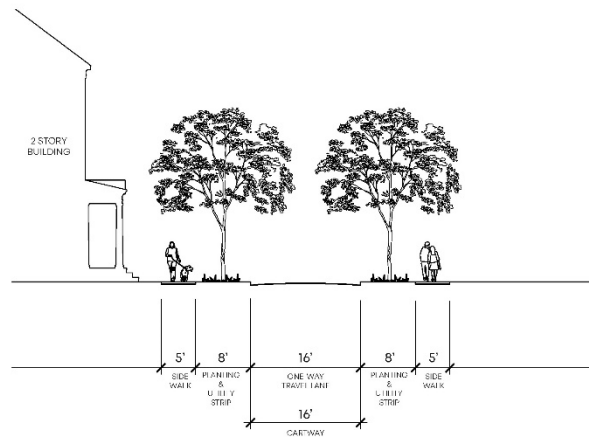
(e) Local private streets shall be designed and regulated as follows:

- (1) A 28-foot cartway containing two (2) 10-foot traffic lanes and an 8-foot restricted parking lane.
- (2) A sidewalk a minimum of five (5) feet in width shall be provided on both sides of the street.
- (3) A planting and utility strip a minimum of eight (8) feet in width shall be provided on both sides of the street.
- (4) Restricted on-street parking shall be regulated by signage on the portions of the street reserved as “Fire Staging Areas” approximately every 400 feet along all local private streets.
- (5) Curbing shall be required on both sides of local private streets.



(f) One-way private streets without parking shall be designed and regulated as follows:

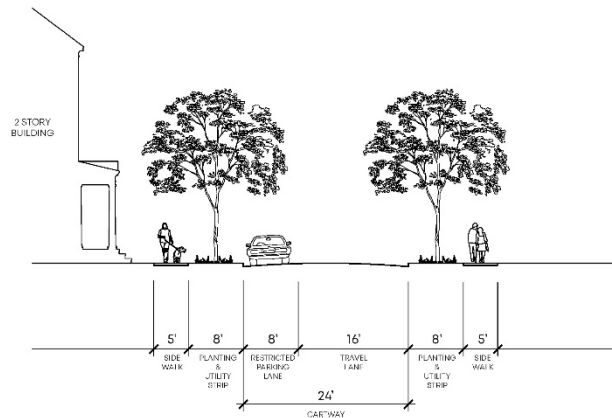
- (1) A 16-foot cartway containing a one-way traffic lane, which shall be wider in specific locations to accommodate fire truck turning movements.
- (2) A sidewalk a minimum of five (5) feet in width shall be provided on both sides of the street.
- (3) A planting and utility strip a minimum of eight (8) feet in width shall be provided on both sides of the street.
- (4) On-street parking shall be prohibited along one-way private streets without parking.
- (5) Curbing shall be required on both sides of one-way private streets without parking.





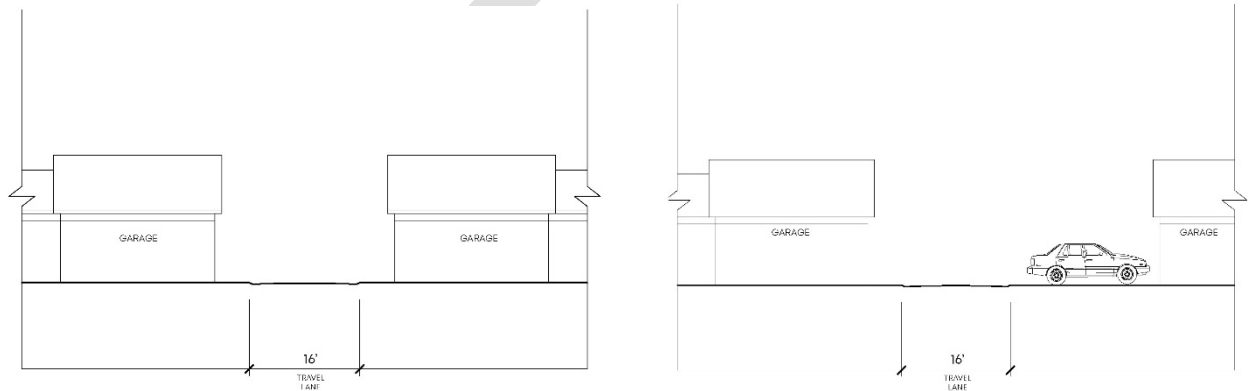
(g) One-way private streets with parking shall be designed and regulated as follows:

- (1) A 24-foot cartway containing a 16-foot one-way traffic lane, which may be wider in specific locations to accommodate fire truck turning movements, and an 8-foot restricted parking lane.
- (2) A sidewalk a minimum of five (5) feet in width shall be provided on both sides of the street.
- (3) A planting and utility strip a minimum of eight (8) feet in width shall be provided on both sides of the street.
- (4) Restricted on-street parking shall be regulated by signage on the portions of the street reserved as “Fire Staging Areas” approximately every 400 feet along all one-way private streets.
- (5) Curbing shall be required on both sides of one-way private streets with parking.



(h) Private alleyways shall be designed and regulated as follows:

- (1) A 16-foot cartway containing a two-way traffic lane.
- (2) Head-in parking accessible from the cartway shall be permitted in front of or along a garage, provided that the head-in parking stall measures a minimum of 18 feet in length and a minimum of 9.5 feet wide per space.
- (3) Parallel parking within the cartway shall be prohibited along private alleyways.
- (4) Curbing shall not be required along private alleyways.
- (5) Utilities may be provided along private alleyways.



- (i) Where planting strips are provided, such shall be designed to provide ample space for a native species shade tree. The type of shade tree planted shall be in accordance with recommended practices of recognizable professional standards in order to provide sufficient space for the shade tree to sustainably grow in a healthy manner and to minimize potential problems such as mature tree roots up-heaving sidewalks.
- (j) Cul-de-sacs shall be provided with a minimum fifty-two-foot radius right-of-way and contain a central grass area at the center of the cul-de-sac, with no curbs, provided that a minimum interior turning radius of 25 feet is provided. The maximum length of a permanent cul-de-sac shall be 600 feet, measured from the center of the intersection road to the center of the cul-de-sac.

### 3. Streets and Roads; Specific Requirements.

- (a) All streets shall be private.
- (b) Additional street widths or paving shall not be required for existing streets bordering the Tract, unless required, or recommended by the traffic access study.
- (c) Stub Streets. Stub streets shall not be required to be extended toward adjacent properties. Temporary stub streets less than 300 feet in length, due to construction of future phases shall not be required to provide a cul-de-sac.
- (d) Intersections.
  - (1) Right-of-way. Where private right-of-way lines intersect, the right-of-way line shall generally be consistent with the placement of the adjacent road (e.g., one foot behind the sidewalk, 8' offset from the edge of curb, etc.).
  - (2) Intersecting right-of-way lines shall not be required to have a minimum radius.
  - (3) Curb Lines. Curb lines shall be rounded with a minimum radius of 20 feet.
  - (4) Center lines of Intersection Streets. The minimum center line offset between adjacent intersections of streets along a street shall be 150 feet.
  - (5) Intersections with arterials or collector streets, located outside or adjacent to a tract developed as a Mixed-Use Village, shall be kept to a minimum and shall be located at least 1,000 feet apart.
  - (6) An intersection of more than two streets shall not be allowed unless a roundabout or other approved traffic control strategy is implemented and therefore not subject to the provisions contained in Section 22-407.5.G.
  - (7) Minimum angle of intersection. Up to 10% of intersections, such as those constrained with adverse grading, location of existing buildings or other natural features may be less than 90° but in no case shall be less than 75°.

(e) Alignment and Geometry.

- (1) Horizontal Curves. The minimum center line radii for all one-way streets around a green space shall be 25 feet and for all other streets shall be 50 feet minimum horizontal curves and sight distances in no case shall be reduced to less than required by AASHTO at the posted speed limit.
- (2) Intersections, whenever practical, center line radii for all streets shall intersect at right angles, but may be permitted to meet at a skew of no more than 15 degrees from the right angle.
- (3) Due to low speeds anticipated throughout a Mixed Use Village, minimums for horizontal sight distances described in Section 22-407.7.A and minimums for Horizontal Curves described in section 22-407.7.B shall not apply, and shall be governed by AASHTO standards as applicable.

(f) Grade.

- (1) Street Intersections. Whenever practical, the grade within 50 feet of the intersecting centerlines of a street intersection shall not exceed 4%.
- (g) Alleys, and other rear access driveways and access to parking areas in nonresidential and multifamily areas, shall be permitted.
- (h) The Specifications and Provisions for new streets, alleyways, driveways, and parking areas in nonresidential and multifamily areas shall be designed to the following minimum standards as provided by PennDOT:

1-1/2 inch, 9.5 MM wearing course, PG 64S-22, 0 to 0.3 Million ESALS  
2-1/2 inch, 19.0 MM binder course, PG 64-22, 0 to 0.3 Million ESALS  
6" PennDOT 2A Stone

- (i) Private access roads, connecting between West Bullshead Road, Willowbrook Road and any internal local roads shall be designed to the following minimum standards:

1-1/2 inch, 9.5 MM wearing course, PG 64S-22, 0 to 0.3 Million ESALS  
4 inch, 19.0 MM binder course, PG 64-22, 0 to 0.3 Million ESALS  
8 inch PennDOT 2A Stone

- (j) Porous pavements shall include grass, crushed stone, and/or gravel-paved parking surface reinforcement systems, such as gravel-pave, concrete block and well-graded stone placed over a geotextile set on an appropriately graded subbase. Such porous surface stabilization systems shall generally comply with the Pennsylvania Stormwater Best Management Practices Manual or other design techniques that have been proven to work satisfactorily and shall not be treated as permanent impervious surfaces for the purposes of stormwater runoff calculations.

#### 4. Blocks.

- (a) Length. Blocks in excess of 1,600 feet in length shall be permitted within a Multifamily Neighborhood development, provided that multiple access points for driveways leading to parking lots serving the development are provided.
- (b) Width. Due to the mixed-use nature of the Mixed- Use Village, block widths will vary and therefore not subject to Section 22-410.2.

#### 5. Lots.

- (a) All provisions for lots as specified in Chapter 27-606.F, for single family detached dwellings and single family attached dwellings other than townhouses, shall supersede any similar requirements in Section 22.411.
- (b) Lots containing existing buildings and recreation uses shall have no minimum lot dimensional standards, and shall be exempt from minimum areas in regards to being served by either on-lot sanitary sewer or water and shall connect to the public system if the on-lot system fails and an appropriate alternate location cannot be provided on the same lot.
- (c) Due to the mixed-use nature of lots locate within a Mixed-Use Village, lot dimensional requirements contained in Section 22-411.2 shall not apply to any lot type.
- (d) A maximum of 10% of the total number of lots within a Mixed-Use Village developed for single-family detached dwellings may be flag lots. Such flag lots shall be subject to the following regulations:
  - (1) Lot frontage provisions as contained in Section 22- 411 shall not apply. Access shall be provided through a pole or panhandle portion of the lot, or through an access easement or common driveway across an adjacent lot to a street. No

more than three (3) dwelling units may gain access through a pole, or panhandle, or an access easement or common driveway across an adjacent lot to a street.

- (2) The width of the pole or panhandle portion of the lot or access easement across an adjacent lot shall be of sufficient width to accommodate a driveway and landscaping.
  - (3) The shared pole or panhandle portion of the lot shall be excluded from the calculation of minimum lot area, and shall be owned and maintained by the home owners association, homeowners' associations, or a Master Association created in accordance with the Pennsylvania Planned Community Act.
  - (4) The minimum setback in the flag portion of the lot shall be 10 feet.
  - (5) Driveways located within the pole or panhandle portion of the lot shall not exceed fifteen percent (15%) grade.
- (e) Corner lots shall respect the minimum front setback from the right of way lines of both streets.
  - (f) A planting screen buffer of 10 feet will be provided adjacent to each residential lot which abuts a collector or arterial street with no right of way access onto or through said screen. Screen composition shall consist of either arborvitae, evergreen or deciduous trees planted in a natural pattern to produce a diffused visual screen with five years of planting. The screen design and layout must be certified by a registered landscape architect.
  - (g) Due to the mixed-use nature of lots located within a Mixed-Use Village, the location of centerlines of driveways shall not apply, and shall be exempt from Section 22-411.7.D.
6. **Open Space.** A minimum of 50% of the gross area of the Tract shall be open space. Such open space shall be permitted to include passive and/or active recreation including, but not limited to, equestrian and golf uses and structures, tot lots, pocket parks, equestrian and golf pathways and bike and horse trails. Such open space shall also be permitted to contain utilities, steep slopes, and stormwater management facilities (including above-ground or below-ground detention basin areas). No more than 25% of the Open Space shall be covered by detention basins. Such Open Space shall not be required to be, but may be, accessible to the public including trail easements. As each

phase of the Village is developed and the boundaries of the Open Space contained in each phase are determined, as a condition of final approval of each such phase the Open Space in such section shall be permanently encumbered with a conservation easement which shall prohibit the said Open Space from being further developed for any use other than a Golf Course or passive or active Open Space. The beneficiary of the conservation easement shall be the Township. Notwithstanding the foregoing, the Open Space shall be maintained by the Developer of each phase until such time as the maintenance is assumed by a home owners association, homeowners' associations, or a Master Association created in accordance with the Pennsylvania Planned Community Act.

7. Connectivity. Easements for pedestrian and/or bicycle circulation shall be provided within the Tract and coordinated with the proposed trail network pursuant to the recommendations of the Catasauqua Area Trail & Transit Initiative as indicated in the Lehigh Valley Planning Commission's Walk/Roll Active Transportation Plan. The developer shall be responsible to provide a safe sidewalk and/or trail connections, which may have a paved or gravel surface, between the County Trail and the development including, the Village Center, Golf Course, and/or Equestrian Facility. Any requirements inconsistent herewith contained in Section 22-412.E shall not apply to a Mixed-Use Village development.
8. Landscaping.
  - (a) Existing trees. The design engineer shall, to the extent reasonably practical, use reasonable efforts to retain trees beyond the expected typical limit of clearing anticipated on any approved sketch plan.
  - (b) Street trees.
    - (1) Street trees shall be permitted at an average spacing of 50 feet on center within all public and private rights-of-ways within the Tract.
    - (2) Street tree species shall vary among different neighborhoods/streets to provide distinct identity and species diversity. All trees shall have a minimum clearance of 6' to the lowest limb and be no smaller than 2.0" diameter when measured 6" above the root collar at the time of installation. Trees shall conform to ANSI Z60.1 American Standards of Nursey Stock and ANSI A300 International Society of Arboriculture Certified Arborists for pruning.
    - (3) Street trees may vary in size and species to provide distinct identity of various neighborhoods. Deciduous trees may consist of species suitable for the site conditions including

but not limited to, red oak (*quercus borealis*), sweetgum (*liquidamber styraciflus*), red maple (*acer rubrum*), and golden raintree (*koelreuteria paniculata*). Where appropriate, small deciduous or evergreen trees may consist of species suitable for the site conditions including but not limited to, flowering dogwood (*cornus florida*), kwanzan cherry (*prunus serrulate kwanzan*), scotch pine (*pinus sylvestris*), and blue spruce (*picea pungens*).

- (4) All sidewalks and shade trees will be maintained by the master developer / master association, homeowners associations and condominium associations within the community.
  - (5) The Landscape Plan(s) shall be prepared, sealed, and signed by a landscape architect licensed in the Commonwealth of Pennsylvania, as required by Act 535 as amended. The Landscape Architects' Registration Law, 65 p.s. § 901 et seq.
- (c) Natural Area Design Standards. A natural areas Management Plan will depict the location, treatment and management of each area, to be prepared by a qualified landscape architect shall be a separate component of any landscape plan prepared for any of the following areas that may exist within the Mixed Use Village; stormwater basin areas, riparian buffer areas, wetland buffer areas, woodland buffer areas, steep slope areas, floodplain areas, and other common areas.
- (1) No more than 25% of slopes in the range of 8.00 – 19.99% that exist in a natural state and have not been altered by human activity or improvements shall be disturbed.
  - (2) No more than 5% of slopes in excess of 20% or greater that exist in a natural state and have not been altered by human activity or improvements shall be disturbed.
  - (3) There shall be no maximum steep slope within a Mixed-Use Village.

(d) Stormwater basins.

All stormwater basins shall follow standards set forth in the National Pollutant Discharge Elimination system (NPDES), and all Commonwealth of Pennsylvania Stormwater Statutes and Regulations promulgated thereunder.

9. Sanitary Sewerage.



- (a) The sanitary sewer system shall, if designed and constructed in accordance with all applicable Commonwealth of PA and Township requirements, be dedicated to the Township or applicable Authority upon its satisfactory completion. Easements for maintenance of the sanitary sewer system shall be granted to the Township or applicable Authority. Such easements shall have a total width of 20 feet.

10. Electric and Gas Utilities.

- (a) Width. Easements for electric and gas utilities shall have a total width of 8 feet wide and shall be located along dedicated street right-of-way. Any Electric and Gas Utility requirements inconsistent herewith contained in Section 22-418 shall not apply to a Mixed-Use Village development.
- (b) All electric, internet, cable, and similar utilities shall be underground.

**Section 2. Violations and Penalties**

The Violation and Penalty provisions of the Code, where not revised herein, shall remain unchanged.

**Section 3. Severability**

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional, illegal, or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Board of Supervisors of Allen Township hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional, illegal, or otherwise invalid.

**Section 4. Repealer**

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**Section 5. Effective Date**

The provisions of this Ordinance shall become effective five (5) days after adoption.

ENACTED and ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

ALLEN TOWNSHIP

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Township Manager

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Chairman, Allen Township Board  
of Supervisors

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