

**ORDINANCE NO. 2019-01**

**AN ORDINANCE OF THE TOWNSHIP OF READING, ADAMS COUNTY, PENNSYLVANIA, AMENDING AND SUPPLEMENTING THE READING TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (ORDINANCE NO. 2014-01**

**BE IT ENACTED, ADOPTED, AND ORDAINED** by the Township of Reading, Adams County, Pennsylvania, by the Reading Township Board of Supervisors, and it is hereby **ENACTED, ADOPTED, AND ORDAINED** by the authority of the same as follows:

**SECTION I: TEXT AMENDMENT:**

A. **§22-415** of the Reading Township Subdivision and Land Development Ordinance is hereby removed and shall be replaced with the following:

**“§22-415. Dedication of Recreation Land, or Payment of Fee in Lieu of Land Dedication**

- A. Purpose: The purpose of this section is to implement the Reading Township Comprehensive Outdoor Recreation Plan of 2019, as specifically enabled by Section 503(11) of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.
- B. General Requirement: This section applies to residential subdivision and/or land development proposals that would result in the development of one (1) or more dwelling units. The provisions of Section 513 shall not apply to any plan application, whether preliminary or final, pending at the time of enactment of Section 513.
- C. Land Dedication: Applicants subject to the requirements of this section shall dedicate to the Township land suitable for park and recreation use. The amount of land to be dedicated shall be 0.029 acres for every dwelling unit, as may be amended by resolution of the Board of Supervisors from time to time. Land to be dedicated shall be identified on the Preliminary Plan and Final Plan submission where both Preliminary Plan and Final Plan submission is required. Where only Final Plan submission is required, the land to be dedicated shall be depicted on the Final Plan submission.
- D. Quality of Land to Be Dedicated: The land to be dedicated to the Township for parks and recreation purposes shall be suitable for the provision of parks and recreation facilities. The dedicated land shall comply with the following requirements.
1. The dedicated land shall not be located within any floodway.

2. No more than ten percent (10%) of the dedicated land may include designated wetlands or hydric soils.
3. No more than twenty percent (20%) of the dedicated land may include slopes exceeding eight percent (8%).
4. The dedicated land shall not include any existing or proposed infrastructure facilities including, but not limited to, stormwater management facilities, pump stations, utility or transmission line rights-of-way, or roads.
5. The dedicated land shall not include any area with confirmed or suspected environmental hazards, or other areas that may pose a health or safety concern.
6. The dedicated land shall not include land that contributes to any required setback, buffer, or other protection area that may be required by this Ordinance or any other Township ordinance.
7. The dedicated land shall meet the lot requirements of Section 407 of this Ordinance. However, the dedication of land oriented in a flag or panhandle lot configuration shall not be authorized.
8. The dedicated land shall be located in a manner that furthers goals and objectives found in applicable state, county, regional, and adjoining municipal parks and open space planning, specifically to encourage the development of a regional parks, recreation, and open space network.

E. Quantity of Land to Be Dedicated: Any land to be dedicated to the Township for parks and recreation purposes shall be a minimum of one (1) acre in size, not including any designated wetlands, hydric soils, or slopes exceeding eight percent (8%).

F. Improvement of Land to Be Dedicated: Where parks and recreation land dedication is proposed, the land to be dedicated shall be improved in accordance with the following.

1. Recreation facilities shall address recreation facility deficits as identified in the *Reading Township Comprehensive Outdoor Recreation Plan*, as adopted or amended. The applicant shall provide recreation facilities in accordance with the following table

<u>Dwelling Units</u>	<u>Total Number of Recreation Facilities</u>
24 or fewer	0
25 to 49	1
50 to 75	2

76 to 99	3
100 to 199	4
200 to 299	5
300 to 399	6
400 or more	7, plus 1 additional facility for every 150 additional dwelling units beyond 400.

Recreation facilities shall include, but are not limited to, trails, playground areas, basketball courts, volleyball courts, tennis courts, softball and / or baseball fields, soccer and / or football fields, and pavilions. The mix of recreation facilities shall be determined and approved by the Township Supervisors.

2. Recreation facilities shall be provided with safe and convenient access by pedestrian, bicycle, and automobile modes of transportation. The site shall be provided with appropriate means to allow for maintenance and / or emergency vehicle access. Where new recreation facilities are located adjacent to existing recreation facilities or other sites where the provision of recreation or open space facilities is likely in the future, a system of pedestrian / bicycle trails shall be provided to allow safe and convenient movement from one site to another.
  3. Recreation facilities shall not be divided by either public or private streets.
  4. Recreation facilities shall be suitably landscaped either by retaining existing vegetation and wooded areas and / or by a landscaping plan designed to enhance the facilities through the installation of plantings which are consistent with the purposes of this section.
  5. Recreation facilities shall be conveniently accessible to the general public to improve the utility of the facilities and to promote use of the facilities by the residents. The recreation facilities shall also be located in a manner that respects the privacy needs of those existing or future residents who adjoin the site.
  6. The construction of required recreation facilities shall be bonded in accordance with applicable posting of financial security requirements of this Ordinance.
- G. Payment of Recreation Fee in Lieu of Land Dedication: In lieu of dedicating park and recreation land to the Township, an applicant may choose to pay a recreation fee to the Township. The amount of the recreation fee shall be \$778.08 for every dwelling unit, as may be amended by resolution of the Board of Supervisors from time to time. The payment of recreation fees in lieu of land dedication shall meet the following requirements.

1. The Township shall administer the collected fees in accordance with the requirements set forth in Section 503(11) of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.
2. The applicant shall pay the required recreation fees prior to the approval and signature by the Township Supervisors of the Final Plan. Where a residential subdivision or land development plan is approved in phases, the applicant shall pay the required recreation fees prior to the approval and signature of each phase.

H. Combination of Land Dedication and Payment of Recreation Fees: Nothing herein shall prevent an applicant from proposing a combination of park and recreation land dedication and payment of recreation fees to satisfy the requirements of this Section. Where proposed, the combination of land dedication and payment of recreation fees shall meet the following requirements.

1. The combination of land dedication and payment of recreation fees shall result in an equivalent amount of park and recreation land provided for Township residents when compared to the amount of park and recreation land provided by the utilization of either the land dedication or the payment of recreation fees provision.
2. The amount of land to be dedicated shall continue to be of sufficient size to provide for necessary parks and recreation facilities or shall be combined with land already dedicated to the Township for parks and recreation use on an adjoining parcel.
3. The Township Supervisors shall determine, at their discretion, whether a proposed combination of land dedication and payment of recreation fees shall be approved.”

B. §22-513 of the Reading Township Subdivision and Land Development Ordinance is hereby removed and shall be replaced with the following:

**“§22-513. Provision for Requirement of Lands for Recreation and Other Public Sites**

Where parks and recreation land dedication is proposed, the land to be dedicated shall be improved in accordance with §22-415 of the Reading Township Subdivision and Land Development Ordinance.

C. §22-905.I of the Reading Township Subdivision and Land Development Ordinance is hereby removed and shall be replaced with the following:

**“§22-905.I. Required Recreation Areas or Fees.** Recreation areas or a fee in lieu of recreation areas shall be provided in accordance with §22-415 of the Reading Township Subdivision and Land Development Ordinance.

**SECTION II: EFFECTIVE DATE**

The Ordinance shall be effective as required by law.

ENACTED AND ORDAINED into an Ordinance this 18th day of March, 2019.

ATTEST:

*Kirkland Beasly*

(SEAL)

TOWNSHIP OF READING  
ADAMS COUNTY, PENNSYLVANIA  
READING TOWNSHIP SUPERVISORS

*Kevin J. Halpin*  
Chairman

*William E. Weaver*  
Supervisor

*Greg R. Sautter*  
Supervisor

CERTIFICATE

I, the undersigned Secretary of Reading Township, Adams County, Pennsylvania, certify that the foregoing is a true and correct copy of Ordinance 2019-01 which was duly adopted by a majority vote of the entire Board of Supervisors at a meeting duly convened according to law and held on 18<sup>th</sup> day of March 2019, and that the Ordinance has been duly recorded in the record book of the Reading Township and that said Ordinance remains in effect, unaltered and unamended as of the date of this Certificate.

IN WITNESS WHEREOF, I affix my hand and official seal of the Reading Township Supervisors this 18 day of March, 2019.

(Seal)

Kimberly Beard  
Secretary