

ORDINANCE NO. 2023-283

**AN ORDINANCE OF THE BOROUGH OF NEW STANTON, WESTMORELAND COUNTY, PENNSYLVANIA, AMENDING CHAPTER 27, AS PREVIOUSLY AMENDED AND SUPPLEMENTED, ENTITLED "THE NEW STANTON BOROUGH ZONING ORDINANCE," TO AMEND §27-509, OF THE ZONING ORDINANCE, REGARDING LAND USES REQUIRING TRAFFIC STUDIES.**

WHEREAS, the Borough Council has determined that it is necessary to amend certain portions of Chapter 27, §509, of the Code of Ordinances of the Borough, regarding Land Uses Requiring Traffic Studies, within the Borough; and

**BE IT ORDAINED AND ENACTED**, and it is hereby Amended, Ordained and Enacted by the Borough Council of the Borough of New Stanton, Westmoreland County, Pennsylvania, that Chapter 27, 509 of the Zoning Ordinance is hereby amended, as follows:

**SECTION 1:**

**§27-509. Land Uses Requiring Traffic Studies.**

1. Applicability. To assure that no major traffic-generating developments are constructed without benefit of a traffic study, such studies shall be conducted for all nonresidential developments on parcels of two or more acres anticipated to generate 100 or more p.m. peak hour trips, or a 30% increase in existing building coverage, in any business, industrial or transportation districts, and all residential developments of 10 or more single-family dwellings or 16 or more multifamily dwellings in any agricultural, residential or village districts.

2. Study Requirements.

A. Inventory. The study shall examine the Borough's street and highway network and make a preliminary determination as to the streets and intersections likely to be affected by the proposed development. For purposes of this finding, the expected addition of as many as 100 vehicles per hour traveling in any direction along the affected street or approach to an intersection during either the a.m. or p.m. peak hour shall be deemed to be a significant effect. For these significantly affected streets and roadways, an inventory of pavement widths and conditions, travel speeds, traffic flow composition, twenty-four-hour traffic flows along the

streets and a.m. and p.m. peak street traffic hour period (two hours each) turning movement counts at the intersections shall be obtained. The physical inventory data shall include locations and lengths of restricted sight distances, restricted lateral clearances, traffic and parking regulatory controls and pertinent observations concerning traffic operating conditions. Traffic flow data shall be adjusted to represent the expected flow on an average annual day through application of appropriate PennDOT adjustment factors.

\* \* \*

7. Adjustment of Study Area. If the above studies shall disclose that there are parts of the street system or intersection approaches beyond those originally examined which will be affected in either peak hour or to the extent of **100** or more added vehicles, the study area shall be extended and necessary inventory data gathered to incorporate them into the study process. Conversely, if any are found to fall below that threshold, they may be dropped from further consideration.

**SECTION 2.** All other provisions of Chapter 27, §509, not repealed or amended herein, shall remain in full force and effect, except that any rules and regulations previously promulgated and established remain in full force and effect.

**SECTION 3. SEVERABILITY.** If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is the intent of the Borough Council that the remaining provisions of this Ordinance would have been enacted had such unconstitutional, illegal or invalid sentence, clause, section or part not been included herein.

**SECTION 4. REPEALER.** All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed.


THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

ORDAINED AND ENACTED by the Council of the Borough of New Stanton this

6th day of June, 2023

ATTEST:


BOROUGH OF NEW STANTON

  
Secretary

By:   
PRESIDENT

ATTEST:

APPROVED:

  
Secretary

  
MAYOR

**CERTIFICATION**

I, Jeffrey McLaughlin, duly qualified Secretary-Treasurer of the Borough Council of the Borough of New Stanton, Westmoreland County, Pennsylvania, do hereby certify that the foregoing Ordinance No. 2023-283 is a true and correct copy of the original Ordinance No. 2023-283 duly passed and adopted by a majority vote of the Borough Council of the Borough of New Stanton at a duly advertised and convened regular meeting held on the 6th day of June, 2023, and that the minutes of said meeting showing how each member voted have been duly recorded in the official minutes of said Borough Council and remains in effect as of this date.

**IN WITNESS WHEREOF**, I affix my hand and attach the seal of the Borough of New Stanton, this 6th day of June, 2023

Certified to by:

  
\_\_\_\_\_  
Jeffrey McLaughlin  
Secretary-Treasurer