

CHAPTER 22

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PART 1

TITLE, PURPOSE, AUTHORITY AND JURISDICTION

§22-101. Title.

An Ordinance establishing rules, regulations and standards governing subdivision and land development within the Borough of Port Royal, Juniata County, Pennsylvania; setting forth the procedures to be followed by the Borough in applying and administering these rules, regulations and standards and setting forth the penalties for violation thereof as established by the Commonwealth of Pennsylvania.

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§22-102. Purpose.

It is the intent, purpose and scope of these regulations to protect and promote the public health safety and general welfare by making provision for:

- A. The submittal, processing and review of plats, both in their preliminary or final stages.
- B. Ensuring that the layout or arrangement of the subdivision or land development shall conform to the comprehensive plan and to any regulations or maps adopted in furtherance thereof, streets in and bordering a subdivision or land development shall be coordinated and be of such width and grades and at such locations as deemed necessary to accommodate prospective traffic and facilitate fire protection and emergency services, adequate easements or rights-of-way shall be filed for drainage and utilities, reservations of any area designated to be dedicated for public use shall be suitable as to size and location for the designated uses and land which is subject to flooding, subsistence or underground fires either shall be made safe for the purpose for which land is proposed to be used or that such land shall be set aside for uses which shall not endanger the life or further aggravate or increase the existing menace.
- C. Standards by which streets shall be designed, graded and improved and walkways, curbs, gutters, street lights, fire hydrants, water and sewage facilities and other improvements shall be installed so as to ensure that the streets be improved in such a condition that the streets are passable for vehicles which are intended to use that street.

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- D. ~~Which take~~ Taking into account phased land development not intended for the immediate erection of buildings where improvements may not be possible to install as a condition precedent to final approval of plats, but ~~will be conditioned~~ condition precedent to erection of buildings on land included in the approved plat.
- E. ~~For~~ Establishing minimum setback lines and minimum lot sizes inasmuch as at the time of the enactment of this Chapter, Port Royal Borough has not adopted a zoning ordinance.
- F. Encouraging and promoting flexibility, economy and ingenuity in the layout and design of subdivisions and land developments and for encouraging other practices which are in accordance with the modern and evolving principles of site planning and development so as to guide the future growth and development of the Borough.
- G. Encouraging use of renewable energy systems and energy conserving building design.
- H. Soliciting reviews and reports from adjacent municipalities and other governmental agencies affected by the subdivision and land development plats.
- I. Administering waivers and modifications to the minimum standards in accordance with the Municipalities Planning Act.
- J. For ensuring that ~~new~~ development's incorporate adequate provisions for a reliable, safe and adequate water supply to support intended uses within the capacities of available resources.
- K. Requiring the public dedication of land suitable for the use intended and, upon agreement with the applicant, the construction of recreational facilities, payment of fees in lieu thereof, the private reservation of land or a combination, for park or recreation purposes as a condition precedent to final approval in accordance to the Municipalities Planning Act.

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§22-103. Jurisdiction.

1. This Chapter shall apply to all subdivisions and land developments as defined herein located within the corporate limits of the Borough.

2. No subdivision or land development of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer or water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon except in accordance with this Chapter.

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§22-104. Conflict and Severability.

1. Where any provision of this Chapter imposes a restriction different from those imposed by any other provision of an ordinance, rule or regulation of Port Royal Borough, whichever provision is more restrictive or imposes higher standards shall control.
2. If any Part, Section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word, in this Chapter is for any reason declared to be illegal, unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this Chapter as a whole or any other Part, Section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of the Chapter. The Borough Council hereby declares that it would have adopted this Chapter and each Part, Section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof without respect of the fact that any one or more of the Parts, Sections, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

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§22-105. Amendments.

Borough Council may, from time to time, amend the provisions imposed by the subdivision regulations as permitted by the Municipalities Planning Code.

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§22-106. Vacation of Plats.

1. Any plat or any part of any plat may be vacated by the applicant, at any time before the sale of any lot therein, by written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated.

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2. Such an instrument shall be reviewed by the Planning Commission and approved by Borough Council in the same manner as a plat. Borough Council may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets or alleys.
3. Following approval, the instrument shall be recorded in the same manner as a plat. Recording shall operate to destroy the force and effect of the recording of the plat so vacated and to divest all public rights in the public uses, improvements, streets and alleys and all dedications laid out or described in such plat.
4. When a lot or lots have been sold, the plat may be vacated in the manner herein, provided that all of the owners of lots in such plat join in the execution of the instrument.

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§22-107. Enforcement, Violations and Penalties.

Any person, partnership or corporation, who or which has violated the provisions of this Chapter, upon being found liable therefore in a civil enforcement proceeding commenced by the Borough, shall pay a judgment of not more than \$500, plus all court costs, including reasonable Solicitor's fees incurred by the municipality as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce a judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, ~~unless the district justice determines that there has been a violation and further determines that there was a good-faith basis for the person, partnership, or corporation violating the ordinance, to have believed that there was no violation until the fifth day following the date of the determination of a violation by the district justice and thereafter, each day that a violation continues shall constitute a separate violation.~~

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§22-108. Preventative Remedies.

1. In addition to other remedies, the Borough may institute and maintain appropriate actions by law or equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The descriptions by metes and bounds on the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

2. The Borough may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of any ordinance adopted pursuant to this Part. This authority to deny such a permit or approval shall apply to any of the following applicants:
 - A. The record landowner at the time of such violation.
 - B. The vendee or lessee of the landowner of record at the time of such a violation without regard to whether such vendee or lessee had actual constructive knowledge of the violation.
 - C. The current landowner of record who acquired the property subsequent to the time of violation without regard as to whether such current landowner had actual constructive knowledge of the violation.
 - D. The vendee or lessee of the current landowner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual constructive notice of the violation.
3. As an additional condition for issuance of a permit or the granting of approval to any such landowner, current landowner, vendee or lessee for the development of any such real property, the Borough may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

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PART 2

DEFINITIONS

§22-201. Definitions.

ALLEY - a public right-of-way used or intended to be used by vehicular traffic and providing a secondary access to abutting property.

APPLICANT - a landowner or developer as herein after defined who has filed an application for development, including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT - every application, whether preliminary tentative or final, required to be filed and approved prior to the start of construction or development including, but not limited to, an application for a building permit for the approval of a subdivision plat or plan or for the approval of a land development plan plat.

ARTERIAL STREET - a functional classification of street that serves major centers of traffic activity and accommodates trips of moderate length.

BLOCK - an area bounded on all sides by streets.

BOROUGH - Port Royal Borough

BOROUGH ENGINEER - a professional engineer duly appointed as the engineer for the Borough of Port Royal.

BOROUGH SOLICITOR - an attorney duly appointed as the Solicitor for the Borough of Port Royal.

BUILDING - any structure having a roof supported by columns or walls, used for the shelter, housing or enclosure of persons, animals or property.

COLLECTOR STREETS - a functional classification of street that provides both land access services and traffic circulation, distributes trips from arterial streets through residential neighborhoods to ultimate destinations and collects traffic from local streets and channels to arterial streets.

COMMON OPEN SPACE - a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas and areas set aside for public facilities.

CORNER LOT - a parcel of land bounded on two or more sides by streets.

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CUL-DE-SAC - a type of special provision for turning around at the unopened end of a dead end street characterized by a circular shape and having a turning radius adequate to turn the largest design vehicle without backing; or a street with such provision.

CURB - the raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic.

DEAD END STREET - a local street open at only one end with a special provision for turning around at the unopened end.

DEVELOPER - any landowner, agent of such landowner, or tenant with the permission of such land owner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT PLAN - the provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this Chapter shall mean the written and graphic materials referred to in this definition.

DOUBLE FRONTAGE LOT - A lot having frontage along two streets that run parallel, but in close proximity. (See reversed frontage lot)

DRIVEWAYS - a vehicular right-of-way providing access between a street and a parking area or garage within a lot or property under single ownership or the cartway providing such access.

EASEMENT - authorization by a property owner for the use by another and for a specified purpose of any designated part of his property.

LAND DEVELOPMENT - any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or one single nonresidential building on a lot or lots regardless of the number of occupants or tenures.
 - (2) The division or allocation of land or space, whether initially or cumulatively, between or among to a more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, buildings or other features.

- B. A subdivision of land.
- C. Excluding certain land development only when such land development involves:
 - (1) The conversion of an existing single-family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.
 - (2) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
 - (3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this sub-clause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until plats for the expanded area have been approved by proper authorities.

LANDOWNER - the legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of landowner or any other person having a proprietary interest in land.

LIMITED ACCESS HIGHWAYS - a functional classification of street that provides limited points of access for other streets.

LOCAL STREET - a functional classification of street that permits direct access to abutting land, connects to collector or arterial streets and discourages through-traffic movements.

LOT - a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

MOBILE HOME - a transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.

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MOBILE HOME PARK - a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

OFFICIAL MAP - a map adopted by ordinance pursuant to the Pennsylvania Municipalities Planning Code.

PLANNING COMMISSION - the Planning Commission of Port Royal Borough.

PLAT - the map or plan of a subdivision or land development whether preliminary or final.

PUBLIC GROUNDS USES (AREAS) - including, but not limited to parks, playgrounds, trails, paths and other recreational areas and other public areas, sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities, and publicly owned or operated scenic and historic sites.

PUBLIC HEARING - a formal meeting held pursuant to public notice by the Borough Council or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with the Municipalities Planning Code.

PUBLIC NOTICE - notice published once each week for 2 successive weeks in a newspaper of general circulation in the Borough. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.

REVERSED FRONTAGE LOT - a lot located along a reversed frontage street.

RIGHT-OF-WAY - a right or easement associated with a street or access. In some cases, the phrase is used to signify the legal extent of the street.

SANITARY SEWER - the portion of a community sewerage system characterized by the use of pipes to collect and/or convey sewage by gravity, pressure or vacuum.

SEWAGE FACILITIES - a system of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into waters of this Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage and other waste.

- A. Individual Sewage System.** A sewage facility, whether publicly or privately owned, located on a single lot and serving one equivalent dwelling unit and collecting, treating and disposing of sewage in whole or in part into the soil or into waters of this Commonwealth or by means of conveyance of retaining tank wastes to another site for final disposal.

- B. **Individual On-lot Sewage System.** An individual sewage system which uses a system of piping, tanks or other facilities for collecting, treating and disposing of sewage into a subsurface absorption area or retention in a retaining tank.
- C. **Individual Sewerage System.** An individual sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a subsurface absorption area or retention in a retaining tank.
- D. **Community Sewage System.** A sewage facility, whether publicly or privately owned, for the collection of sewage from two or more lots or two or more equivalent dwelling units and the treatment or disposal, or both, of the sewage on one or more of the lots or at another site.
 - (1) **Community On-Lot Sewage System.** A community sewage system which uses a system of piping, tanks or other facilities for collecting, treating and disposing of sewage into a subsurface soil absorption area or retaining tank.
 - (2) **Community Sewerage System** - a community sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a subsurface absorption area or retention in a retaining tank.

SIDEWALK - a walkway, characterized by a durable surface, normally concrete, continuous for a reasonable distance and an integral part of the street, with or without a grass strip between the curb or cartway edge and sidewalk, constructed for use by pedestrians.

STREET - includes street, avenue, boulevard, road, highway, freeway, parkway, lane, viaduct and any other ways used or intended to provide a primary means of vehicular access to abutting property, whether public or private.

STRUCTURE - any manmade object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISION - The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, the transfer of ownership of building or lot development. Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving a new street or easement of access or any residential dwelling shall be exempted.

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SUBSTANTIALLY COMPLETED - where, in the judgment of the Borough Engineer, at least 90% (based on the cost of the required improvement for which financial security was posted pursuant to §509 of the Pennsylvania Municipalities Planning Code) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

WATER FACILITIES - a system of water sources, treatment, storage and distribution which will provide for the safe and sanitary supply of water for human consumption.

- A. **Public Water System.** A system for the provision to the public of water for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. The term includes any collection, treatment, storage and distribution facilities under control of the operator of such system and used in connection with such system and any collection or pretreatment storage facilities not under such control which are used in connection with such system.
- B. **Community Water System.** A public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.
- C. **Non-Community Water System.** A public water system that is not a community water system.
- D. **Non-Public Water System.** A water system that is not a public water system.
- E. **Individual On-Lot Water System.** A water system located on a single lot and serving less than 15 service connections or regularly serves an average of less than 25 individuals daily at least 60 days out of the year.

WALKWAY - a public or private right-of-way used or intended to be used by pedestrians.

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PART 3

PROCEDURES AND APPROVAL PROCESS

§22-301. Authority for Review and Approval.

1. The Borough Planning Commission is hereby designated by the Borough Council as the agency which shall review and make recommendations to Borough Council on all preliminary and final plats as required herein.
2. The Borough Council shall have authority to approve all preliminary and final plats as required herein.

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§22-302. Preliminary Plat.

1. The applicant shall file in duplicate an application for preliminary plat approval on the form of application adopted by the Borough Council together with the applicable review fee established by Borough ordinance or resolution.
2. The applicant shall file 10 ~~15~~ copies of the preliminary plat in compliance with the applicable provisions of this Chapter.
3. Upon receipt, the Planning Commission shall submit copies of the preliminary plat to the following:
 - A. The Juniata County Planning Commission, one copy.
 - B. Borough Council, one copy.
 - C. Borough Engineer, one copy.
 - D. Borough Solicitor, one copy.
 - E. Utilities, one copy, each.
 - F. Adjoining municipality, if appropriate, one copy.
 - G. Juniata County Conservation Dist., if appropriate, one copy.
4. The Planning Commission will consider and review the preliminary plat at the meeting following its submission provided that it was submitted at least 15 ~~30~~ days prior to the meeting.

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5. Following its review of the preliminary plat, the Planning Commission shall make its recommendation to Borough Council. The recommendation shall be for one of the following:
 - A. Approval.
 - B. Conditional approval.
 - C. Disapproval.

The Planning Commission shall make its recommendation to the Borough Council in writing. In the case of a conditional approval or disapproval, the writing shall indicate with specificity the reasons for such recommendation and shall include citations of the relevant provisions of this Chapter.

7. If Borough Council does not receive the Planning Commission's recommendation within ~~45~~ 60 days of the initial submission, Borough Council may proceed in the absence of the recommendation and shall consider and review the preliminary plat at their next meeting.
8. The Borough Council may hold a hearing following public notice in compliance with the Municipalities Planning Code, following which it shall take one of the following actions:
 - A. Approval.
 - B. Conditional approval.
 - C. Disapproval.
9. The applicant shall be entitled to the decision of Borough Council within 90 days of the first regular meeting of the Planning Commission following the filing of the preliminary plat or a final court order remand or of the thirtieth day following the filing of the preliminary plat or a final court order remand, whichever is less. Further, the decision of the Borough Council shall be in writing and delivered to the applicant within 15 days following the decision (and within the 90 day period set forth above). In the case of a conditional approval or disapproval, the decision shall state with specificity the defects in the plat and shall refer to the Section of this Chapter relied upon. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and manner set forth above shall be deemed an approval of the application in terms as presented unless the applicant has agreed in a signed writing to an extension of time or change in the prescribed manner of communication.

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§22-303. Final Plat.

1. The applicant shall file in duplicate an application for final plat approval on the form of application adopted by the Borough Council.
2. The applicant shall file 10 ~~15~~ copies of the final plat in compliance with the applicable provisions of this Chapter. At least two of the 10 ~~15~~ copies provided shall bear original signatures on all required notarizations, certifications, endorsements, etc. One of the copies with original signatures will be retained by the Borough and at least one will be returned to the applicant upon final approval for recording.
3. In the event that the final plat is submitted more than 5 years following the approval of the preliminary plat, it shall be considered as a new preliminary plat, excepting that the 5 year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement of completion of the development and for the duration of any sewer or utility moratorium or prohibition which was imposed subsequent to the filing of an application for preliminary approval of a plat..
4. The final plat shall conform in all respects with the approved preliminary plat, except to the extent it incorporates the conditions required by Borough Council. In the event of any nonconformity, the final plat shall be considered as a new preliminary plat.
5. The applicant may submit final plats in phases provided that each phase in a residential subdivision or land development, except for the last section, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plat, unless the Borough Council approves a lesser percentage.
6. Upon receipt, the Planning Commission shall submit the final plat to the following:
 - A. The Juniata County Planning Commission, one copy.
 - B. Borough Council, one copy.
 - C. Borough Engineer, one copy.
 - D. Borough Solicitor, one copy.
 - E. Adjoining municipality, if appropriate, one copy.
7. The Planning Commission will consider and review the final plat at the meeting following its submission provided that it was submitted at least 30 days prior to the meeting.

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8. Following its review of the final plat, the Planning Commission shall make its recommendation to Borough Council. The recommendation shall be for one of the following:
 - A. Approval.
 - B. Conditional approval.
 - C. Disapproval.

The Planning Commission shall make its recommendation to the Borough Council in writing. In the case of a conditional approval or disapproval, the writing shall indicate, with specificity, the reasons for such recommendation and shall include citations of the relevant provisions of this Chapter.

9. If Borough Council does not receive the Planning Commission's recommendation within 60 days of the initial submission, Borough Council shall proceed in the absence of the recommendation and shall consider the final plat at their next meeting.
10. The Borough Council may hold a hearing following public notice in compliance with the Municipalities Planning Code, following which it shall take one of the following actions:
 - A. Approval.
 - B. Conditional approval.
 - C. Disapproval.
11. The applicant shall be entitled to the decision of Borough Council within 90 days of the first regular meeting of the Planning Commission following the filing of the final plat or a final court order remand or of the 30th day following the filing of the final plat or a final court order remand, whichever is less. Further, the decision of the Borough Council shall be in writing and delivered to the applicant within 15 days following the decision (and within the 90 day period set forth above). In the case of a conditional approval or disapproval, the decision shall state with specificity the defects in the plat and shall refer to the Section of this Chapter relied upon. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and manner set forth above shall be deemed an approval of the application in terms as presented unless the applicant has agreed in a signed writing to an extension of time or change in the prescribed manner of communication.

12. No final approval shall be issued except in compliance with §22-401 hereof pertaining to the completion and maintenance of improvements and required security.
13. Upon the approval of a final plat, the applicant shall within 90 days of such final approval ~~or the date the approval of the Borough is noted on the plat, or 90 days after the date of delivery of an approved plat signed by the Borough, following completion of conditions for such approval~~ whichever is later, record such plat in the office of the Recorder of Deeds of Juniata County.

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PART 4

ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

§22-401. Completion of Improvements or Guarantee Thereof Required for Final Approval.

1. No final plat shall be approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition or improved as may be required by this Chapter and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this Chapter have been installed in accordance with this Chapter. In lieu of the completion of the improvements, the applicant shall deposit with the Borough financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, storm water detention and/or retention basins and other related drains, facilities, recreational facilities, open-space improvements or buffer or screen planting which may be required. The applicant shall not be required to provide financial security for the cost of any improvements for which financial security is required by and provided to the Department of Transportation in connection with the issuance of a highway occupancy permit.
2. When requested by the applicant and in order to facilitate applicant's financing, Borough Council shall furnish the applicant with a signed copy of a resolution indicating approval of the final plat contingent upon obtaining a satisfactory financial security. The final plat shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days, unless a written extension is granted by Borough Council; such extension shall not be unreasonably withheld and shall be given to the applicant in writing.
3. The Borough Council shall accept as security Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions. The Borough Council may, upon request of the applicant, approve other types of financial security, which approval shall not be unreasonably withheld.
4. The financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the applicant, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.

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5. Such bond, or other security, shall provide for and secure to the public, the completion of any improvements which may be required on or before the date affixed in the formal action of approval or accompanying agreement for the completion of improvements.
6. The amount of the financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the applicant. The Borough may annually adjust the amount of the financial security by comparing the actual costs of the improvements which have been completed and the estimated costs for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Following that adjustment, the Borough Council may require the applicant to post additional security in order to assure that the financial security equals 110%. Any additional security required shall be posted by the applicants in accordance with the provisions of this Part.
7. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the applicant and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such costs. The Borough Council, upon the recommendation of the Borough Engineer, may refuse to accept such estimate for good cause shown. If the applicant and the Borough Council are unable to agree upon an estimate and the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Borough Council and the applicant. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Borough and the applicant.
8. If the party posting the financial security requires more than 1 year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% for each 1 year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 10% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding 1 year period by using the above bidding procedure.
9. In the case where development is projected over a period of years, the Borough Council may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

10. As the work of installing the required improvements proceeds, the applicant may request the Borough Council to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Borough Council, and the Borough Council shall have 45 days from receipt of such request within which to allow the Borough Engineer to certify, in writing, to the Borough Council that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Borough Council shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer fairly representing the value of the improvements completed or, if the Borough Council fails to act within said 45 day period, the Borough Council shall be deemed to have approved the release of funds as requested. The Borough Council may, prior to final release at the time of completion and certification by its engineer, require retention of 10% of the estimated cost of the aforesaid improvements.
11. Where the Borough Council accepts dedication of all or some of the required improvements following completion, the Borough Council may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.
12. If water mains or sanitary sewers, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Borough, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.
13. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this Section, the Borough shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall

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not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

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§22-402. Release from Improvement Bond.

1. When the applicant has completed all of the necessary and appropriate improvements, the applicant shall notify the Borough Council, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer. The Borough Council shall, within 10 days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall, thereupon, file a report, in writing, with the Borough Council and shall promptly mail a copy of the same to the applicant by certified or registered mail. The report shall be made and mailed within ~~30~~ 45 days after receipt by the Borough Engineer of the aforesaid authorization from the Borough Council, said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Borough Engineer, said report shall contain a statement of reasons for such disapproval or rejection.
2. The Borough Council shall notify the applicant, within 15 days of receipt of the engineer's report, in writing, by certified or registered mail, of the action of said Borough Council with relation thereto.
3. If the Borough Council or the Borough Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the applicant shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
4. If any portion of the said improvements shall not be approved or shall be rejected by the Borough Council, the applicant shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
5. Nothing herein, however, shall be construed in limitation of the applicant's right to contest or question by legal proceedings or otherwise, any determination of the Borough Council or the Borough Engineer.

6. Where herein reference is made to the Borough Engineer, he shall be a duly registered professional engineer employed by the Borough or engaged as a consultant thereto.
7. The applicant shall reimburse the Borough for the reasonable and necessary costs incurred for the inspection of the improvements according to the schedule established by Borough ordinance or resolution.
 - A. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within 15 working days of the receipt of the invoice, notify the Borough that such expenses are disputed as unreasonable or unnecessary, in which case the Borough shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed expenses.
 - B. If, within 20 days from the date of billing, the Borough and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and Borough shall jointly, by mutual agreement, appoint another professional, engaged in the same profession or discipline as the consultant whose fees are under dispute, to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
 - C. The professional so appointed shall hear such evidence and review such documentation as the professional in his or her sole opinion deems necessary and render a decision within 50 days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
 - D. In the event that the Borough and applicant cannot agree upon the professional to be appointed within 20 days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such professional, who, in that case, shall be neither the Borough Engineer nor any professional who has been retained by, or performed services for, the municipality or the applicant within the preceding 5 years.
 - E. The fee of the appointed professional for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by \$ 1,000 or more, the Borough shall pay the fee of the professional, but otherwise the Borough and the applicant shall each pay $\frac{1}{2}$ of the fee of the appointed professional.

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PART 5

REQUIREMENTS FOR IMPROVEMENTS

§22-501. General Improvements.

1. **Conformance to Applicable Rules and Regulations.** In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules and regulations:
 - A. All applicable statutory provisions.
 - B. The Borough ordinances, building and housing codes and all other applicable laws of the appropriate jurisdictions.
 - C. The official map and capital improvements program of the Borough, including all streets, drainage systems and parks shown on the official map, as adopted.
 - D. The standards and regulations adopted by all boards, commissions, agencies and authorities of the Borough.
2. **Self-Imposed Restrictions.** If the applicant places restrictions on any of the land contained in the subdivision greater than those required by these regulations, such restrictions or reference thereto may be required to be indicated on the subdivision plat or the Planning Commission may require that restrictive covenants be recorded with the County Recorder of Deeds in a form to be approved by the Borough Solicitor.
3. **Plats Straddling Municipal Boundaries.** Whenever access to the subdivision is required across land in another municipality, the Planning Commission may request assurance from the Borough Solicitor that access is legally established and from the Borough Engineer that the access street is adequately improved, or that a performance bond has been duly executed and is sufficient in amount to assure the construction of the access street. In general, lot lines should be laid out so as not to cross municipal boundary lines.
4. **Subdivision Name.** The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Planning Commission shall have final authority to designate the name of the subdivision.

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§22-502. Monuments.

The applicant shall place permanent reference monuments in the subdivision as required herein and as approved by the Borough Engineer.

- A. Monuments shall be located on street right-of-way lines, at street intersections, angle points of curve and block corners. They shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the street limits.
- B. The external boundaries of a subdivision shall be monumented in the field by monuments of stone or concrete, not less than 30 inches in length, not less than 4 inches square or 5 inches in diameter and marked on top with a cross, brass plug, iron rod or other durable material securely embedded; or by iron rods or pipes at least 30 inches long and 5/8 inch in diameter or width. These monuments shall be placed not more than 1,400 feet apart in any straight line and at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points and at all angle points along a meander line. Monuments to be set not less than 20 feet back from the primary bank of any river or stream or, when such corners or points fall within a street or proposed future street, the monuments shall be placed on the right-of-way line of the street.
- C. All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field by iron pins or pipes at least 30 inches long and 5/8 inch in diameter or width. These monuments shall be placed at all block corners, at each end of all curves, at the point where a street changes its radius and at all angle points.
- D. The lines of lots that extend to rivers or streams shall be monumented in the field by iron pins or pipes at least 30 inches long and 5/8 inch in diameter or width. These monuments shall be at the point of intersection of the lot line with the meander line established not less than 20 feet back from the bank of the river or stream.
- E. All such monuments shall be set flush with the ground and placed in such a manner that they will not be removed by frost.
- F. All monuments shall be properly set in the ground and approved by the Borough Engineer prior to the time the Planning Commission recommends approval of the final plat.

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§22-503. Lot Improvements.

1. **Lot Arrangement.** The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the building permit regulations and in providing driveway access to buildings on such lots from an approved street.
2. **Lot Dimensions.** Lot area and width shall comply with the minimum standards of these regulations. Where lots are more than double the minimum required size, the Planning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with these regulations. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a modification from this rule will give a better street or lot layout. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front-yard setback from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated.

Minimum Lot Area and Lot Width Standards		
	Area (square feet)	Width (feet)
For lots with community sewage and public water	6,000	50
For lots with community sewage only	8,000	80
For lots with public water only	15,000	100
For lots with individual onlot sewage and water systems	43,560	150

3. Setbacks for all structures shall comply with the minimum standards of these regulations. The ultimate right-of-way line for an existing adjoining street shall be determined in the same manner as specified within these regulations for the creation of a new right-of-way of the same classification of use. The ultimate right-of-way line shall be used only for the determination of the location of the minimum setback line and is not required to be shown on the plat and/or offered for dedication.
4. A waiver or modification of the minimum setback requirements may be requested for lots existing at the time of the adoption of these provisions for which extreme practical difficulty would result from the strict conformance with these minimum setback requirements. In the consideration of a request for a waiver or modification of the minimum side yard setback requirements, the Planning Commission shall consider the fire resistance rating for the materials used in the construction of the

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structure(s) that would be less than 10 feet from a property line and/or less than 20 feet from another structure. A written notice shall also be required to be provided to the owner of the property adjoining a side yard of less than 10 feet that clearly indicates the side yard dimension, the intended use of the structure and the materials of construction of the structure. In the consideration of a request for a waiver or modification of the minimum front or rear yard setback requirements, the Planning Commission shall consider the setback dimensions of existing structures located nearby and shall insure that minimum intersection sight distances are maintained.

Minimum Setback Distances for All Structures	
Front yard	25 feet from the ultimate right-of-way line for adjoining street(s)
Rear yard	20 feet from the rear property line for primary structures 5 feet from the rear property line for accessory structures
Side yard	10 feet from either side property line for all structures

5. **Double Frontage Lots and Access to Lots.**

- A. Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from arterial or collector streets or to overcome specific disadvantages of topography and orientation.
- B. **Access from Collector or Arterial Streets.** Lots shall not, in general, derive access exclusively from collector or arterial streets. Where driveway access from a collector or arterial street may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. Where possible, driveways shall be designed and arranged so as to avoid requiring vehicles to back into a traffic lane.

6. **Soil Preservation, Grading, and Seeding.**

- A. **Soil Preservation and Final Grading.** No certificate of occupancy shall be issued until final grading has been completed in accordance with the approved final subdivision plat and the lot has been covered with soil with an average depth of at least 6 inches which shall contain no particles over 2 inches in diameter over the entire area of the lot, except that portion covered by buildings or included in streets or where the grade has not been changed or natural vegetation seriously damaged. Topsoil shall not be removed from lots or used as spoil, but shall be redistributed so as to provide at least 6 inches of cover on the lots and at least 4 inches of cover between the sidewalks and curbs and shall be stabilized by seeding or planting.

- B. **Lot Drainage.** Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general stormwater drainage pattern for the area. Drainage shall be designed so as to avoid the discharge of concentrated stormwater from one lot to an adjacent lot.
 - C. **Lawn Grass Seed and Sod.** In the spring, suitably mixed lawn grass seed shall be sown between March 15 and May 15, and in the fall, the seed shall be sown between August 15 and September 30. All lots shall be seeded from the edge of the cartway, curb line or shoulder back to a distance required by the Planning Commission. Sod may be used to comply with any requirement for seeding set forth herein.
7. **Debris and Waste.** No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried on any land or left or deposited on any lot or street at the time of issuance of a certificate of occupancy and removal of same shall be required prior to issuance of any certificate of occupancy for a subdivision. Nor shall any be left or deposited in any area of the subdivision at the time of the expiration of the performance bond or the dedication of public improvements, whichever is sooner.
8. **Fencing.** The applicant shall be required to furnish and install fences wherever the Planning Commission determines that a hazardous condition may exist. The fences shall be constructed according to standards established by the Borough Engineer and shall be noted as to height and material on the final plat. No certificate of occupancy shall be issued until said fence improvements have been duly installed.
9. **Water Bodies and Watercourses.** If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among the owners of adjacent lots. The Planning Commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a Borough responsibility. No more than 25% of the minimum area of a lot required under these regulations may be satisfied by land which is under water. Where a watercourse separates the buildable area of a lot from the street by which it has access, provisions shall be made for installation of a culvert or other structure.

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§22-504. Streets.

1. General Requirements.

- A. **Frontage on Improved Streets.** No subdivision shall be approved unless the area to be subdivided shall have frontage on and access from an existing street on the official map, or if there be no official map, unless such street is:
- (1) An existing State, County, Township or Borough street.
 - (2) A street shown upon a plat approved by the Planning Commission and recorded in the County Recorder of Deeds Office. Such street must be suitably improved as required by these regulations or be secured by a performance bond required under these regulations with the width and right-of-way required by these regulations or the official map. Whenever the area to be subdivided is to utilize existing street frontage, such street shall be suitably improved as provided herein above.
- B. **Grading and improvement Plan.** Streets shall be graded and improved and conform to the Borough construction standards and specifications and shall be approved as to design and specifications by the Borough Engineer, in accordance with the construction plans required to be submitted prior to final plat approval.
- C. **Topography and Arrangement.**
- (1) Streets shall be related appropriately to the topography. Streets shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the design standards of these regulations.
 - (2) All streets shall be properly integrated with the existing and proposed system of streets and dedicated right-of-way as established on the official map and/or master plan.
 - (3) All streets shall be properly related to special traffic generators such as industries, business districts, schools, churches and shopping centers, to population densities and to the pattern of existing and proposed land uses.

- (4) Streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems and to require the minimum number of streets necessary to provide convenient and safe access to property.
- (5) The rigid rectangular gridiron street pattern need not necessarily be adhered to and the use of curvilinear streets, cul-de-sacs or U-shaped streets shall be encouraged where such use will result in a more desirable layout.
- (6) Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions or unless in the opinion of the Planning Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.
- (7) In business and industrial developments, the streets and other access ways shall be planned in connection with the grouping of buildings, location of rail facilities and the provision of alleys, truck loading and maneuvering areas and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian.

D. Blocks.

- (1) Blocks shall have sufficient width to provide for two tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to collector or arterial streets, railroads or waterways.
- (2) The lengths, widths, and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths along local streets should not exceed 2,600 feet, nor be less than 400 feet in length. Wherever practicable, blocks along arterial and collector streets shall be not less than 1,000 feet in length.
- (3) In long blocks the Planning Commission may require the reservation of an easement through the block to accommodate utilities, drainage facilities or pedestrian traffic or appropriate turnarounds. Pedestrian ways or crosswalks, not less than 10 feet wide, may be required by the Planning Commission through the center of blocks more than 800 feet long where deemed essential to provide circulation or access. Blocks designed for industrial uses shall be such length and width as may be determined suitable by the Planning Commission for prospective use.

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- E. **Access to Collector or Arterial Streets.** Where a subdivision borders on or contains an existing or proposed collector or arterial street, the Planning Commission may require that access to such street be limited by one of the following means:
- (1) The subdivision of lots so as to have the back of the lots along the collector or arterial and to have the front of the lot along a parallel local street; no access shall be provided from the collector or arterial street and screening shall be provided in a strip of land along the rear property line of such lots.
 - (2) A series of cul-de-sacs, U-shaped streets or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of the end lots along the collector or arterial street.
 - (3) A local street running parallel and adjacent to the collector or arterial street and separated from the collector or arterial street by a planting or grass strip and having access thereto at suitable points.
- F. **Street Names.** The local postmaster shall be consulted by the applicant concerning proposed street names, prior to making a request to the Planning Commission. Names shall be sufficiently different in sound and in spelling from other street names within and adjacent to the Borough boundaries so as not to cause confusion. A street which is or is planned as a continuation of an existing street shall bear the same name.
- G. **Street Signs.** The applicant shall deposit with the Borough, at the time of final plat approval, the sum of \$100 for each street name sign required by these regulations. The Borough shall install all street name signs. Street name signs are to be placed at all street intersections within or abutting the subdivision.
- H. **Street Lights.** The applicant shall be required to furnish and install street lights as directed by the Planning Commission. The street lights shall be of a type and shall be located to provide lighting conditions at least equivalent to those provided by existing street lights found in other areas of the Borough.
- I. **Reserve Strips.** The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street.
- J. **Construction of Streets and Dead End Streets.**

- (1) **Construction of Streets.** The arrangement of streets shall provided for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities and where such continuation is in accordance with the Borough plan. If the adjacent property is undeveloped and the street must be a temporary dead end street, the right-of-way shall be extended to the property line. A temporary T-shaped or L-shaped turnaround shall be provided on all temporary dead end streets, with the notation on the plat that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The Planning Commission may limit the length of temporary dead end streets in accordance with the design standards of these regulations.

- (2) **Dead End Streets (Permanent).** Where a street does not extend to the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall normally not be nearer to such boundary than 50 feet. However, the Planning Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnaround shall be provided at the end of a permanent dead end street. For greater convenience to traffic and more effective police and fire protection, permanent dead end streets shall, in general, be limited in length in accordance with the design standards of these regulations.

2. **Design Standards.**

- A. **General.** In order to provide for streets of suitable location, width and improvement to accommodate prospective traffic and afford satisfactory access to police, firefighting, snow removal, sanitation and street maintenance equipment and to coordinate streets so as to compose a convenient system and avoid undue hardships to adjoining properties, the design standards for streets shall be those defined as urban design criteria and contained within Publication 70 of the Pennsylvania Department of Transportation entitled "Guidelines for the Design of Local Roads and Streets," as last revised. Street classification may be indicated on the master plan or official map; otherwise, it shall be specified by the Planning Commission. The minimum right-of-way width for a local street shall be 50 feet.

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- B. **Street Surfacing and Improvements.** Where applicable and after sewer, water and other underground utilities have been installed, the applicant shall surface or cause to be surfaced, streets to the widths prescribed in these regulations. Adequate provision shall be made for culverts, drains and bridges. All street pavement, shoulders, drainage improvements and structures, curbs, turnarounds and sidewalks shall conform to all construction standards of these regulations and shall be incorporated into the plans required to be submitted by the applicant for plat approval.
- C. **Excess Right-of-Way.** Right-of-Way widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such earth slopes shall not be in excess of two feet horizontal to one foot vertical and shall not be steeper than the maximum slope for which the stability of the slope can be assured.
- D. **Railroads and Limited Access Highways.** Railroads and limited access highways, where so located as to affect the subdivision of adjoining lands, shall be treated as follows:
- (1) For residential lots, a buffer strip at least 25 feet in depth, in addition to the normal depth of the lot required shall be provided adjacent to the railroad right-of-way or limited access highway right-of-way. This strip shall be part of the planned lot and shall be designated on the plat: "This strip is reserved for screening. The placement of structure hereon is prohibited."
 - (2) For nonresidential lots, the nearest street extending parallel or approximately parallel to the railroad or limited access highway shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.
 - (3) Streets parallel to the railroad when intersecting a street which crosses the railroad, at grade shall, to the extent practicable, be at a distance of at least 150 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.
- E. **Intersections.**
- (1) Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two new streets at an angle of less than 75° shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least 100 feet therefrom. Not more than two streets shall intersect at any one point unless specifically approved by the Planning Commission.

- (2) Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jogs with centerline offsets of less than 150 feet shall not be permitted, except where the intersected street has separated all drives without median breaks at either intersection. Where streets intersect collector or arterial streets, their alignment shall be continuous. Intersection of collector or arterial streets shall be at least 800 feet apart.
 - (3) Minimum curb radius at the intersection of two local streets shall be at least 20 feet; and minimum curb radius at an intersection involving a collector street shall be at least 25 feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.
 - (4) Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than 2% rate at a distance of 60 feet, measured from the nearest right-of-way line of the intersecting street.
 - (5) Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the applicant shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.
- F. **Bridges.** Bridges of primary benefit to the applicant, as determined by the Planning Commission, shall be constructed at the full expense of the applicant without reimbursement from the Borough. The sharing expense for the construction of bridges not of primary benefit to the applicant as determined by the Planning Commission, will be fixed by special agreement between the Municipality and the applicant. Said cost shall be charged to the applicant pro rata as the percentage of his land developed and so served.
- G. **Cul-de-sacs.** Permanent dead end streets terminating in a cul-de-sacs shall not be less than 250 feet in length, more than 1,000 feet in length or result in an average daily traffic volume of more than 100 cars. When proposed for access to residential uses, the outside edge of paving of the cul-de-sac shall have a minimum radius of 40 feet and the right-of-way line of the cul-de-sac

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shall have a minimum radius of 50 feet. When proposed for access to nonresidential uses, the outside edge of paving of the cul-de-sac shall have a minimum radius of 50 feet and the right-of-way line of the cul-de-sac shall have a minimum radius of 60 feet. If a central island for the cul-de-sac is proposed, the applicant shall be required to retain all maintenance responsibilities for the island and to delete the island area from the area dedicated with the street.

3. **Street Dedications and Reservations.**

- A. **New Perimeter Streets.** Street systems in new subdivisions shall be laid out so as to prohibit new perimeter half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the applicant. The Planning Commission may authorize a new perimeter street where the applicant improves and dedicates the entire required street right-of-way width within the subdivision boundaries.
- B. **Widening and Improvement of Existing Substandard Streets.** Where a subdivision borders an existing narrow or otherwise substandard street, the applicant shall be required to improve at his expense such narrow or otherwise substandard conditions within the applicants property.

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§22-505. Stormwater Management.

- 1. **General Requirements.** No plat of subdivision shall be approved which does not make adequate provision for stormwater management. Any alteration or development of land which may affect stormwater runoff characteristics shall implement such measures as are reasonably necessary to prevent injury to health, safety or other property. In the event that a watershed stormwater management plan has been adopted for the area proposed for alteration or development, such measures shall be consistent with the provisions of such watershed plan. Such measures shall include such actions as are required:
 - A. To assure that the maximum rate of stormwater runoff is no greater during or after development than prior to development activities.
 - B. To manage the quantity, velocity and direction of resulting stormwater runoff in a manner which otherwise adequately protects health and property from possible injury.

2. **Methods of Stormwater Computations.**

- A. Peak discharge and runoff shall be computed using the Soil-Cover Complex Method as set forth in the latest edition of Urban Hydrology for Small Watersheds, Technical Release No. 55, as published by the Soil Conservation Service or by any other method approved by the Planning Commission.
- B. Rainfall frequency data shall be taken from the latest edition of Rainfall Duration Frequency Tables for Pennsylvania as published by DEP.

3. **Maintenance of Natural Drainage Ways.** All natural streams, channels, swales, drainage systems and/or areas of surface water concentration shall be maintained in their existing condition unless an alteration is approved by the Borough. All encroachment activities shall comply with the requirements for Water Obstructions and Encroachments contained within Chapter 105 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection.

4. **Methods of Stormwater Management.** Methods of stormwater management may include, but not necessarily be limited to, the following:

- A. Detention basins.
- B. Roof-top storage.
- C. Parking lot ponding.
- D. Seepage pits, seepage trenches or other infiltration structures.
- E. Porous pavements.
- F. Grassed channels and vegetated strips.
- G. Cisterns and underground reservoirs.
- H. Routed flow over grass.
- I. Decrease in impervious coverage.

Various methods and/or combinations of methods should be tailored to suit the particular requirements of the type of development and the topographic features of the project area. In addition to all required purposes; storm sewers, swales, culverts, bridges, and related facilities shall be provided to:

SUBDIVISION AND LAND DEVELOPMENT

- (1) Permit the unimpeded flow of natural water courses.
- (2) Intercept stormwater runoff along streets at reasonable intervals related to the extent and grade of the area drained and to prevent the flooding of intersections and the undue concentration of stormwater.
- (3) Prevent the discharge of concentrated stormwater over sidewalks or walkways.
- (4) Provide stormwater drainage away from on-lot sewage systems and buildings.
- (5) Ensure the unrestricted flow of stormwater at driveways.

5. **Design Standards.**

- A. Where available, all stormwater facilities shall be constructed to the dimensions, standards and specifications (PennDOT Form 408 and Publication 72) most recently established by the Pennsylvania Department of Transportation.
- B. Stormwater facilities used as a part of soil erosion and sedimentation control facilities shall be constructed to the dimension, standards and specifications most recently established under the Erosion and Sediment Pollution Control provisions of Chapter 102 of Title 25 of the rules and regulations of the Department of Environmental Protection.
- C. The minimum nominal pipe size for culverts within the right-of-way of a public street or any easement proposed to be dedicated to the public use shall be 15 inches.

6. **Accessibility to Public Storm Sewers.**

- A. Where a public storm sewer is reasonably accessible, the applicant shall install stormwater facilities and interconnect such stormwater facilities with the existing public storm sewers. In subdivisions containing lots less than 15,000 square feet in area underground storm sewer systems shall be constructed throughout the subdivision and be connected to an approved point of discharge.
- B. If a connection to a public storm sewer will be reasonably accessible at some future date prior to the request for final plat approval, as determined by the Planning Commission, the applicant shall install such stormwater facilities as would be required to interconnect with the future public storm sewers.

7. Dedication of Drainage Easements.

A. **General Requirements.** Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse and of such width and construction or both as will be adequate for the purpose.

B. **Drainage Easements.**

- (1) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within street right-of-ways, perpetual unobstructed easements at least 15 feet in width for such drainage facilities shall be provided across property outside the street lines and with satisfactory access to the street. Such easements shall be indicated on the plat. Drainage easements shall extend from the street right-of-way to a natural watercourse or other drainage facility.
- (2) When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.
- (3) The applicant shall dedicate, either in fee or by drainage or conservation easement, the land occupied by existing watercourses.
- (4) Low-lying lands along watercourses subject to flooding during storms with return periods of 50 years or longer, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. Such land subject to periodic flooding shall not be used for computing the area requirement of any lot.

(A.O.)

§22-506. Water Facilities.

1. General Requirements.

A. The subdivision or land development shall be connected to a public water system providing both domestic water supply and fire protection, unless the applicant provides documentation that such a connection is not feasible. The applicant may be requested to provide an economic feasibility study prepared by a licensed professional engineer as part of such documentation.

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- B. Where an existing community water system is reasonably accessible, as determined by the Planning Commission, the applicant shall install adequate water facilities (including fire hydrants) to extend the public water system. Such extension is subject to the public water system requirements of Chapter 109 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection and/or to the requirements of a local water authority. All water mains shall be at least 6 inches in diameter.
 - C. Where the subdivision or land development proposes the use of a well(s) for a non-community water system the applicant may be required to provide a hydro-geologic study by a licensed professional engineer or hydro-geologist to evaluate the adequacy of the water quality and quantity for the proposed development. Prior to preliminary plat approval, the applicant shall demonstrate that an adequate, safe and reliable water supply exists for the proposed development in accordance with the standards of the Pennsylvania Safe Drinking Water Act. Such non-community water system is subject to the public water system requirements of Chapter 109 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection.
 - D. Where the subdivision or land development proposes the use of a well(s) for an individual onlot water system, the applicant may be required to provide a hydro-geologic study by a licensed professional engineer or hydrogeologist to evaluate the adequacy of the water quality and quantity for the proposed development. Prior to preliminary plat approval, the applicant shall demonstrate that an adequate, safe, and reliable water supply exists for the proposed development in accordance with the standards of the Pennsylvania Safe Drinking Water Act.
- 2. If the Planning Commission requires that a connection to a community water system be eventually provided, as a condition to approval of an interim individual onlot or non-community water system, the applicant shall install capped water mains and service lines as a part of the development.
 - 3. **Fire Hydrants.** Where required, fire hydrants shall be located no more than 1,000 feet apart and within 500 feet of any structure. The placement and design of fire hydrants shall be approved by the local fire department.

(A.O.)

§22-507. Sewage Facilities.

1. **General Requirements.** The subdivision or land development shall be connected to a public sanitary sewer system, unless the applicant provides documentation that such a connection is not feasible. The applicant may be requested to provide an economic feasibility study prepared by a licensed professional engineer as part of such documentation. The connection to a public sanitary sewer system may be accomplished by the following methods, listed in order of preference:
 - A. The construction of gravity sanitary sewers as an extension of the existing gravity sanitary sewer system.
 - B. The construction of a public or private pressure/vacuum sewer system and connection to the existing sanitary sewer system.
 - C. The construction of gravity sanitary sewers, wastewater pumping station and force main connection to the existing sanitary sewer system.

2. **Standards.** All such construction shall be in accordance with the standards of the Port Royal Municipal Authority and the domestic wastewater facilities standards of the Pennsylvania Department of Environmental Protection. Where it can be shown, to the satisfaction of the Port Royal Borough Council that connection to the existing sanitary sewer system is not feasible, through any of the methods listed above, the Borough may permit the following alternatives, listed in order of preference:
 - A. Construction of private individual and/or community onlot sewage systems in accordance with the Sewage Disposal Facilities requirements of Chapter 73 of Title 25, Rules and Regulations and the Domestic Wastewater Facilities requirements of the Pennsylvania Department of Environmental Protection.
 - B. Construction of private retaining tanks as interim facilities for residential developments and as interim or permanent facilities for non-residential facilities in accordance with the Sewage Disposal Facilities requirements of Chapter 73 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection.
 - C. Construction of individual and/or community onlot sewage systems in accordance with the Sewage Disposal Facilities requirements of Chapter 73 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection.

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SUBDIVISION AND LAND DEVELOPMENT

§22-508. Walkways.

The Planning Commission may require, in order to facilitate pedestrian access from the development to schools, parks, playgrounds, roads or other nearby areas dedicated to the public use, perpetual unobstructed easements at least 10 feet in width. Such access easements shall be indicated on the plat.

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§22-509. Utilities.

1. Utilities; including electric, telephone, cable TV and natural gas; shall be installed underground in accordance with the Pennsylvania Underground Utilities Act. Unless required by the specific utility company, underground utilities are not required for any of the following situations:
 - A. A residential subdivision of less than five lots bordering an existing street which is presently served by overhead utility service.
 - B. Commercial or industrial development.
 - C. A project where a variance, under the provisions of the Act, has been granted by the Pennsylvania Public Utility Commission.
2. **Easements.** The location and width of utility easements shall be as specified by the particular utility company. The maximum extent possible, easements shall be centered on or located adjacent to rear or side property lines or adjacent to street right-of-way lines, either within or outside of the street right-of-way.

(A.O.)

§22-510. Areas to be Dedicated to the Public Use.

1. **Parks, Playgrounds and Recreation Areas.**
 - A. **General Standards.** Within the development tract, land shall be reserved for parks, playgrounds and/or recreation purposes in locations designated on the Comprehensive Plan or official map of Port Royal Borough or as otherwise

specified by the Port Royal Borough Planning Commission. Such areas shall be of suitable size, dimension, topography and general character and shall have adequate street access, for the particular purposes defined by the Planning Commission. For major residential subdivisions and/or land developments, the areas to be reserved for parks, playgrounds and/or recreation purposes shall be calculated on the basis of providing at least 200 square feet per dwelling unit. If requested, the applicant shall dedicate all such areas to Port Royal Borough or such other public entity designated by the Borough, as a condition of final approval.

- B. **Site Limitations.** Land reserved for recreation purposes shall be of a character and location suitable for such use and shall be improved by the applicant to the standards specified by the Planning Commission, which improvements shall be included in the performance bond.

2. **Open Space.**

- A. **General Standards.** Within the development tract, land shall be reserved for open space in locations designated on the Comprehensive Plan or official map of Port Royal Borough or as otherwise specified by the Port Royal Borough Planning Commission. Such areas shall be of suitable size, dimension, topography, and general character and shall have adequate street access, for use as open space. For major residential subdivisions and/or land developments, the areas to be reserved for open space shall be calculated on the basis of providing at least 300 square feet per dwelling unit. If requested, the applicant shall dedicate all such areas to Port Royal Borough or such other public entity designated by the Borough, as a condition of final approval.

(A.O.)

§22-511. Preservation of Natural Features and Amenities.

As specified by the Port Royal Borough Planning Commission, existing natural features which would add value to residential development or are considered to be of value to Port Royal Borough as a whole; such as trees, watercourses, falls, historic structures or areas and similar irreplaceable natural assets; shall be preserved. Where required, all trees required to be preserved shall be welled and protected against changes of grade.

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SUBDIVISION AND LAND DEVELOPMENT

§22-512. Soil Erosion and Sedimentation Control.

1. All subdivisions and land developments shall develop, implement and maintain erosion and sedimentation control measures and facilities that effectively minimize accelerate erosion and prevent sediment pollution. All such measures and facilities shall be in accordance with the erosion control requirements of Chapter 102 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection.
2. For projects proposing construction activities with a total earth disturbance of less than 5 acres, over the life of the project and which are not a part of a larger common plan of development or sale, the plat shall indicate those measures and facilities proposed to be used to effectively minimize accelerated erosion and prevent sediment pollution both during and after development. Such project shall also comply with the requirements of Chapter 102 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection.
3. For projects proposing construction activities with a total earth disturbance of at least 5 acres, over the life of the project and which are not a part of a larger common plan of development or sale; or for projects proposing construction activities with a total earth disturbance of more than 5 acres over the life of the project which are parceled in compliance with applicable regulations, the plat shall comply with the requirements for coverage under the Pennsylvania General Permit for Discharge of Stormwater from Construction Activities. Such project shall comply with the requirements of Chapter 102 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection and with the requirements of the National Pollution Discharge Elimination System (NPDES) Permit regulations.
4. For projects proposing construction activities with a total earth disturbance of 25 acres or more, the plat shall comply with the requirements for coverage under the Individual NPDES Permit for Discharge of Stormwater from Construction Activities. Such project shall comply with the requirements of Chapter 102 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection and with the requirements of the National Pollution Discharge Elimination System (NPDES) Permit regulations.

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§22-513. Floodplains.

All subdivisions and land developments shall comply with all applicable provisions of the Port Royal Borough Floodplain Ordinance [Chapter 8] and with the requirements of the National Flood Insurance Program and the Pennsylvania Floodplain Management Act; to minimize future damage from flooding in the Borough of Port Royal.

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§22-514. Water Obstructions, Stream Encroachments and Wetland Protection.

All subdivisions and land developments shall comply with the dam safety and waterway management requirements of Chapter 105 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection, as well as the requirements of §404 of the Federal Water Pollution Control Act. These regulations pertain jointly to activities such as culverts, bridges, stream enclosures, channel changes, dredging, fills, levees, flood walls, stream bank retaining devices, stream crossings, outfalls, intakes, docks, wharves and bulkheads.

(A.O.)

§22-515. Driveways.

General Standards.

- A. All driveways and related improvements shall be located and constructed in such a manner as to not impair drainage or normal maintenance within the street right-of-way, alter the stability of the street surface, subgrade or embankments, change the drainage of adjacent areas or interfere with the use of the street.
- B. Pipes under driveways and within the Street right-of-way shall not be less than 15 inches in diameter, unless specific provisions have been made for the prevention of the obstruction of the inlet opening of the culvert and for the conveyance of stormwater in the event of the obstruction of the opening.
- C. Driveways, of all types, providing access to a Borough Street, shall be located, designed and constructed in compliance with the provisions of §§441.7, 441.8 and 441.9 of Title 67 of the Pennsylvania Code. All provisions for access to State Highways shall be, by reference, applicable to access to Borough Streets, unless such requirement(s) are waived by the Port Royal Borough Council following the procedures for the granting of waivers or modifications applicable to subdivisions or land developments.
- D. A driveway shall not be used as a means of conveying stormwater runoff away from the physical improvements on a property and no stormwater is to be conveyed by the driveway onto the intersecting street. In the event that the proposed construction is anticipated by the applicant or judged by the Borough to cause an increase in the flow of water onto the property of persons other than the applicant, appropriate drainage releases from all persons so affected shall be submitted.

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SUBDIVISION AND LAND DEVELOPMENT

§22-516. Sidewalks, Curbs and Gutters.

Sidewalks, curbs, gutters or combinations of curbs and gutters shall be installed as directed by the Port royal Borough Planning Commission and constructed in accordance with Pennsylvania Department of Transportation standard drawings and Form 408 specifications.

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PART 6

**SUPPLEMENTAL REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS
AND DESIGN OF SPECIFIC TYPES OF DEVELOPMENT**

§22-601. Travel Trailer Parks and Campgrounds.

1. The standards of the Commonwealth of Pennsylvania, Department of Environmental Protection, must be met. Travel trailers used as permanent residences shall not be permitted in travel trailer parks and campgrounds.
2. **Travel Trailer Park and Campground Lot or Space Requirements.**
 - A. The maximum number of lots or camping spaces within each park or campground shall be no more than fifteen per acre of gross area of the park or campground.
 - B. The minimum lot or camping space shall be thirty feet wide by 50 feet deep be not less than 1,500 square feet in area.
 - C. All lots or camping spaces shall abut and have 30 feet of frontage on a street of the park's or campground's internal street system.
3. A minimum of 1.5 vehicle parking spaces shall be provided for each park lot or campground space within the travel trailer park or campground.
4. An internal park or campground system of private or public streets shall be provided and constructed according to the street standards of this Chapter.

(A.O.)

§22-602. Nonresidential Subdivisions.

1. **General.** If a proposed subdivision includes land that is proposed for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provision as the Planning Commission may require. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the Planning Commission and shall conform to the proposed land use and standards established in the Comprehensive Plan and/or official map.

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2. **Standards.** In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:
- A. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
 - B. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generally thereupon.
 - C. Special requirements may be imposed by the Borough with respect to street, curb, gutter and sidewalk design and construction.
 - D. Special requirements may be imposed by the Borough with respect to the installation of public utilities, including water, sewer and stormwater drainage.
 - E. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
 - F. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

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§22-603. Land Development.

Any land development shall be required to comply with all procedures and requirements of this Chapter. Land developments shall be reviewed and approved provided that the applicant proves the following:

- A. The layout of the land development shall be designed to ensure adequate protection of the environment and neighboring properties, provide adequate access and traffic circulation, provide adequate parking, provide no excessive demands upon existing public facilities and services.
- B. The Land Development shall not be detrimental to the public health, safety and welfare.

(A.O.

§22-604. [Reserved.]

§22-605. **Preliminary Plat.**

1. **General.** The preliminary plat shall be prepared in accordance with the Act of May 23, 1945 (PL 913, No 367), known as the "Professional Engineers Registration Law," as it pertains to the respective responsibilities of professional engineers and professional land surveyors. It shall be drawn at a scale of not more than 100 feet to the inch and shall be on sheets of such size as is acceptable for filing in the office of the Recorder of Deeds, but shall not be larger than 34 by 44 inches. If more than one sheet is required, at least the first sheet shall contain a key map and the sheets shall be consecutively numbered.
2. **Features.** The preliminary plat shall show the following:
 - A. The location of the property with respect to adjoining property, with respect to nearby streets located within 400 feet of the property boundaries and with respect to Borough boundaries, the names of all adjoining property owners of record or the names and lot numbers of adjoining developments, the names of nearby streets and the names of all municipalities within which the property is located.
 - B. The location and dimensions of all tract and lot boundary lines of the property, with lengths expressed in at least feet and hundredths of a foot, bearings expressed in at least degrees and minutes and curves expressed in length of radius, chord and arc length in feet and hundredths of a foot and chord bearing in degrees and minutes.
 - C. The location of existing streets, easements, water bodies, streams and all other manmade or natural features such as wetlands, railroads, buildings, parks, cemeteries, drainage ditches, bridges, etc.
 - D. The location and width of all existing and proposed streets and easements, alleys and other public ways and easements and proposed street right-of-ways and building setback lines.
 - E. The locations, dimensions and areas of all existing and/or proposed lots.
 - F. The location and dimensions of all property proposed for parks, playgrounds or other public or private uses, with designation of the purpose thereof.
 - G. The name and address of the landowner or landowners of land, the name and address of the applicant, if other than the landowner, and the name and address of the professional engineer, professional land surveyor and/or landscape architect responsible for the plat.

SUBDIVISION AND LAND DEVELOPMENT

- H. The date of the initial preparation of the plat, the date of the preparation and a brief description of all subsequent revisions to the plat, a north point and the indication of the datum used, a graphic scale and title of the plat.
- I. Sufficient data to determine readily the location, bearing, and length of all lines and to reproduce such lines upon the ground and the location and description, including size, length and materials, of all existing and proposed monuments.
- J. Name of the subdivision and/or land development and the names of all new streets, as approved by the Planning Commission.
- K. The indication of the existing and/or proposed use of any lots and/or of any existing and/or proposed buildings or structures.
- L. Lots shall be consecutively numbered and lots in additions to the subdivision bearing the same name shall be numbered consecutively throughout the several additions.
- M. The location, width and description of use or uses of all existing and proposed easements and/or reserved areas.
- N. Location map showing the relationship of the tract to adjoining properties, nearby streets and municipal boundaries.
- O. Tract map, drawn to the scale of the County tax map containing the tract, showing the relationship of the proposed development to the entire tract and to adjoining tracts.
- P. Existing and proposed contours at a vertical interval of 5 feet or less and the elevation datum to which the contour elevations refer. Contours at a 2 foot vertical interval may be required on level terrain or for intensive development projects. For developments involving floodplains with determined 100 year flood elevations, the elevation datum is required to be the elevation datum of the flood insurance rate maps.
- Q. For property containing or adjacent to floodplains, the plat shall show the boundary of the 100 year floodplain (based on the elevation contours of the property wherever possible), the 100 year Floodway and/or the special flood hazard area and shall note the elevation of any determined 100 year flood plain. If unavailable, the best available information shall be shown from flood hazard boundary maps, Corps of Engineers maps or known flood elevations.

R. Sewage Disposal.

- (1) If a new individual or community on-lot sewage system is proposed, the location of all soil profile excavations, both suitable and unsuitable; all percolation holes, both suitable and unsuitable; all existing and proposed water supplies (wells, reservoirs, springs, etc.) and surface water (ponds, lakes, streams, wetlands, etc.) located within 100 feet of any portion of a soil test site and all existing or proposed onlot sewage systems located within 100 feet of the tract boundaries shall be located by field survey and accurately positioned on the plat. A reference number shall be shown on the plat to correlate each soil test site with the appropriate reference number from the Site Investigation and Percolation Test Report form prepared by the Sewage Enforcement Officer (SEO) or soil consultant. The soil types, as shown on the U.S. Soil Conservation Service (SCS) maps and their boundaries, as well as the ground surface slope at each test site shall also be shown on the plat. Soil types that are generally identified by SCS as having major hydric components or inclusions of hydric components or as being classified as prime farmland or as being frequently flooded; shall be specifically noted on the plat. For each soils test site that is proposed for a primary or replacement on-lot sewage system, the boundaries of such area shall be defined by bearings and distances and referenced to the tract or lot boundaries. These areas shall be noted to be reserved for on-lot sewage system construction and are not to be disturbed. A note shall also be placed on the plat to indicate that an onlot sewage system permit will be required to be obtained from the SEO prior to the start of construction of the onlot sewage system or the application for a building permit.
- (2) If a connection to and/or an extension of an existing community sewerage system is proposed, the plat shall include the proposed point of connection to the existing sewerage system and/or a detailed plan and profile view of the proposed extension, noting the size, materials, elevations, slopes and related specifications pertaining to the proposed construction. In addition, the plat shall show the location of all existing and proposed water supplies (wells, reservoirs, springs, etc.) and surface waters (ponds, lakes, streams, wetlands, etc.) and all existing or proposed sewage systems within or adjacent to the development site. The boundaries of soil types that are mapped by the U.S. Soil Conservation Service (SCS) as being within the tract boundaries and that are generally identified by SCS as having major hydric components or inclusions of hydric components or as being classified as prime farmland or as being frequently flooded; shall be specifically shown and noted on the plat. A note shall also be placed on the plat to indicate that a connection permit may be required to be obtained from the owner/operator of the existing community sewerage system prior to the start of construction of the connection and/or extension or the application for a building permit.

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- (3) If a new individual or community sewerage system is proposed, the plat shall include detailed plan and profile view(s) of the proposed sewerage system, noting the size, materials, elevations, slopes and related specifications pertaining to the proposed construction. In addition, the plat shall show the location of all existing and proposed water supplies (wells, reservoirs, springs, etc.) and surface waters (ponds, lakes, streams, wetlands, etc.) and all existing or proposed sewage systems within or adjacent to the development site. The boundaries of soil types that are mapped by the U.S. Soil Conservation Service (SCS) as being within the tract boundaries and that are generally identified by SCS as having major hydric components or inclusions of hydric components or as being classified as prime farmland or as being frequently flooded shall be specifically shown and noted on the plat. A note shall also be placed on the plat to indicate that a permit will be required to be obtained from the Pennsylvania Department of Environmental Protection, prior to the start of construction of the sewerage system or the application for a building permit.
- (4) If an existing individual or community onlot sewage system is proposed to be used, the location of all soil profile excavations, both suitable and unsuitable; all percolation holes, both suitable and unsuitable; all existing and proposed water supplies (wells, reservoirs, springs, etc.) and surface water (ponds, lakes, streams, wetlands, etc.) located within 100 feet of any portion of a soil test site and all existing or proposed onlot sewage systems located within 100 feet of the tract boundaries; shall be located by field survey and accurately positioned on the plat. A reference number shall be shown on the plat to correlate each soil test site with the appropriate reference number from the Site Investigation and Percolation Test Report form prepared by the Sewage Enforcement Officer (SEO) or soil consultant. The soil types, as shown on the U.S. Soil Conservation Service (SCS) maps and their boundaries, as well as the ground surface slope at each test site shall also be shown on the plat. Soil types that are generally identified by SCS as having major hydric components or inclusions of hydric components or as being classified as prime farmland or as being frequently flooded, shall be specifically noted on the plat. For each soils test site that is proposed for a primary or replacement onlot sewage system, the boundaries of such area shall be defined by bearings and distances and referenced to the tract or lot boundaries. These areas shall be noted to be reserved for onlot sewage system construction and are not to be disturbed. The approximate date of installation of the existing system should be documented and noted on the preliminary plat. If the system was installed after May 15, 1972, the preliminary plat shall show the location of the existing system, the size and type of system and the permit number for the system, if known. If the system was installed prior to May 15, 1972 or was installed under the "rural residence" exclusion, all available information on the system design and location shall be shown.

- (5) As required by the rules and regulations of the Pennsylvania Department of Environmental Protection, the appropriate Sewage Facilities Planning Modules should be fully completed and executed by the applicant. Those portions of the modules that are noted to be completed and executed by others are required to be fully completed and executed at the time of their submission with the preliminary plat. The transmittal letter form and draft resolution for sewage facilities plan revision should be prepared for execution by the Borough. If a residual tract of land is proposed on which there is no present or future need for sewage facilities or if a subdivided lot is proposed for agricultural/silvicultural use or mineral lease, for side lot additions large enough to support development but not proposed to be developed, for divisions of farmland to settle estates where no buildings or development is proposed or for separating an existing dwelling from its farmland for agricultural use, planning modules may not be required and other required forms should be completed and submitted in the place of planning modules.
- S. **Street.** For all proposed new streets and for all widenings of existing streets, the plats shall include the plan and profile views of all proposed new streets and typical cross-sections for all proposed new streets and proposed street widenings. The plan and profile views shall contain all of the horizontal design standards required by this Chapter and shall contain proposed final contours within the right-of-way. The plan view shall specifically indicate the location of all proposed street name and directional signs, street lights, and clear sight triangles. The typical sections shall include the widths and depths of all materials proposed to be used in the construction of the street, as well as the dimensions of all proposed curbs, gutters, sidewalks, under drains and related appurtenances. If a proposed new street intersects with a state highway, the Preliminary Plat shall be accompanied by a copy of the fully completed highway occupancy permit application.
- T. **Stormwater Facilities.** As appropriate, plan, profile and sectional views shall be provided to fully define all proposed stormwater facilities and shall contain all of the design standards required by this Chapter. Inlet and/or outlet invert elevations shall be specified for all structures. References to PennDOT specifications (Form 408) and/or details (Publication 72) shall be satisfactory, in lieu of plans, profiles or detail drawings, for all structures contained within PennDOT specifications and detailed drawings. If the proposed stormwater facilities fall under the jurisdiction the dam safety and waterway management requirements of Chapter 105 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection and/or of §404 of the Federal Water Pollution Control Act, the preliminary plat shall be accompanied by a copy of the fully completed Dams and Waterway Management Permit Application.

SUBDIVISION AND LAND DEVELOPMENT

U. **Water Facilities.**

- (1) If an extension of the existing community water system is proposed, the plan view shall include the location of the proposed water lines, valves, fittings, fire hydrants and related appurtenances and the location of service taps, lines and curb stops and shall contain all of the design standards required by this Chapter. The profile view shall indicate the proposed depth the proposed water facilities and shall show the depth of all structures or facilities crossing over or under the water main or within 10 feet horizontally from the proposed water main. The preliminary plat shall be accompanied by documentation from the owner of the public water system, proposed to be extended, assuring that the community water system will be extended to the proposed project.
- (2) If wells are proposed, the proposed location of all wells shall be shown or the areas within which wells are to be prohibited shall be shown. The location of proposed water service lines shall also be shown.
- (3) If the proposed water facilities fall under the jurisdiction the public water system requirements of Chapter 109 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection; the preliminary plat shall be accompanied by a copy of the fully completed Public Water System Permit Application.

V. **Utilities.** As appropriate, plan, profile and sectional views shall be provided to fully define all other proposed utilities and shall contain all of the design standards required by this Chapter. The preliminary plat shall be accompanied by documentation from the owner of the appropriate utilities assuring that utility service will be extended to the proposed project.

W. **Soil Erosion and Sedimentation Control Facilities.** As appropriate, plan, profile and sectional views shall be provided to fully define all proposed soil erosion and sedimentation control facilities and shall contain all of the design standards required by this Chapter. The preliminary plat shall be accompanied by a copy of an erosion and sedimentation control plan and narrative, prepared in compliance with the requirements of Chapter 102 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection. If the proposed earth disturbance requires a permit, as indicated by the Erosion Control requirements of Chapter 102 of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection; the preliminary plat shall be accompanied by a copy of the fully completed general or individual permit application.

(A.O.)

§22-606. [Reserved.]

§22-607. Final Plat.

General. The plats submitted for final approval shall contain the notation of final plat, shall contain all of the information required of a preliminary plat and satisfy any conditions listed within the approval of the preliminary plat.

(A.O.)

SUBDIVISION AND/OR LAND DEVELOPMENT APPLICATION FORM
Port Royal Borough, Juniata County

Applicant:

NAME _____

ADDRESS _____

PHONE NUMBER _____

PROPERTY OWNER (if different than Applicant):

NAME _____

ADDRESS _____

PHONE NUMBER _____

ATTORNEY (if any):

NAME _____

ADDRESS _____

PHONE NUMBER _____

ENGINEER/SURVEYOR (if any):

NAME _____

ADDRESS _____

PHONE NUMBER _____

IDENTIFICATION OF PLAN(S) OR RELATED DOCUMENTS SUBMITTED:

TITLE ON PLAN SHEET(S) OF DOCUMENT DATE PREPARED DATE LAST REVISED

(continue on back, if needed)

PLAN SUBMISSION STATUS: Sketch Plan, Preliminary Plan, Final Plan,

Revision or Re-submission of Plan Previously submitted on _____

TOTAL AREA OF PARENT TRACT= _____ (acres) (square feet)

TOTAL NUMBER OF LOTS PROPOSED = _____

TOTAL NUMBER OF DWELLING UNITS PROPOSED = _____

TOTAL NUMBER OF PRINCIPLE RESIDENTIAL BUILDINGS PROPOSED = _____

TOTAL NUMBER OF NONRESIDENTIAL BUILDINGS PROPOSES = _____

APPLICANT'S CERTIFICATION - I hereby certify that I have the legal authority to submit this application, that the submission of this application includes the irrevocable offer of dedication for any public roads or other areas or facilities proposed to be dedicated to the public use and that to the best of my knowledge and belief, all of the information provided hereon and herewith is true, correct and complete.

(signature)

(title)

(date)

SUBDIVISION AND/OR LAND DEVELOPMENT CHECKLIST
Port Royal Borough, Juniata County

APPLICANT: NAME _____

REVIEW FEE: _____

PLAN DISTRIBUTION:

SENT TO	DATE SENT	COMMENTS REC'D ON
Juniata County Planning Commission	_____	_____
Borough Council	_____	_____
Borough Engineer	_____	_____
Borough Solicitor	_____	_____
Utilities, as appropriate		
Electric	_____	_____
Telephone	_____	_____
Cable TV	_____	_____
Gas	_____	_____
Adjoining Municipality, if any:	_____	_____
Juniata Co. Conservation Distr., if applic.	_____	_____

DO THE PLANS AND/OR SUPPLEMENTAL INFORMATION SUBMITTED WITH THIS APPLICATION COMPLY WITH THE REQUIREMENTS FOR:

	YES	NO	N/A
Preliminary Plans (§22-605)	[]	[]	[]
Final Plans (§22-607)	[]	[]	[]

DO THE PLANS CONTAIN OR DEFINE ANY OF THE FOLLOWING:

	YES	NO	N/A
Monuments for all lots within the subdivision (§22-502)	[]	[]	[]
All lot areas, dimensions and setbacks for structures (§22-503)	[]	[]	[]
New, reconstructed or widened streets (§22-504)	[]	[]	[]
Stormwater management computation, facilities and/or easements (§22-505)	[]	[]	[]
Public water facilities (§22-506)	[]	[]	[]
Sewage facilities (§22-507)	[]	[]	[]
Walkways (§22-508)	[]	[]	[]
Utilities (§22-509)	[]	[]	[]
Areas to be dedicated to the public use (§22-510)	[]	[]	[]
Preservation of natural features and amenities (§22-511)	[]	[]	[]
Soil erosion and sedimentation control practices or facilities (§22-512)	[]	[]	[]
Floodplains (§22-513)	[]	[]	[]
Water obstructions, stream encroachments and/or wetlands (§22-514)	[]	[]	[]
Driveways (§22-515)	[]	[]	[]
Sidewalks, Curbs and Gutters (§22-516)	[]	[]	[]
Travel trailer parks or campgrounds (§22-601)	[]	[]	[]
Subdivision lots proposed for nonresidential uses (§22-602)	[]	[]	[]
Land developments (§22-603)	[]	[]	[]

SUBDIVISION AND/OR LAND DEVELOPMENT CHECKLIST
Port Royal Borough, Juniata County

APPLICANT: NAME _____

ACTION BY THE PORT ROYAL BOROUGH PLANNING COMMISSION:

Meeting date plan first reviewed for Preliminary Plan Approval _____

Plan recommended for Preliminary Plan Approval at meeting date of _____

Conditions pertaining to recommendation for Preliminary Plan Approval, if any

Meeting date plan first reviewed for Final Plan Approval _____

Plan recommended for Final Plan Approval at meeting date of _____

Conditions pertaining to recommendation for Final Plan Approval, if any

Plan recommended for disapproval at meeting date of _____

Reasons(s) for disapproval

Ordinance Section #:

_____	_____
_____	_____
_____	_____
_____	_____

ACTION BY THE PORT ROYAL BOROUGH COUNCIL:

Meeting date plan first reviewed for Preliminary Plan Approval _____

Preliminary Plan Approved at meeting date of _____

Conditions pertaining to Preliminary Plan Approval, if any

Meeting date plan first reviewed for Final Plan Approval _____

Final Plan Approved at meeting date of _____

Conditions pertaining to Final Plan Approval, if any

Plan disapproved at meeting date of _____

Reason(s) for disapproval:

Ordinance Section #:

_____	_____
_____	_____
_____	_____
_____	_____

Date of notification of action to applicant _____

