

New Oxford
Borough
Subdivision/Land
Development Ord.

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AN ORDINANCE ESTABLISHING REGULATIONS AND STANDARDS FOR THE SUBDIVISION AND DEVELOPMENT OF LAND WITHIN THE COUNTY OF ADAMS: ESTABLISHING PROCEDURE FOR APPLICATION AND ADMINISTRATION OF THESE REGULATIONS AND STANDARDS: AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF. THIS ORDINANCE REPEALS ALL OTHER SUBDIVISION ORDINANCES PREVIOUSLY ADOPTED.

BE IT ORDAINED by the Commissioners of the County of Adams, Pennsylvania as follows:

ARTICLE I - SHORT TITLE, PURPOSE AND JURISDICTION

SECTION 101 SHORT TITLE

This ORDINANCE shall be known and may be cited as "The Adams County Subdivision and Land Development Ordinance".

SECTION 102 PURPOSE

This ORDINANCE is enacted for the purpose of assuring suitable sites for building purposes and human habitation and to provide for the harmonious development of the County of Adams, for the proper coordination of proposed streets, parks or other facilities with existing streets, parks or other facilities; for insuring adequate open space for traffic, recreation, light and air and for the proper distribution of population, thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens of Adams County. The approval of any subdivision and/or land development plan shall be based upon considerations set forth as follows:

- A. Recognition of a desirable relationship of the development proposed to the general land form, topographic and geologic character, to natural drainage and surface water run-off, and to the ground water table.
- B. Recognition of a desirable standard of subdivision design, including adequate provision for pedestrian and vehicular traffic, and for suitable building sites for the contemplated land use.
- C. Preservation of such natural assests as ponds, streams, shrubs, trees and water-shed areas.
- D. Provisions for adequate and safe water supply, sewage disposal, storm drainage and other utilities.

SECTION 103 AUTHORITY AND JURISDICTION

The authority of the County Commissioners to adopt this Ordinance regulating subdivision and land development within Adams County is granted by Article V of the Pennsylvania Municipalities Planning Code of July 31, 1968, Act No. 247, as amended. No subdivision

or land development of any lot, tract or parcel of land shall be made, no streets, sanitary sewer, storm sewer, 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 the provisions of this Ordinance.

SECTION 104 INTERPRETATION

The provisions of this Ordinance shall be interpreted to be the minimum requirements to meet the purposes of the Ordinance. Where the provisions of this Ordinance conflict or are inconsistent with the provisions of any other ordinance, regulation or requirement, the more restrictive provisions shall apply.

SECTION 105 EFFECT OF COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

In municipalities which have not enacted a Subdivision and Land Development Ordinance, the Adams County Subdivision and Land Development Ordinance shall be in effect.

Applications for subdivision and land development located within a borough or township having adopted a subdivision and land development ordinance shall be forwarded to the County Planning Agency for review and report together with a fee to cover the costs of the review and report which fee shall be paid by the applicant. Provided, that such municipalities shall not approve such applications until the county report is received or until the expiration of forty-five (45) days from the date the application was forwarded to the county.

SECTION 106 COUNTY LIABILITY

The grant of a permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the County or by any official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon the County, its officials or employees.

ARTICLE II - DEFINITIONS

For the purposes of this Ordinance, the following words and phrases shall have the meaning as given in the Article.

Words in the present tense include the future.

The singular includes the plural.

The word "shall" is mandatory, the word "may" is optional.

The word "person" means an individual, corporation, partnership, firm, association, company, or any other similar entity.

1. AGRICULTURAL PURPOSE - The use of a tract at least ten (10) acres in size for the purpose of active cultivation or animal raising as a means of obtaining income. This does not include, for the purposes of exemption

from subdivision requirements, the subdivision of any tract of less than twenty-five (25) acres where a residence is to be built, regardless of the use of the remainder of the land.

2. ALLEY - A minor right-of-way privately or publicly owned, primarily for service access to the rear or side of properties.
3. APPLICANT - A landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.
4. APPLICATION FOR DEVELOPMENT - Every application whether preliminary or final, required to be filed and approved prior to start of construction or development, including but not limited to an application for a building permit, for the approval of a development plan.
5. BLOCK - An area bounded by streets.
6. BUILDING SETBACK LINES - Lines parallel to and set back from the lot line a distance equal to the depth of the yard required.
7. CARTWAY - The surface of a street or road available for vehicular traffic.
8. CLEAR SIGHT TRIANGLE - An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.
9. COMMISSIONERS - The Adams County Board of Commissioners.
10. COUNTY - The County of Adams, Commonwealth of Pennsylvania.
11. CROSSWALK - A publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.
12. DEVELOPER - Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development or resubdivision.
13. DEVELOPMENT - A subdivision of land or land development.
14. DWELLING - A building or a portion thereof designed for and used exclusively for residential occupancy.
 - a. DWELLING UNIT - One or more rooms having cooking and sanitary facilities and access directly outdoors or through a common entrance hall.
 - b. SINGLE FAMILY DETACHED UNIT - A residential structure containing only one (1) dwelling unit.
 - c. CONVERSION UNIT - Existing residential structure which has been modified structurally in such a way as to convert it from one (1) dwelling unit to multiple dwelling units.

- d. SEMI-DETACHED UNIT - A residential structure containing two (2) single dwelling units having one (1) common wall.
- e. ATTACHED, ROW OR TOWNHOUSE UNIT - A residential structure containing three (3) or more dwelling units which are separated from each other by two (2) common walls, except for the end units.
- f. MULTIPLE-DWELLING OR APARTMENT UNIT - A residential structure of two (2) or more stories containing three (3) or more dwelling units. (not row or townhouse units) 22
- g. CONDOMINIUMS - A given set of dwelling units each of which is owned by an individual person or persons in fee simple, and which is assigned a proportionate interest in all common elements, as set forth in the UNIT PROPERTY ACT. (Act 117 Comm. of Penna. 1963) 23
15. EASEMENT, UTILITY - A right-of-way granted for the limited use of land for public or quasi-public purposes.
16. ENGINEER, MUNICIPAL - A registered professional engineer in Pennsylvania designated by the municipality to perform the duties of engineer as herein specified.
17. ENGINEERING SPECIFICATIONS - The engineering specifications of the municipality regulating the installation of any required improvement or for any facility installed by any owner, subject to public use. 24
18. EROSION - The removal of surface materials by the action of natural elements.
19. EXCAVATION - Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, carried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom. 25
20. FILL - (i) Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting therefrom; (ii) the difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade; (iii) the material used to make fill. 26
21. FLOOD - 27
- a. FLOOD PRONE AREA - A relatively flat or low land area adjoining a stream, river or watercourse, which is subject to partial or complete inundation; or, any area subject to partial or complete inundation; or, any area subject to the unusual and rapid accumulation or runoff of surface waters from any source. 28
- b. FLOODWAY - The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one hundred (100) year magnitude. 29
- 30
- 31

- c. ONE HUNDRED (100) YEAR FLOOD - A flood having an average frequency of occurrence on the order of once in one hundred (100) years, although the flood may occur in any year.
 - d. REGULATORY FLOOD ELEVATION - The one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1½) feet.
22. IMPROVEMENTS - Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.
23. LAND DEVELOPMENT -
- a. The improvement of one (1) or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two (2) or more buildings; or
 - (2) the division or allocation of land or space between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other structures.
 - b. A subdivision of land.
24. 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 conditions), a leasee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in the land, shall be deemed to be a landowner for the purpose of this Ordinance.
25. LOT - A plot or parcel of land which is, or in the future may be, offered for sale, conveyance, transfer, or improvement.
26. LOT, THROUGH OR DOUBLE FRONTAGE - A lot with front and rear street frontage.
27. LOT AREA - The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any street right-of-way, but including the area of any easement.
28. LOT, REVERSE FRONTAGE - A lot extending between and having frontage on, an arterial street and a minor street, and with vehicular access solely from the latter.
29. PLAN, SKETCH - An informal plan, not necessarily to exact scale, indicating existing features of a tract, its surroundings, and the general layout of a proposed subdivision or land development.
30. PLAN, PRELIMINARY - A tentative subdivision or land development plan, in lesser detail than the final plan, indicating the approximate proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plan.
31. PLAN, FINAL - A complete and exact subdivision or land development plan prepared for official recording as required by statute.

32. PLANNING COMMISSION - The Adams County Planning Commission.
33. PUBLIC GROUNDS - Parks, playgrounds and other public areas and sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.
34. PUBLIC NOTICE - Notice published once a week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time, place, and date of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days nor less than fourteen (14) days prior to the date of the hearing.
35. RE-SUBDIVISION - Any replatting or resubdivision of land limited to change in lot lines on an approved final plan or recorded plan.
36. RIGHT-OF-WAY, STREET - A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, land, alley, or however designated.
37. RUNOFF - The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow, that does not enter the soil but runs off of the surface of the land.
38. SEDIMENTATION - The process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "Sediment".
39. SIGHT DISTANCE - The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.
40. SLOPE - The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per one hundred (100) feet of horizontal distance.
41. STREET - A right-of-way or portion thereof dedicated or intended for general public, vehicular, and/or pedestrian use.
42. STREETS -
 - a. ARTERIAL STREET - A major street or highway with fast or heavy traffic volumes of considerable continuity, and used primarily as a traffic artery for intercommunications among large areas.
 - b. COLLECTOR STREET - A street or highway which carries traffic from minor streets to arterial streets including the principal entrance streets of a residential development and streets for circulation within such a development.
 - c. MINOR STREET - A street used primarily for access to abutting properties.

- d. CUL-DE-SAC - A street intersecting another street at one end and terminating at the other in a vehicular turn-around.
- e. MARGINAL ACCESS STREET - A minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from traffic.
43. STRUCTURE - Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to buildings, factories, sheds, cabins, mobile homes and other similar items.
44. SUBDIVIDER - The owner or authorized agent of the owner of a lot, tract or parcel of land to be subdivided for sale or development^{ed} under the terms of this Ordinance.
45. SUBDIVISION - (see land development) - The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels of other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership, or of building or lot development; provided however, that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted.
46. SURFACE DRAINAGE PLAN - A plan showing all present and proposed grades and facilities for storm water drainage.
47. TOP SOIL - Surface ~~soils~~ and subsurface soils which presumably are fertile soils and soil material ordinarily rich in organic matter or humus debris. Top soil^{is} usually found in the uppermost soil layer called the "A" Horizon.
48. UNDEVELOPED LAND - Any lot, tract or parcel of land which has not been graded or in any other manner improved or prepared for subdivision or land development or the construction of a building.
49. WATERCOURSE - A stream of water, river, brook, creek, or a channel of a perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.

ARTICLE III - APPLICATION PROCEDURES AND PLAT REQUIREMENTS

SECTION 301 PRE-APPLICATION PROCEDURES

1. Copies of this Ordinance shall be available for use by any person seeking information concerning land development and/or subdivision standards and procedures in effect within the County. Any prospective developer or subdivider may meet with the ~~County Planning Commission~~ to discuss and review tentative plans and/or any provisions of this Ordinance.
2. Prior to the final plan submission, the prospective developer must have complied with the planning requirements of the Pennsylvania Sewage Facilities Act as administered by the Pennsylvania Department of Environmental Resources. It is suggested that the prospective developer consult the

Municipal Sewage Enforcement Officer or the ~~Adams County Office of the~~ Pennsylvania Department of Environmental Resources as to the requirements of that Act.

3. Prospective developers shall consult the County Conservation District representative concerning erosion and sediment control and the effect of geologic conditions on the proposed development. At the same time a determination should be made as to whether or not any flood hazards either exist or will be created as a result of the subdivision or development. Land that is subject to flooding shall not be platted for residential occupancy or for any other use that may endanger health, life, or property. Such land within a subdivision shall be set aside for such uses as shall not be endangered by periodic or occasional flooding and shall not produce unsatisfactory living conditions.

SECTION 302 SKETCH PLAN

Prior to submission of a Preliminary Plan, developers are encouraged to submit a sketch plan to the County Planning Commission. This will enable the Planning Commission to review the proposal for factors that may affect the development.

A sketch plan should contain at least the following information:

- a. Location map.
- b. General information concerning any community facilities and/or any other significant man-made or natural features that will affect the proposal.
- c. A property map at a legible scale showing the specific parcel of land or site involved.
- d. A sketch of the proposed development drawn at a scale no smaller than 1" = 400' showing the proposed layout of streets and lots, and other features of the subdivision.

SECTION 303 PRELIMINARY PLAN PROCEDURES

In proposed development in which all lots will abut an existing public right-of-way, the submission of a Preliminary Plan may be waived. However, all other applicable requirements and specifications shall remain the same.

303-A SUBMISSION OF THE PRELIMINARY PLAN

1. Preliminary Plans and all required accompanying documentation shall be submitted by a developer or his authorized representative to the County Planning Office at least ten (10) business days in advance of a regularly scheduled Planning Commission meeting.
2. Submission shall consist of the following:
 - a. Five (5) completed copies of the appropriate application form.
 - b. Eight (8) blue-line or black-line paper prints of the Preliminary Plan showing all the information required in Section 304.

- c. Five (5) copies of all other required documentation.
- d. A filing fee as established in Article VI of this Ordinance.

303-B DISTRIBUTION OF PRELIMINARY PLAN FOR REVIEW AND COMMENT

Copies of the Preliminary Plan and accompanying documentation shall be immediately distributed as follows:

1. One (1) copy of the application, plan, and accompanying documentation to the Municipal Officials in the municipality where the subdivision or land development is located.
2. One (1) copy of the application, plan, and accompanying documentation to the appropriate Municipal Water and/or Sewer Officials.
3. One (1) copy of the Soil Erosion & Sediment Control Plan to the County Conservation District Office.
4. One (1) copy of the plan to the District Office of the Pennsylvania Department of Transportation when a proposed subdivision abuts or is traversed by a state road.
5. The remaining copies of the application, plan, and accompanying documentation will remain with the County Planning Commission.

303-C ACTION ON PRELIMINARY PLAN BY THE PLANNING COMMISSION

1. Action on a Preliminary Plan shall be taken by the Planning Commission not later than forty-five (45) days following the first meeting at which the plan is considered.
2. All actions by the Planning Commission shall be taken at a public meeting whether it be a regularly scheduled or special meeting. If the plan is to be considered at a special meeting the developer shall be so notified. In addition, the Planning Commission may also schedule a public hearing pursuant to public notice before taking any action on the plan.
3. The decision of the Planning Commission concerning the plan shall be in writing. If a plan is not approved, or approved subject to certain conditions, the written decisions shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance. Copies of the decision shall be sent to the developer and to the appropriate municipal officials.
4. When a Preliminary Plan has been approved or approved subject to certain conditions acceptable to the developer, no subsequent change or amendment in this or any other applicable ordinances shall be applied to affect adversely the right of the developer to commence and to complete any aspect of the approved development within three (3) years from such approval. Where final approval is preceded by preliminary approval, the three (3) year period shall be counted from the date of preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the

terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the plan for such approval was duly submitted.

5. Failure of the Planning Commission to render a decision and communicate it to the developer within the time and in the manner required by this Ordinance shall be deemed an approval of the plan in terms as presented unless the developer has agreed to an extension of time.

SECTION 304 PRELIMINARY PLAN REQUIREMENTS

The Preliminary Plan submission shall be prepared by a registered surveyor or engineer.

Scale ---

- Tracts of one (1) acre or less shall be drawn at a scale of no less than 1" equals 50'.
- Tracts of one (1) to ten (10) acres shall be drawn at a scale of no less than 1" equals 100'.
- Tracts in excess of ten (10) acres shall be drawn at a scale of no less than 1" equals 200'.
- Tracts to be used for commercial, industrial, or high density housing development shall be drawn at a scale of no less than 1" equals 50'.

A. INFORMATION REQUIRED

The Preliminary Plan shall show:

1. Name of proposed subdivision, and of the municipality in which it is located.
2. Name and address of subdivider.
3. Name, address, license number and seal of the professional engineer, or registered surveyor who prepared the drawings.
4. Date of original submission and of each subsequent revised submission.
5. True or magnetic north point.
6. Graphic scale.
7. Written scale.
8. Certification by the professional engineer or surveyor that the topography shown resulted from an actual survey and the date of that survey.
9. A key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1,000) feet and showing the relation of the property to adjoining property and to all streets, roads, municipal boundaries and recorded subdivision plans existing within one thousand (1,000) feet of any part of the property. In addition, a title, scale and north point shall be indicated.

10. The total tract boundary lines of the area being subdivided accurate to hundredths of a foot and bearings to one quarter ($\frac{1}{4}$) of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one (1) foot in ten-thousand (10,000) feet; provided, however, that the boundary(s) adjoining additional unplatted land of the subdivider (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.
11. A plot drawn to a legible scale showing the entire existing tract boundary and the location of the lots being subdivided from said tract.
12. Boundaries of adjacent properties and recorded name and deed reference. When adjacent properties are part of a recorded plat only the lot number and subdivision name need be shown.
13. Contour lines at vertical intervals of at least two (2) feet for land with average natural slope of four (4) percent or less, and at intervals of at least five (5) feet for land with average slope exceeding four (4) percent.
14. Location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established bench mark.
15. The name (or number) and cartway width and lines of all proposed and existing public streets and the name and location of all other roads within the property.
16. If the subdivision proposes a new street intersection with a State Legislative Route, the intersection occupancy permit number(s) shall be indicated for all such intersections.
17. Location of existing streets and alleys adjoining the tract including name, width, width of cartway, sidewalks.
18. The location (and elevation, if established) of all existing and proposed street monuments.
19. Location of existing and proposed rights-of-way and easements.
20. Lot numbers and a statement of the total number of lots and parcels.
21. Lot lines with approximate dimensions and areas.
22. The building setback lines for each lot, or other sites.
23. For developments where on-site sewage disposal systems will be used, the location where the soils evaluation test was conducted for each lot.

24. A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded, including the book and page number.
25. Location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
26. The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within or near the proposed subdivision.
27. Location, size and invert elevation of all existing and proposed sanitary sewers (including any and all proposed and/or existing capped sewer lines) and location of all manholes, inlets and culverts. (This data may be submitted as a separate plan.)
28. Location, size, and invert elevation of all existing and proposed storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.
29. Location of drainage structures, including marshes, ponds, streams, or similar conditions.
30. Parks, playgrounds and other areas to be dedicated or reserved for public use, with any conditions governing such use.

B. SUPPLEMENTARY DATA REQUIRED

The Preliminary Plan shall be accompanied by the following supplementary data where applicable:

1. A plan revision module for land development as required by the Pennsylvania Department of Environmental Resources.
2. A plan for the control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act.
3. Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Resources and the Pennsylvania Department of Transportation.
4. Typical street cross-sections drawings for all proposed streets.
5. Tentative profiles along the centerline of the cartway (pavement) or along the top of the curb for both sides of each proposed street shown on the Preliminary Plan. Such profiles shall show natural and finished grades.

6. The applicant shall if requested, submit a feasibility report concerning the availability and adequacy of sewer and water facilities in or near a proposed land development. Said report shall be prepared by a registered Professional Engineer and be submitted in conjunction with the Preliminary Plan for review and recommendations by the local office of the Pennsylvania Department of Environmental Resources.
7. Where deemed necessary the applicant shall also submit a storm drainage plan and storm drainage calculations.
8. Where the Preliminary Plan covers only a part of the entire landholdings, a sketch of the future street system of the unsubmitted part shall be submitted. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.
9. Where the land included in the subject application has an electric transmission line, a gas pipeline, or a petroleum (or petroleum products) transmission line located within the tract, the application shall be accompanied by a letter from the owner or leasee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement.

SECTION 305 FINAL PLAN PROCEDURES

Submission of a Final Plan for approval shall occur not more than three (3) years following the date of approval of the Preliminary Plan. Failure to submit the Final Plan within this period of time shall make the approval of the Preliminary Plan null and void unless an extension of time has been granted.

Except for any modifications or changes required, the Final Plan shall conform basically to the approved Preliminary Plan. Where significant modifications or changes, other than those required, are made to an approved Preliminary Plan, the plan shall be submitted again as a Preliminary Plan.

305-A SUBMISSION OF THE FINAL PLAN

1. Final Plans and all required accompanying documentation shall be submitted by a developer or his authorized representative at least ten (10) business days in advance of a regularly scheduled Planning Commission meeting.
2. Submission shall consist of the following:
 - a. Five (5) completed copies of the appropriate application form.
 - b. Eight (8) blue-line or black-line paper prints of the Final Plan showing all the information required in Section 306.
 - c. Five (5) copies of all other required documentation.
 - d. A filing fee as established in Article VII of this Ordinance.

305-B DISTRIBUTION OF FINAL PLAN FOR REVIEW AND COMMENT

Copies of the Final Plan and accompanying documentation shall be immediately distributed by the Planning Office as follows:

1. One (1) copy of the application, plan, and accompanying documentation to the municipal officials in the municipality where the subdivision or land development is located.
2. One (1) copy of the application, plan, and accompanying documentation to the appropriate municipal water and/or sewer officials.
3. One (1) copy of the plan to the County Conservation District Office.
4. One (1) copy of the plan to the District Office of the Pennsylvania Department of Transportation when a proposed subdivision abuts or is traversed by a state road.
5. The remaining copies of the application, plan, and accompanying documentation will remain with the County Planning Office.

305-C ACTION ON FINAL PLAN BY THE PLANNING COMMISSION

1. Action on the Final Plan shall be taken in the same manner as for Preliminary Plans. In addition, if a Final Plan is approved, the Planning Commission Chairman and Secretary shall sign the Record Plan and all prints.
2. Failure of the Planning Commission to render a decision and communicate it to the developer within the time and in the manner required by this Ordinance shall be deemed an approval of the plan in terms as presented unless the developer has agreed to an extension of time.
3. Before any Final Plan is approved, the developer shall either install all the required improvements or shall provide for deposit with the Municipality a corporate bond or other security acceptable to the Municipality in the amount of one hundred twenty (120) percent of the cost of such improvements as estimated by the Municipal Engineer. Such bond or security shall provide for the completion of all required improvements within a stated period which shall not be longer than two (2) years from the date of approval of the Final Plan.

305-D RECORDING OF PLAN

1. Upon approval of a Final Plan by the Municipality, the developer shall record the Record Plan in the Office of the County Recorder of Deeds within ninety (90) days.
2. If the plan is not recorded within ninety (90) days the approval shall be null and void unless an extension of time is granted by the Planning Commission upon request from the developer.
3. No land in a development shall be sold or transferred prior to recording of Record Plan.

305-E LIMITATIONS OF FINAL PLAN APPROVAL

The approval of the Final Plat by the Planning Commission shall be deemed an acceptance of the plat and shall authorize the Recorder of Deeds to record the same, but shall not impose any duty upon the County or any Municipality concerning maintenance or improvements of any streets, highways, alley, or other portions of the same until the appropriate Municipality shall have accepted same by dedication for public use.

SECTION 306 FINAL PLAN REQUIREMENTS

The Final Plan submission shall be prepared by a registered surveyor or engineer and be drawn on reproducible Mylar or other stable transparency, using black ink for all data including approval signatures.

Scale ---

- Tracts of one (1) acre or less shall be drawn at a scale of no less than 1" equals 50'.
- Tracts of one (1) to ten (10) acres shall be drawn at a scale of no less than 1" equals 100'.
- Tracts in excess of ten (10) acres shall be drawn at a scale of no less than 1" equals 200'.
- Tracts to be used for commercial, industrial, or high density housing development shall be drawn at a scale of no less than 1" equals 50'.

Finished size of drawings for Final Plan submission shall be 18" by 24". Drawings done at a scale requiring a sheet larger than 18" by 24" may be reduced to that size providing all lines and lettering are clear and legible after reduction.

If the Final Plan requires more than one (1) sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.

306-A INFORMATION REQUIRED

The Final Plan shall show:

1. Name of proposed subdivision, and of the Municipality in which it is located.
2. Name and address of subdivider.
3. Name, address, license number and seal of the professional engineer, or registered surveyor who prepared the drawings.
4. Date of original submission and of each subsequent revised submission.
5. True or magnetic north point.
6. Graphic scale.
7. Written scale.

8. Certification by the professional engineer or surveyor that the topography shown resulted from an actual survey and the date of that survey.
9. A key map, for the purpose of locating the property being subdivided, and showing the relation of the property to all streets, roads, municipal boundaries and recorded subdivision plans existing within one thousand (1,000) feet of any part of the property. In addition, a title, scale and north point shall be indicated.
10. The total tract boundary lines of the area being subdivided accurate to hundredths of a foot and bearings to one quarter ($\frac{1}{4}$) of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error or closure not to exceed one (1) foot in ten-thousand (10,000) feet; provided, however, that the boundary(s) adjoining additional unplatted land of the subdivider (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.
11. A plot drawn to a legible scale showing the entire existing tract boundary and the location of the lots being subdivided from said tract.
12. Boundaries of adjacent properties and recorded name and deed reference. When adjacent properties are part of a recorded plat only the lot number and subdivision name need be shown.
13. Contour lines at vertical intervals of at least two (2) feet for land with average natural slope of four (4) percent or less, and at intervals of at least five (5) feet for land with average slope exceeding four (4) percent.
14. Location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established bench mark.
15. The name (or number) and cartway width and lines of all proposed and existing public streets and the name and location of all other roads within the property.
16. The following data for the cartway edges (curb lines) and right-of-way lines of all recorded (except those which are to be vacated) and/or proposed streets, and for the right-of-way lines of all existing streets, within the property:
 - The length (in feet and hundredths of a foot) of all straight lines and of the radius and the arc (or chord) of all curved lines (including curved lot lines), and

- The width (in feet) of the cartway, right-of-way and, if required, of the ultimate right-of-way, and (in degrees, minutes and quarters of a minute) of the delta angle of all curved lines, including curved lot lines.
 - All straight lot lines, defined (in feet and hundredths of a foot) by distances, and (in degrees, minutes, and quarters of a minute) either by magnetic bearings or by angles of deflection from other lot and street lines.
17. If the subdivision proposes a new street intersection with a State Legislative Route, the intersection occupancy permit number(s) shall be indicated for all such intersections.
 18. Location of existing streets and alleys adjoining the tract including name, width, width of cartway, sidewalks.
 19. The location (and elevation, if established) of all existing and proposed street monuments.
 20. Location of existing and proposed rights-of-way and easements.
 21. Lot numbers and a statement of the total number of lots and parcels.
 22. Lot lines with dimensions and lot areas.
 23. The building setback lines for each lot, or other sites.
 24. For developments where on-site sewage disposal systems will be used, the location where the soils evaluation test was conducted for each lot.
 25. A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded, including the book and page number.
 26. Location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
 27. The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within or near the proposed subdivision.
 28. A certification of ownership, acknowledgment of a plan and offer of dedication shall be lettered on the plan and shall be duly acknowledged and signed by the owner(s) of the company.
 29. An approval block for the use of the County Planning Commission.

306-B SUPPLEMENTARY DATA REQUIRED

Unless previously submitted, the Final Plan shall be accompanied by the following supplementary data where applicable:

1. Typical street cross-section drawing(s) for all proposed streets. Cross-section drawings(s) may be shown either on the Final Plan or on the profile sheets.
2. Profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, properly labelled:
 - Existing (natural) profile along both cartway edges or along the center-line of each street.
 - Proposed finished grade of the center-line, or proposed finished grade at the top of both curbs or proposed finished grade at both cartway (pavement) edges.
 - The length of all vertical curves.
 - Existing and proposed sanitary sewer mains and manholes.
 - Existing and proposed storm mains, inlets, manholes, and culverts.
3. Whenever a subdivider proposes to establish a street which is not offered for dedication to public use, the Planning Commission may require the subdivider to submit, and also to record with the plan, a copy of an agreement made with the Municipality on behalf of his heirs and assigns, and signed by the Municipal Solicitor, and which shall establish the conditions under which the street may later be offered for dedication, and shall stipulate among other things:
 - That the street shall conform to the Municipal specifications or that the owners of the abutting lots shall include with the offer of dedication sufficient money, as estimated by the Municipal Engineer, to restore the street to conformance with Municipal specifications.
 - That an offer to dedicate the street shall be made only for the street as a whole.
 - That the method of assessing repair costs be as stipulated, and
 - That agreement by the owners of more than fifty (50) percent of the front footage thereon shall be binding on the owners of the remaining lots.
4. An agreement that the applicant will install all underground utilities before paving streets or constructing sidewalks.
5. Final designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the

Pennsylvania Department of Environmental Resources and the Pennsylvania Department of Transportation.

6. Where the Final Plan covers only a part of the entire landholdings, a sketch of the future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.
7. Water and sewer feasibility reports as may be required including any updated information which may have become available since the submission of the preliminary plan.
8. A plan for the control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act.
9. Where deemed necessary by the Planning Commission, a storm drainage plan and storm drainage calculations.
10. Where deemed necessary by the Planning Commission, a map showing the location of the proposed development with respect to flood-prone areas, including information the the Regulatory Flood elevation, the boundaries of the flood-prone areas, proposed lots and sites, fills, flood or erosion protection facilities, and areas subject to special restrictions. In addition, where the proposed development lies partially or completely in any flood-prone area, or borders on any flood-prone area, such map shall also show the location and elevation of proposed roads, public utilities, and building sites.
11. A planning module as required by the Pennsylvania Department of Environmental Resources.
12. Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title of the land being subdivided.
13. Any other certificates, affidavits, endorsements or dedications, etc., that may be required by the Planning Commission.
14. When a proposed plan has been submitted to the County Conservation District Office for review and recommendations, a plan and/or other documentation to show what has been, or will be done in response to their recommendations.

SECTION 307 RESUBDIVISION PROCEDURE

Any replatting or resubdivision, including changes to a recorded plan, shall be considered as a new application, and shall comply with all requirements of this Ordinance.

SECTION 308 ADDITIONS TO EXISTING LOTS

A parcel of land may be added to an existing recorded lot for the sole purpose of increasing the lot size provided that:

1. The parcel to be added must be contiguous to the existing lot.
2. The addition must maintain or improve the overall straightness of lot lines.
3. The Plan prepared for the addition of this parcel shall follow the procedures outlined in this Ordinance.
4. The Plan shall stipulate that the parcel is for the sole purpose of enlarging an existing lot and may not be separately sold.

ARTICLE IV - DESIGN STANDARDS

SECTION 401 APPLICATION OF STANDARDS

The following standards shall be applied by the County Planning Commission, in evaluating plans submitted for review and/or approval. It is intended that these standards be considered the minimum requirements and may be modified as necessary to protect the health, safety and general welfare of the public.

SECTION 402 GENERAL SITE STANDARDS

The following requirements and guiding principles for Subdivisions and Land Developments shall be observed with respect to factors affecting the suitability of the site for such development.

1. The Land Development Plan shall conform to the municipal comprehensive plan and official map or to such parts thereof, as shall have been officially prepared and adopted by the municipality in which the development is situated.
2. A land development must be coordinated with existing land development in the neighborhood so the entire area may be developed harmoniously.
3. Land proposed for land development shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural top soil, trees, or other vegetative cover unless provisions for minimizing erosion and sedimentation are provided as required by the Erosion Control Regulations of the Pennsylvania Department of Environmental Resources.
4. In a development where the average slope exceeds fifteen (15) percent, the Planning Commission may require modifications to these regulations.
5. In all developments, every precaution shall be taken to preserve all natural and historic features determined to be worthy of preservation. Examples of such features would include, but not be limited to, large trees and stands of trees, watercourses, historic areas and structures,

scenic view, etc. To insure the protection of such features, the Planning Commission may require the following additional information to be submitted:

- A grading plan showing the existing and proposed ground elevations relative to the features.
 - The accurate location of the features to be protected.
 - An explanation of the precautions to be taken by the developer to protect such features.
6. Land subject to hazards of life, health or property as may arise from fire, floods, disease, excessive noise, odor, falling aircraft, or considered uninhabitable for other reasons may not be developed unless the hazards have been removed or the plans show adequate safeguards against them.

SECTION 403 STREET AND HIGHWAY STANDARDS

403-A GENERAL

All streets proposed to be constructed shall conform to the following general design requirements.

1. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.
2. Residential streets shall be so laid out as to discourage through traffic; however, proposed streets shall be planned with regard to the existing street system, topographical conditions, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future extensions of the street system.
3. When a subdivision abuts or contains an existing or proposed primary or secondary highway, the Planning Commission may require a marginal access street, reverse frontage, or other treatment which will provide protection for abutting properties, reduction of the number of intersections and separation of local from through traffic.
4. No street shall terminate into a dead end. Any street dead ended for access to adjoining property or because of authorized staged construction shall be provided with a temporary all-weather turnaround and the use of such turnaround shall be guaranteed to the public until such time as the street is continued.
5. Private streets (streets not offered for dedication to public use), are prohibited unless they meet the design and improvement standards of this Ordinance.
6. The proposed street system shall extend existing or recorded streets at the same width but in no case at less than the required minimum width.

403-B STREET WIDTHS

Minimum street right-of-way and cartway widths shall be as follows:

STREET RIGHT-OF-WAY AND CARTWAY WIDTHS

<u>STREET TYPE</u>	<u>RIGHT-OF-WAY</u>	<u>CARTWAY</u>
Arterial Streets	As determined by the Planning Commission after consultation with the Pennsylvania Department of Transportation.	
Collector Streets	60 feet	36 feet
Minor Streets		
Average lot frontage:		
seventy (70) feet or less	50 feet	32 feet
seventy (70) feet or more	50 feet	32 feet or 20 feet plus two (2) 8 foot shoulders
Alley or Service Drive	20 feet	20 feet

Provision for additional street width (right-of-way, cartway, or both) may be required when determined to be necessary in specific cases for:

1. Public safety and convenience.
2. Parking in commercial and industrial areas and in areas of high density development.
3. Widening of existing street where the width or alignment does not meet the requirements of the preceding paragraphs.
4. Where topographic conditions require excessive cuts and fills.

403-C STREET GRADES

1. The grades of streets shall not be less than the minimum or more than the maximum requirements listed below:

<u>TYPE STREETS</u>	<u>MINIMUM GRADE</u>	<u>MAXIMUM GRADE</u>
All Streets	0.5% when curbs are used 1.0% without curbs	15%
Arterial Streets	As determined after consultation with the Pennsylvania Department of Transportation.	
Collector Streets	0.5% when curbs are used 1.0% without curbs	7%
Minor Streets & Alleys	0.5% when curbs are used 1.0% without curbs	10%

2. Vertical curves shall be used in changes of grade when the difference exceeds one (1) percent and shall be designed for maximum visibility.
3. On permission of the Planning Commission, minor street grade under special topographic condition may exceed ten (10) percent for distances less than one hundred (100) feet provided the grade does not in any case exceed fifteen (15) percent.

403-D CURVES

1. Where connecting street lines deflect from each other at any one point by more than ten (10) degrees, the line must be connected with a true, circular curve. The minimum radius of the center line for the curve must be as follows:

TYPE OF STREET	MINIMUM RADIUS
Collector	300 feet
Minor	150 feet

2. Straight portions of the street must be tangent to the beginning or end of curves. Except for minor streets, there must be a tangent of at least one hundred (100) feet between reverse curves.

403-E SIGHT DISTANCE

1. Proper sight distance shall be provided with respect to both horizontal and vertical road alignments. The sight distance measured from the center line four and five-tenths (4.5) feet above grade shall be as follows:

TYPE OF STREET	SIGHT DISTANCE
Arterial	400 feet
Collector	200 feet
Minor	200 feet

2. There shall be provided and maintained at all intersections a clear sight triangle with a line of sight between points one hundred (100) feet from the intersection of the street center lines. No building or other obstruction that would obscure the vision of a motorist shall be permitted within these areas.
3. Proper sight distance shall be provided with respect to both horizontal and vertical road alignments at all intersections.

403-F CUL-DE-SAC STREETS

Cul-de-sac streets designed to be so permanently, shall not exceed five hundred (500) feet in length, and shall be provided with a paved turnaround having a minimum diameter of eighty (80) feet and

legal right-of-way of one hundred (100) feet in diameter, except in non-residential areas where cul-de-sac streets may exceed five hundred (500) feet in length when, under special circumstances, the Planning Commission deems such additional length necessary and advisable.

403-G INTERSECTIONS

1. No intersection shall involve the junction of more than two (2) streets.
2. Right-angle intersections shall be used wherever possible. In no instance, however, shall streets intersect at an angle of less than seventy-five degrees (75°).
3. Intersections shall be approached on all sides by leveling areas. Where the grades exceed seven (7) percent such leveling areas shall have a minimum length of one hundred (100) feet (measured from the intersection of the center lines) within which no grade shall exceed a maximum of four (4) percent.
4. All streets intersecting a state road (US, PA or LR) shall be subject to the approval of the Pennsylvania Department of Transportation. The developer shall furnish evidence of such approval in the form of a PennDOT Highway Occupancy Permit or other written form.
5. Design of curb or edge of pavements must take into account such factors as types of turning vehicles, likely speeds of traffic, angle of turn, etc., but in no instance shall the radius of the curb or edge of pavement be less than the following:

<u>INTERSECTION</u>	<u>CURVE RADIUS</u>
Minor with minor street	15 feet
Minor with collector	25 feet
Collector with collector	35 feet

6. Minor and collector streets shall not intersect arterial streets on the same side at less than eight hundred (800) foot intervals and shall be in alignment with any existing or proposed streets intersecting from the opposite side. If two (2) streets that intersect another from opposite sides cannot be aligned, then a distance of at least one hundred fifty (150) feet shall be provided between the two (2) intersecting center lines.

403-H SLOPE OF BANK ALONG STREETS

The slope of banks along street measured perpendicular to the street center line shall be no steeper than the following:

1. One (1) foot of vertical measurement for three (3) feet of horizontal measurement for fills.
2. One (1) foot of vertical measurement for two (2) feet of horizontal measurement for cuts.

403-I PARTIAL AND HALF-STREETS

The dedication of half-streets at the perimeter of new developments is prohibited, except to complete existing half-streets.

403-J NAMES OF STREETS

Names of new streets shall not duplicate or approximate existing or platted street names, or approximate such names by the use of suffixes such as "lane", "way", "drive", "court", "avenue". In approving the names, consideration shall be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing street.

403-K RESERVE STRIPS

Controlling access to streets by reserve strips is prohibited except where their control is definitely placed in the Municipality under control approved by the Municipality. A reserve strip is a parcel of ground in separate ownership separating a street from other adjacent properties or from another street.

403-L ALLEYS

Alleys shall be prohibited in single-family residential developments but may be included in townhouse, multiple family, commercial, and industrial developments.

SECTION 404 OFF-STREET PARKING

404-A STANDARDS

Off-street vehicular parking facilities shall be provided in accordance with the following standards:

1. Off-street parking may be located on any required side, front, or rear yard, but not within the street right-of-way.
2. Except when provided for single family or semi-detached dwelling units, off-street parking areas shall be surfaced with a minimum of four (4) inches of stone base and shall be properly graded and drained to dispose of all surface water.
3. Commercial and industrial parking areas shall be arranged and marked for the orderly and safe movement, loading, parking, and storage of vehicles and shall be adequately illuminated if designed for use by more than ten (10) cars after dusk.
4. If determined necessary by the Planning Commission, commercial and industrial parking areas which provide more than five (5) parking spaces shall be screened from any abutting property used for residential purposes. Screening may be accomplished by the placement of adequate buildings, a solid fence high enough to provide screening and/or provision and maintenance of solid planting in the form of contiguous evergreen shrubs.

5. Any lighting used to illuminate any residential, commercial, or industrial parking area shall be so arranged as to reflect the light away from adjoining premises and public rights-of-way.

404-B LOADING AND UNLOADING SPACE

1. All commercial and industrial establishments shall provide loading and unloading and commercial vehicle storage space adequate for their needs. This required space will be provided in addition to established requirements for patron and employee parking. In no case where a building is erected, converted, or enlarged for commercial, manufacturing, or business purposes shall the public right-of-way be used for loading or unloading of materials.
2. The minimum size loading space shall be fifty (50) feet in depth, twelve (12) feet in width, with an overhead clearance of fourteen (14) feet.

404-C TABLE OF SPACES BY USE

1. Each off-street parking area shall provide for each usable parking space at least two hundred (200) square feet of space. Where access to such area is from a public street, adequate turnaround space shall be provided behind the right-of-way line.
2. The number of spaces to be provided shall be governed by the following table:
 - a. Offices, Retail Businesses and Service Establishments - one (1) space for each three hundred (300) square feet of floor area.
 - b. Restaurants, Taverns, and Nigh Clubs - one (1) space for every 2.5 seats.
 - c. Professional Offices or Clinics - five (5) spaces for each professional person unless the applicant can satisfactorily demonstrate a need for fewer spaces, but in no case less than five (5) spaces.
 - d. Motels, Hotels - one (1) space for each sleeping room and one (1) for each employee.
 - e. Theaters, and Auditoriums - one (1) space for every 3.5 seats.
 - f. Social Halls, Clubs, and Lodges - one (1) space for each two hundred (200) square feet of floor area.
 - g. Bowling Alleys - two (2) spaces for each alley.
 - h. Residential Dwellings - according to type of dwelling (see lot sizes by type of development).
 - i. Funeral Homes - one (1) space for each five (5) seats.
 - j. Rooming Houses and Dormitories - one (1) space for each two (2) beds.

- k. Manufacturing Plants and Laboratories - one (1) space for every three (3) employees.
- l. Wholesale Establishments and Warehouses - one (1) space for every two (2) employees.
- m. Churches - one (1) space for every 3.5 seats.
- n. Barber and Beauty Shops - two (2) spaces for each service chair, and one (1) space for each employee.

SECTION 405 ACCESS DRIVES

405-A RESIDENTIAL

Access drives to any public street or highway in a residential area shall be governed by the following:

- 1. Within ten (10) feet of a street right-of-way line, an access drive may not exceed twenty (20) feet in width.
- 2. The number of access drives may not exceed two (2) per lot.
- 3. An access drive may not cross a street right-of-way line:
 - Within five (5) feet of property line except for common access for two (2) dwellings.
 - Within fifty (50) feet of the right-of-way line of an intersecting street when entrance is from an arterial street.
 - Within thirty-five (35) feet of the right-of-way line of an intersecting street when entrance is from a collector street.
 - Within twenty-five (25) feet of the right-of-way line of an intersecting street when entrance is from a minor street.
 - Within fifteen (15) feet of a fire hydrant.
- 4. An access drive must be located in safe relationship to sight distance and barriers to vision. The drive may not exceed a slope of five (5) percent within twenty-five (25) feet of the street right-of-way lines: Where a drive enters a bank through a cut, the shoulders of the cut may not exceed fifty (50) percent in slope within twenty-five (25) feet of the point the drive intersects the street right-of-way.

405-B COMMERCIAL AND INDUSTRIAL

Access drives to any public street or highway in the case of a commercial or industrial development:

- 1. Accessways to public streets or highways shall be located at least one hundred fifty (150) feet from any intersection involving arterial or collector streets, and one hundred (100) feet from any intersection of minor streets. Accessways shall be designed

to permit safe ingress and egress and, where practicable, shall be located on minor rather than collector or arterial streets.

2. No design shall be approved which is likely to create substantial traffic hazards endangering the public safety. Safety requirements which may be imposed in such a review shall include traffic control devices, acceleration or deceleration lanes; turning lanes, traffic and lane markings, and signs. The developer shall be responsible for the construction of any such traffic control devices.

405-C PRIVATE ACCESS

1. Private access drives - Parcels of land existing as of the effective date of this Ordinance which have their access by means of private roads or private rights-of-way shall be permitted to be subdivided into no more than two (2) lots (total) for each original parcel.
2. Where any accessway is to be private, proof of agreement as to responsibility for maintenance of that accessway shall be presented prior to final plan approval.

SECTION 406 BLOCKS

406-A GENERAL

The length, width and shape of blocks shall be determined with due regard for:

1. The provision of adequate sites for buildings of the type proposed.
2. Topography
3. Any other codes, plans and ordinances.
4. Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with major streets.

406-B BLOCK LENGTH

The length of blocks shall not exceed sixteen hundred (1600) feet or be less than eight hundred (800) feet.

406-C PEDESTRIAN CROSSWALKS

Where blocks exceed one thousand (1000) feet in length, pedestrian rights-of-way of not less than twelve (12) feet in width shall be provided where needed for adequate pedestrian circulation. Paved walks of not less than six (6) feet shall be placed within the right-of-way.

406-D BLOCK DEPTH

Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except:

1. Where reverse frontage lots are required along a major street.
2. Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Planning Commission may approve a single tier of lots.

406-E COMMERCIAL AND INDUSTRIAL BLOCKS

Blocks in commercial and industrial areas may vary from the elements of design detailed above if required by the nature of the use. In all cases however, adequate provision shall be made for off-street parking and loading areas as well as for traffic circulation and parking for employees and customers.

SECTION 407 LOTS

407-A GENERAL

1. The size, shape and orientation of lots shall be appropriate for the type of development use contemplated. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
2. Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
3. Generally, the depth of residential lots shall be not less than one (1) nor more than two and one-half (2½) times their width.
4. Where the lots in subdivision are large enough for resubdivision or where a portion of the tract is not developed, suitable access to these areas shall be provided.
5. Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.
6. If, after subdividing, there exists remnants of land, they shall either be incorporated in existing or proposed lots, or legally dedicated to public use, if acceptable to the Municipality.
7. No lot shall be created in any manner whatsoever which does not meet the minimum requirements of this Ordinance.

407-B LOT FRONTAGE

1. All lots shall front on a dedicated public street (existing or proposed), or upon a fully improved private street constructed to specifications as set forth in this Ordinance. Lots fronting upon unimproved private streets or not fronting upon a street shall not be approved.
2. Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography, orientation, or location.

3. All residential reverse frontage lots shall have a planting screen easement of at least twenty (20) feet in width across which there shall be no right of access.

407-C LOT SOILS EVALUATION TESTS

1. Soil percolation tests shall be performed for each lot of a proposed subdivision wherein buildings at the time of construction will not be connected to a public sewage disposal system. Each lot must be found satisfactory for on-site sewage disposal prior to approval of the final plan.
2. The soils tests called for above shall be performed in accordance with the regulations of the Pennsylvania Department of Environmental Resources. The Municipal Sewage Enforcement Officer will observe the tests and certify the results.
3. A land planning module for any new subdivision or land development shall be prepared by the developer and approved by the Municipality and the Pennsylvania Department of Environmental Resources prior to approval of the final plan.

407-D LOT SIZES ON SLOPES

The minimum lot area herein established shall be increased based on reports from the Pennsylvania Department of Environmental Resources and the Soil Conservation Service indicating that, because of slope, surface runoff or subsurface drainage of septic tank effluents are likely to result in hazardous conditions.

407-E UNIQUE LOTS

1. In the case of wedge-shaped lots, no lot shall be less than thirty-five (35) feet in width measured along the arc at the front street right-of-way line.
2. Flag lots or Panhandle lots or lots having a narrow strip of property for the sole purpose of providing access to a public road from a lot which would not otherwise front on a public road are prohibited unless no other reasonable method of providing access is available. In no case should this be used as a method of avoiding construction of a street. Minimum width of the panhandle including frontage shall be twenty-five (25) feet.
3. Corner residential lots shall have enough extra width to permit appropriate setbacks from both streets.

407-F BUILDING SETBACK AND YARD MEASUREMENTS

1. Building setbacks shall be measured from the right-of-way lines.
2. Building setback lines shall not be less than:
 - Twenty-five (25) feet from the right-of-way line on minor streets.

- Thirty (30) feet from the right-of-way line on collector streets.
- Fifty (50) feet from the right-of-way line on arterial streets and roads.

3. Where an existing building setback line is established on at least fifty (50) percent of the properties in a block in which the proposed development is located, or within two hundred (200) feet immediately adjacent to the proposed development, the above minimum setbacks may be increased or decreased in order to conform with such established line.
4. Building lines in a proposed subdivision shall not be less than ten (10) feet from a side lot line.
5. Building lines in a proposed subdivision shall not be less than twenty-five (25) feet from a rear lot line.
6. Additional side and rear yard setbacks shall be required for proposed buildings or structures that are four (4) or more stories or more than forty-five (45) feet in height.

407-G LOT DIMENSIONS AND MINIMUM REQUIREMENTS FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT

All lot areas shall be calculated from the street right-of-way lines. All setback lines shall be measured from the right-of-way lines.

RESIDENTIAL DEVELOPMENT

SINGLE FAMILY DETACHED UNIT

	PRIVATE WATER & ON-SITE SEWER	PRIVATE WATER & PUBLIC SEWER	PRIVATE WATER & PROPOSED PUBLIC SEWER OR PUBLIC WATER & ON-SITE SEWER*	PUBLIC WATER & PUBLIC SEWER
AREA/UNIT	40,000 sq. ft.	15,000 sq. ft.	20,000 sq. ft.	8,000 sq. ft.
MIN. WIDTH	140 feet	80 feet	100 feet	75 feet
ADEQUATE PERCOLATION	required	not required	required	not required
MAX. LOT COVERAGE	35%	35%	35%	35%

*Where on-site sewer facilities are to be elevated sand mounds, the minimum lot area shall be 40,000 sq. ft.

CONVERSION UNIT

1. Requirements for total lot area, width, coverage, and percolation shall be the same as the requirements for the type of unit which is being created.

- Two (2) off-street parking spaces shall be provided on the same lot for each dwelling unit.

SEMI-DETACHED UNIT

	PRIVATE WATER & ON-SITE SEWER	PRIVATE WATER & PUBLIC SEWER	PRIVATE WATER & PROPOSED PUBLIC SEWER OR PUBLIC WATER & ON-SITE SEWER*	PUBLIC WATER & PUBLIC SEWER
AREA/UNIT	30,000 sq. ft.	12,000 sq. ft.	20,000 sq. ft.	7,500 sq. ft.
MIN. WIDTH	120 feet	70 feet	100 feet	65 feet
ADEQUATE PERCOLATION	required	not required	required	not required
MAX. LOT COVERAGE	35%	40%	35%	40%

Two (2) off-street parking spaces shall be provided for each dwelling unit.

*Where on-site sewer facilities are to be elevated sand mounds, the minimum lot area shall be 30,000 square feet.

ATTACHED, ROW OR TOWNHOUSE UNIT

AREA/UNIT	2,500 sq. ft.
MIN. WIDTH	20 feet for each unit planned
MAX. LOT COVERAGE	50%

- The maximum number of dwelling units in a group of row dwellings shall be eight (8).
- No building shall exceed one hundred eighty (180) feet in length.
- Two (2) off-street parking spaces shall be provided for each dwelling unit. In addition, for every two (2) dwelling units of this type there shall be provided one (1) additional parking space.
- Water and sewer facilities shall be public systems or approved private systems. No individual on-site systems shall be approved for attached, row, or townhouse units.
- The minimum side yard shall be twenty (20) feet for buildings containing four (4) units; twenty-five (25) feet for buildings containing five (5) units; and thirty (30) feet for buildings containing six (6) units or more.
- Recreation areas shall be provided for residential developments according to the following:
 - Subdivisions or land developments of ten (10) or fewer units will provide one thousand (1,000) square feet.

- Subdivisions or land developments of eleven (11) to fifty (50) units will provide one hundred (100) square feet per unit in addition to the one thousand (1,000) square feet for the first ten (10) units.
- Recreation areas for subdivisions or land developments in excess of fifty (50) units shall be negotiated with the Municipality.
- Recreation areas will be of suitable location, topography and condition to provide for its intended use. Permanent easements will be provided as necessary to assure adequate access.
- At the request of the Municipality, the recreation requirement may be met by the developer providing a financial contribution to existing or proposed recreation facilities elsewhere in the Municipality. Details of such arrangements will be negotiated between the Municipality and the developer.

7. A permanent easement shall be provided where the rear property line abuts any property other than a street for the purpose of non-vehicular ingress and egress by center property owners. Minimum width of said easement shall be five (5) feet.

MULTIPLE DWELLING OR APARTMENT UNITS

AREA/UNIT	2,500 sq. ft.	MIN. TOTAL LOT AREA	7,500 sq. ft.
MIN. WIDTH	75 feet		
MAX. LOT COVERAGE	50%		

1. Water and sewer facilities shall be public systems or approved private systems. No individual on-site systems shall be approved for multiple dwelling or apartment units.
2. For subdivisions containing three (3) or more units of this type, the minimum distance between principal buildings shall be equal to two (2) times the height of the highest building. In no case shall this distance be less than sixty (60) feet. Building setback lines shall be one (1) times the height of the highest building, and in no case shall this distance be less than thirty (30) feet.
3. If maintenance equipment storage areas are provided, they shall be provided with buffer zones.
4. Two (2) off-street parking spaces shall be provided for each dwelling unit. In addition, for every two (2) dwelling units of this type proposed, there shall be provided one (1) additional off-street parking space.
5. Minimum buildings setback lines for any building containing only two (2) multiple dwelling units shall be the same as for single family residences.
6. No building shall exceed one hundred eighty (180) feet in length.

7. Recreation areas shall be provided for residential developments according to the following:

- Subdivision or land developments of ten (10) or fewer units will provide one thousand (1,000) square feet.
- Subdivisions or land developments of eleven (11) to fifty (50) units will provide one hundred (100) square feet per unit in addition to the one thousand (1,000) square feet for the first ten (10) units.
- Recreation areas for subdivisions or land developments in excess of fifty (50) units shall be negotiated with the Municipality.
- Recreation areas will be of suitable location, topography and condition to provide for its intended use. Permanent easements will be provided as necessary to assure adequate access.
- At the request of the Municipality, the recreation requirement may be met by the developer providing a financial contribution to existing or proposed recreation facilities elsewhere in the Municipality. Details of such arrangements will be negotiated between the Municipality and the developer.

8. A permanent easement shall be provided where the rear property line abuts any property other than a street for the purpose of non-vehicular ingress and egress by center property owners. Minimum width of said easement shall be five (5) feet.

CONDOMINIUMS

AREA/UNIT	2,500 sq. ft.	MINIMUM TOTAL LOT AREA	7,500 sq. ft.
MIN. WIDTH	75 feet		
MAX. LOT COVERAGE	50%		

1. Water and sewer facilities shall be public systems or approved private systems. No individual on-site systems shall be approved for condominiums.

2. Prior to completion of construction and occupation by unit owners, the owner and/or developer shall present to the Recorder of Deeds, Adams County:

-- A Declaration, and

-- A Declaration Plan

to be recorded in compliance with Pennsylvania Act 117 of 1963, the Unit Property Act. All condominiums shall be submitted to the provisions of the Unit Property Act.

3. Recreation areas shall be provided according to the following provisions:

- For subdivisions up to ten (10) units a minimum total area of one thousand (1,000) square feet shall be designated and reserved by the developer.

- For subdivisions of more than ten (10) but less than fifty (50) units a minimum of one hundred (100) square feet per unit shall be designated and reserved by the developer in addition to the one thousand (1,000) square feet for the first ten (10) units.
 - For subdivisions over fifty (50) units, the developer shall provide for recreation areas as negotiated with the Municipality.
 - Deeds for each unit shall reflect responsibility for maintaining recreation areas.
 - The area shall be provided adjacent to the housing units.
 - The area shall be suitably landscaped.
 - The area shall not be considered for future development.
4. Two (2) off-street parking spaces shall be provided for each dwelling unit. In addition, for every two (2) dwelling units of this type there shall be provided one (1) additional off-street parking space.

COMMERCIAL DEVELOPMENT

LOTS OF FIVE (5) ACRES OR LESS

1. Minimum lot area will be controlled by setback, building size and maximum impervious cover standards.
2. Lot frontage shall be adequate to provide safe ingress and egress.
3. Maximum impervious total coverage shall be seventy-five (75) percent. Buildings shall occupy no more than forty (40) percent of the total lot area.
4. Building setbacks shall be measured from the right-of-way line:
 - twenty-five (25) feet from the right-of-way line on minor streets.
 - thirty (30) feet from the right-of-way line on collector streets.
 - fifty (50) feet from the right-of-way line on arterial streets and roads.
5. Side yards shall be fifteen (15) feet.
6. Rear yard shall be twenty-five (25) feet.

LOTS OF FIVE (5) ACRES OR MORE

1. Minimum lot width shall be measured at the setback line.
2. Maximum impervious total coverage shall be seventy-five (75) percent. Buildings shall occupy no more than forty (40) percent of the total lot area.
3. The building setback line shall be one hundred (100) feet measured from the right-of-way line.

4. Side yards shall be twenty-five (25) feet.
5. Rear yard shall be fifty (50) feet.

DEVELOPMENT OF LAND FOR COMMERCIAL PURPOSES SHALL BE GOVERNED BY THE FOLLOWING:

1. Any part or portion of the site which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas, shall be planted with an all season ground cover and shall be landscaped with trees and shrubs in accordance with an overall landscape plan and shall be in keeping with natural surroundings. On properties adjacent to or contiguous to residential areas, landscaping shall include a planted or constructed visual barrier so placed as to effectively screen loading or service areas.
2. Water and sewer systems shall meet the requirements of the Pennsylvania Department of Environmental Resources.
3. Parking areas shall be designed in accordance with Section 404 of this Ordinance.
4. Storm drainage facilities shall be designed in accordance with Section 507 of this Ordinance.
5. No design shall be approved which does not conform to appropriate Federal, State, Regional and Local Standards relative to water or air pollution, particle emission, noise, electrical disturbances, waste disposal, light, glare, heat, vibration, radioactivity, and outdoor storage of materials, or involves any other activity generating a nuisance.

INDUSTRIAL DEVELOPMENT

DIMENSIONS

For any lot or parcel of land being developed for use as an industrial site, the following dimensions shall apply:

1. Minimum total lot area shall be one (1) acre.
2. Minimum lot width shall be one hundred forty (140) feet measured at the setback line.
3. Maximum total impervious coverage shall be seventy-five (75) percent. Buildings shall occupy no more than forty (40) percent of the total lot area.
4. The building setback line shall be one hundred (100) feet measured from the right-of-way line.
5. The side yards shall be twenty-five (25) feet each.
6. Rear yard shall be fifty (50) feet.

DEVELOPMENT OF LAND FOR INDUSTRIAL PURPOSES SHALL BE GOVERNED BY THE FOLLOWING:

1. Any part or portion of the site which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas, shall be planted with an all season ground cover and shall be landscaped with trees and shrubs in accordance with an overall landscape plan and shall be in keeping with natural surroundings. On properties adjacent to or contiguous to residential areas, landscaping shall include a planted or constructed visual barrier so placed as to effectively screen loading or service areas.
2. Water and sewer systems shall meet the requirements of the Pennsylvania Department of Environmental Resources.
3. Parking areas shall be designed in accordance with Section 404 of this Ordinance.
4. Storm drainage facilities shall be designed in accordance with Section 507 of this Ordinance.
5. No design shall be approved which does not conform to appropriate Federal, State, Regional and Local Standards relative to water or air pollution, particle emission, noise, electrical disturbances, waste disposal, light, glare, heat, vibration, radioactivity, and outdoor storage of materials, or involves any other activity generating a nuisance.

SECTION 408 EASEMENTS

1. The minimum width of easements for underground and overhead public utilities, shall be twenty (20) feet.
2. Wherever possible, easements for public utilities shall be centered on side and/or rear lot lines.
3. Electric and Telephone facilities shall be installed underground unless conditions require otherwise.
4. Drainage easements shall be such adequate width as to serve the purpose for which they are intended. Such easements shall preserve the unimpeded flow of natural drainage or provide for the construction of drainage facilities. In no case shall they be less than twenty (20) feet.

ARTICLE V - IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

SECTION 501 MONUMENTS AND MARKERS

Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.

501-A MONUMENTS

1. Monuments shall be set:
 - a. At the intersections of all right-of-way lines,
 - b. at the intersection of lines forming angles in the boundaries of the development,
 - c. at such intermediate points as may be required by the engineer.
2. Monuments shall be six (6) inches square or four (4) inches in diameter, thirty (30) inches long and made of concrete, stone, or a four (4) inch cast iron or steel pipe filled with concrete.

501-B MARKERS

1. Markers shall be set:
 - a. At all lot corners except those monumented,
 - b. prior to the time the lot is offered for sale.
2. Markers shall be three-quarters (3/4) of an inch square or three-quarters (3/4) of an inch in diameter, fifteen (15) inches long. Markers shall be made of iron pipes or iron or steel bars.

501-C REMOVAL

Any monuments or markers that are removed must be replaced by a registered engineer or surveyor at the expense of the person removing them.

SECTION 502 STREETS

Streets may be surfaced to the grades and dimensions drawn on the plans, profiles, and cross-sections submitted by the Subdivider and approved by the Municipality. Before paving the street surface, the Subdivider must install the required utilities and provide, where necessary, adequate storm water drainage for the streets, as acceptable to the Municipality. Following a review of the subdivision plan and consultation with the subdivider and the governing body of the Municipality in which the subdivision is located, the Planning Commission shall determine the type of development and the specifications for the base and wearing surface of the streets in accordance with the following:

502-A URBAN OR SUBURBAN DEVELOPMENTS

- A. MINOR STREETS - Except when otherwise specified, the base course shall consist of six (6) inches of compacted crushed stone constructed according to the specifications set forth in Section 3.10, Crushed Aggregate Base Course, in the Pennsylvania Department of Transportation Specifications, 1970 or as amended.

Construction of the surface course shall comply with the specifications as set forth in Section 4.41, Bituminous Surface Course

(2½") CP-2, of the Pennsylvania Department of Transportation Specifications, 1970, as amended. Concrete may be substituted for the above subject to the approval of the Municipality.

- B. COLLECTOR STREETS - Except when otherwise specified, the base course shall consist of eight (8) inches of compacted crushed stone constructed according to the specifications as set forth in Section 4.2, Crushed Stone Base Course, in the Pennsylvania Department of Transportation Specifications, 1970, as amended.

Construction of the surface course shall comply with the specifications as set forth in Section 4.20, Bituminous Surface Course (2½") ID-2 of the Pennsylvania Department of Transportation Specifications, 1970, as amended. Concrete may be substituted for the above subject to the approval of the Municipality.

- C. ARTERIAL STREETS - For the construction of arterial roads or highways, the subdivider shall consult with and be governed by the Pennsylvania Department of Transportation for the method of construction to be used.

The Planning Commission shall decide if a collector or arterial street is required as a direct result of the construction of his subdivision in which case the Subdivider is responsible for paving the additional width required.

502-B PRIVATE STREETS

1. All private streets shall be constructed in accordance with Section 502, or bonded in accordance with Section 518 of this Ordinance prior to approval of the Final Plan.
2. Whenever a subdivider proposes to establish a street which is not offered for dedication to public use, the Planning Commission may require the subdivider to submit, and also to record with the plan, a copy of an agreement made with the Municipality on behalf of his heirs and assigns, and signed by the Municipal Solicitor, and which shall establish the conditions under which the street may later be offered for dedication, and shall stipulate among other things:
 - That the street shall conform to appropriate specifications or that the owners of the abutting lots shall include with the offer of dedication sufficient money, as estimated by the Municipal Engineer, to restore the street to conformance to specifications.
 - That an offer to dedicate the street shall be made only for the street as a whole.
 - That the method of assessing repair costs be as stipulated, and
 - That agreement by the owners of more than fifty (50) percent of the front footage thereon shall be binding on the owners of the remaining lots.

502-C STREET LIGHTS

If required by the Municipality in which the subdivision or land development is located, a street light meeting Municipal specifications shall be installed at one (1) corner of every intersection.

502-D STREET SIGNS

Street name signs shall be placed at one (1) corner of every intersection. The design must be according to Municipal specifications.

502-E STREET TREES

The Planning Commission may require that shade trees be planted in a development to conform to the following specifications:

1. The trees shall be located between the sidewalk and building setback line and at least five (5) feet from the sidewalk. Trees shall be planted between the sidewalk and curb only if the curb and sidewalk are at least ten (10) feet apart.
2. Each tree shall be at least eight (8) feet in heights and have a diameter of at least one and one-half (1½) inches.

SECTION 503 CURBS AND GUTTERS

1. In any proposed subdivision or land development with an average lot size or area per dwelling unit of fifteen thousand (15,000) square feet, or less, or where any subdivision is immediately adjacent to or within one thousand (1,000) feet of any existing or recorded subdivision having curbs, curbs shall be installed on each side of the street.
2. Curbs may also be required along any existing or proposed street regardless of lot size where curbs are necessary to control the flow of surface water and regulate traffic, and/or where lot widths are eighty (80) feet or less.
3. Curbs shall be provided in all streets and parking compounds located within multi-family development projects.
4. In areas where curbing is not required, suitable gutters shall be installed to avoid erosion.
5. All curbs shall be constructed of Portland Cement concrete. The construction of vertical curbs shall conform to the requirements of Section 715, Plain Cement Concrete Curb, Type A of the Pennsylvania Department of Transportation, or as amended. Rolled curb and gutter type curbs may be constructed.

SECTION 504 SIDEWALKS

1. In any proposed subdivision or land development with an average lot size or area per dwelling unit of fifteen thousand (15,000) square feet or

less, or where a subdivision is immediately adjacent to or within one thousand (1,000) feet of any existing or recorded subdivision having sidewalks, sidewalks may be required on each side of the street in accordance with Municipal specifications.

2. The Planning Commission may require installation of sidewalks in any subdivision or development where the evidence indicates that sidewalks are necessary for the public safety.

-- Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.

-- Sidewalks must be at least four (4) feet wide. In the vicinity of shopping centers, schools, recreation areas and other such facilities, sidewalks must be at least five (5) feet wide and located within the street right-of-way.

-- Sidewalks shall be constructed according to Pennsylvania Department of Transportation standards.

SECTION 505 SEWER AND WATER SUPPLY SYSTEMS

505-A PRIVATE AND ON-SITE SEWER SYSTEMS

1. All properties shall be connected to a public sanitary sewer system if possible.
2. Where a public sanitary sewer system is not accessible but is proposed for extension within five (5) years to the development or to within one thousand (1,000) feet of the development, the developer shall install sewer lines, including lateral connections, to provide adequate service to each lot when connection with the public system is made. The sewer lines shall be capped at the street right-of-way line. When capped sewers are provided, on-site disposal facilities shall also be provided.
3. If no public system is either proposed within five (5) years or within one thousand (1,000) feet of the development, the Planning Commission may require that a study be prepared to determine the feasibility of constructing a separate private system or treatment facility, or connecting to an existing private or public system over one thousand (1,000) feet away.

Upon completion of any sanitary sewer system installation, the plan for the system as built shall be filed with the Municipality.

Where none of the above alternatives are possible or feasible, an individual sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system shall be provided for each lot at the time improvements are erected or installed thereon. All such individual sewage disposal systems shall be constructed in accordance with the Pennsylvania Department of Environmental Resources regulations.

505-B PRIVATE AND ON-SITE WATER SYSTEMS

Where a water main supply system is within one thousand (1,000) feet of, or where plans approved by the Municipality provide for the installation of public water facilities, the developer shall provide the development with a complete water supply system to be connected to the existing or proposed water main supply system in accordance with Municipal specifications.

If connection to a public water supply system is not possible, a report on the feasibility of constructing a separate water supply system may be required by the Planning Commission and a report shall be submitted setting forth the findings.

The plans for installation of a private water supply system shall be prepared by the land developer, and approved by the Pennsylvania Department of Environmental Resources. Upon completion of any water supply system, the plan for the system as built shall be filed with the Municipality.

Where none of the above alternatives are possible or feasible, an individual water supply system shall be installed.

- The water supply yield shall be adequate for the type of development proposed.
- The installation of such systems shall not endanger or decrease groundwater supplies of adjacent properties.
- Any such individual system shall meet any applicable Pennsylvania Department of Environmental Resources regulations.

SECTION 506 FIRE HYDRANTS

Fire hydrants shall be provided as an integral part of any public water supply system.

- a. Fire hydrants shall be installed if their water supply source is capable to serve them in accordance with the requirements of the local fire authority.
- b. Fire hydrants shall be in accordance with specifications set forth by the National Fire Protection Association, or as amended.
- c. Fire hydrants shall be placed at intervals of not more than six hundred (600) feet or as specified by the Middle Department Association of Fire Underwriters.

SECTION 507 STORM DRAINAGE

507-A GENERAL

1. Whenever the evidence available to the Planning Commission indicates that natural surface drainage is inadequate, the developer shall install storm sewers, culverts, and related facilities, as necessary to:

- Permit the unimpeded flow of natural water courses.
 - Insure the drainage of all low points along the line of streets.
 - Intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.
 - Provide positive drainage away from on-site disposal facilities.
2. Storm sewers shall not be connected to sanitary sewers.
 3. Storm water drainage facilities which receive water from drainage areas in excess of one-half ($\frac{1}{2}$) square mile (320 acres) shall be subject to the approval of the Pennsylvania Department of Environmental Resources, Division of Dams and Encroachments. Storm water drainage plans which involve a State Road shall be subject to the approval of PennDOT. Approval of a plan by the Planning Commission shall not be construed as an indication that the plan complies with the standards of any agency of the Commonwealth.

507-B DESIGN

1. Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being developed, but also the anticipated increase in runoff that may occur when all the property at a higher elevation in the same drainage basin is fully developed.
2. The developer shall also study the effect of the development on the existing downstream drainage facilities outside the area of the development. Where the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility the Planning Commission shall not approve the subdivision until provision has been made for the improvement of said condition.
3. The USDA Soil Conservation Service Soil Cover Complex Method or the PennDOT Method, are the recommended methods for calculating runoff.
4. The storm design intensity shall be established with a minimum of ten (10) year storm frequency. A frequency of one in twenty-five (25) to fifty (50) years is required for high value districts and major highways.

507-C EXISTING FACILITIES

Where existing storm sewers are reasonably accessible, and of sufficient capacity, the developer must connect his storm water facilities to these existing storm sewers.

507-D ABUTTING PROPERTIES

1. In the design of storm drainage facilities, special consideration must be given to preventing excess runoff onto adjacent developed or undeveloped properties. In no case may a change be made in

the existing topography which would:

- Increase the slope to more than one (1) foot of vertical measurement for three (3) feet of horizontal measurement for fills, or one (1) foot of vertical measurement for two (2) feet of horizontal measurement for cuts within a distance of twenty (20) feet from the property line unless an adequate retaining wall or other structure is provided,
- result in a slope which exceeds the normal angle of slippage of the material involved.

2. All slopes must be protected against erosion.

SECTION 508 EROSION AND SEDIMENTATION

All development applications which involve grading or excavation shall conform to the requirements of the Rules and Regulations of the Pennsylvania Department of Environmental Resources pertaining to erosion and sedimentation. It shall be the responsibility of the applicant to secure approval of the Department of Environmental Resources. Approval of plans by the Planning Commission shall not be construed as approval under such regulations.

SECTION 509 FLOODPLAIN

1. The floodplain corridor shall be defined and established as the area of inundation which functions as a storage or holding area for flood water to a width required for a one hundred (100) year flood, as delineated in one of the following reports:
 - a. A hydrologic report prepared by an individual registered in the Commonwealth of Pennsylvania to perform such duties.
 - b. A hydrologic report prepared by an agency of the U.S. Government.
2. In case of any dispute concerning the boundaries of a floodplain corridor, the Planning Commission shall determine the ultimate location.
3. Whenever a floodplain is located within or along a proposed land development, the plan shall include the location of the floodplain with a plan note that (1) the floodplain shall be kept free of structures, fill, and other encroachments and (2) any structures located within the floodplain shall be flood-proofed to the limits of the floodplain corridor.
4. All floodplain lands shall be excluded in the minimum lot area calculations. Additionally, the floodplain area shall be identified by elevation or by approximate distance from the centerline of the stream channel. Floodplain lines need not be identified by distances and bearings.
5. No subdivision and/or land development, or part thereof, shall be approved if the proposed development and/or improvements will individually or collectively, increase the one hundred (100) year flood elevation more than one (1) foot at any point.
6. If it is determined that only a part of a proposed subdivision can be safely developed, the Planning Commission shall limit development to

that part and shall require that development proceed consistent with this determination.

SECTION 510 UNDERGROUND UTILITY LINES

Electric, telephone and all other utility facilities shall be installed underground. The Developer shall be required to obtain a letter from the appropriate utility company confirming that the Developer has entered into an agreement to provide for an underground electric and telephone system in accordance with the Pennsylvania Public Utility Commission Investigation Docket #99, as amended, or has obtained a waiver from said Pennsylvania Public Utility Commission to allow overhead electric and telephone facilities.

SECTION 511 PETROLEUM LINES

When any petroleum or petroleum products transmission line traverses a land development, the Developer shall confer with the applicable transmission or distributing company to determine the minimum distance which shall be required between each dwelling unit and the centerline of such petroleum or petroleum products transmission line.

SECTION 512 NATURAL GAS LINES

The minimum distance from a natural gas line to a dwelling unit shall be as required by the applicable transmission or distributing company, or as shall be required by the applicable regulations issued by the Department of Transportation under the Natural Gas Pipe Line Safety Act of 1968, as amended, whichever is greater.

SECTION 513 DEDICATION OF LANDS FOR LOCAL RECREATION AND OTHER PUBLIC SITES

1. In subdivisions which are intended to provide housing for more than four (4) families, the Planning Commission shall consider the need for suitable open areas for recreation and shall make recommendation thereon, based upon the following standards:

<u>FAMILIES TO BE SERVED</u>	<u>MINIMUM PLAYGROUND-ACREAGE TO BE RECOMMENDED</u>
5 - 15	10,000 sq. ft.
15 - 50	20,000 sq. ft.
50 - 100	one (1) acre
Each additional 100 families	one (1) acre

2. The land to be dedicated must be suitable in size, shape, topography, and general character for the proposed use.
3. Such lands shall not be included in the area required for lot lots in Section 407 of this Ordinance. In lieu of dedication of recreational areas, the Developer and the Municipality may agree on a capital contribution to be made by the Developer to an existing or proposed park program.

SECTION 514 WATER AREAS

In a development abutting a lake, river, or other significant water body, the Planning Commission may request the dedication or reservation of:

- Any title to the water body the developer may possess beyond the wharf or dock line for public use;
- up to twenty (20) percent of the land abutting the shore for public use.

SECTION 515 RESERVATIONS

On sites reserved for eventual public acquisition, no building development is permitted during the period of reservation, said period of time not to extend more than twelve (12) months without consent of the developer. Such reservations shall be noted on the Final Plan.

SECTION 516 COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF; PREREQUISITE TO FINAL PLAN APPROVAL

No plan shall be finally approved unless the streets shown on such plan have been improved as required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and other improvements as may be required by this Ordinance have been installed in accordance with this Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plan the Planning Commission may require, for deposit with the Municipality, corporate bond, or other security acceptable to the Municipality in an amount sufficient to cover the costs of any improvements which may be required. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements required for the final plan approval within two (2) years. In the case where development is projected over a period of years, the Planning Commission may authorize submission of final plans by sections or stages of development subject to such requirements or guarantees as it finds essential for the protection of any finally approved section of the development.

In the event a corporate bond or other security has been offered in lieu of completion of improvements for final plan approval, the developer shall construct and maintain a passable roadway, along with any other improvements required for lots which are occupied prior to acceptance of the roadway and/or other improvements by the Municipality. Such maintenance shall continue for the entire bonded period.

SECTION 517 RELEASE FROM IMPROVEMENT BOND

When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Municipality in writing, by certified mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Municipal Engineer. The Municipality shall, within ten (10) days after receipt of such notice, direct and authorize the Municipal Engineer to inspect all of the aforesaid improvements. The Municipal Engineer shall, thereupon, file a report, in writing, with the Municipality, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Municipal Engineer of the aforesaid authorization by the Municipality,

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 Municipal Engineer, said report shall contain a statement of reasons for such non-approval or rejection.

The Municipality shall notify the developer, in writing by certified or registered mail of the action of the Municipality with relation thereto.

If the Municipality or Municipal Engineer fails to comply with the time limit contained herein, all improvements shall be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.

If any portion of the said improvements shall not be approved or shall be rejected by the Municipality, the developer shall proceed to complete the same and upon completion, the same procedure of notification, as outlined in this Ordinance, shall be followed.

Nothing in this Ordinance, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Municipality or the Municipal Engineer.

Where reference is made in this Ordinance to Municipal Engineer, he shall be a duly registered professional engineer employed by the Municipality or engaged as a consultant to the Municipality.

SECTION 518 REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS

In the event that any improvements which are required have not been installed as provided in this Ordinance or in accord with the approved Final Plan, the Municipality is hereby granted the power to enforce any corporate bond or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by such security, the Municipality may at its option, install part of such improvements in all or part of the subdivision of land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Municipal purpose.

SECTION 519 DEDICATION OF IMPROVEMENTS

Upon installation by the developer and subsequent inspection by the Municipal Engineer, the developer shall take final steps to dedicate the improvements and have them accepted by the Municipality. The recording of the Final Plan, following approval by the Planning Commission, has the effect of an irrevocable offer to dedicate all streets and other public ways and areas to public use. The offer, however, does not impose any duty on the Municipality concerning maintenance or improvement until the proper authorities of the Municipality have made actual acceptance, either by ordinance or resolution.

ARTICLE VI - FEES

Fees for Subdivision and Land Development Review and Approval:

SECTION 601 SKETCH PLANS

No fee shall be required for Sketch Plan review.

SECTION 602 PRELIMINARY PLANS

1. Where applicable regulations require major engineering data (street grades and profiles, drainage plans, etc.) at the preliminary plan stage, the appropriate fee schedule shall apply to preliminary plan applications.
2. Where applicable regulations require major engineering data at the final plan stage, no fee shall be required for preliminary plan processing.

SECTION 603 FINAL PLANS

1. Where fee has been paid at the preliminary plan stage, no fee shall be required for final plan processing.
2. Where no fee has been paid at the preliminary plan stage, the appropriate fee schedule shall apply.

SECTION 604 RESUBMISSION OF PLANS

1. Where plans are resubmitted following disapproval by the appropriate governmental agency, no fee shall be charged for resubmission provided the re-review involves changes only to those items for which the plan was originally disapproved.

SECTION 605 FEE SCHEDULE

1. Fees are based on a minimum charge of \$10.00 for the first lot and \$2.00 for each additional lot.
2. For residential land developments such as mobile home parks, apartments or condominiums, fees shall be based on \$10.00 for the first dwelling unit and \$2.00 for each additional dwelling unit.
3. For commercial and industrial developments, fees shall be based on \$10.00 for the first acre or portion thereof, and \$4.00 for each additional acre or portion thereof.

ARTICLE VII - VARIANCES

SECTION 701 GENERAL

If any provision of this Ordinance is shown by the developer to be unreasonable or such as to cause undue hardship not of his own making in the special conditions of his proposed subdivision or land development, the Planning Commission may grant a variance from the literal requirements of such provision,

provided: that such variance will not be contrary to the public interest; that justice will be done, and that the purpose and intent of this Ordinance is observed.

SECTION 702 PROCEDURE

1. Any request for a variance shall be in writing and shall accompany and be a part of the submission of the Plan, Preliminary and/or Final, to which it refers. The request shall state in full the ground and facts of unreasonableness or hardship on which the request is based, the provision(s) of this Ordinance involved, and the exact variance therefrom which is requested.
2. All proposals for variance from the provisions of this Ordinance shall be reviewed and a recommendation made by the Municipality, whether requested by the developer or deemed necessary by the Planning Commission.
3. All proposals for variance from the provision of this Ordinance shall be reviewed by and shall have effect only, when approved by the Planning Commission.
4. A record of the action on all variances from the provisions of this Ordinance shall appear in the official minutes of the Planning Commission.

ARTICLE VIII - ADMINISTRATION, ENFORCEMENT AND PENALTIES

SECTION 801 ADMINISTRATION AND ENFORCEMENT

1. The Adams County Planning Commission shall have the duty and authority for the administration and general enforcement of the provisions of this Ordinance, as specified or implied herein.

Officials of Municipalities having regulatory duties and authorities connected with, or pertinent to, the subdivision, use or development of land shall have the duties and authorities for the controlling enforcement of the provisions of this Ordinance, as specified or implied herein or in other Ordinances of the Municipality.

2. Permits required by the Municipality for the erection or alteration of buildings, the installation of sewers or sewage disposal systems, or for other appertinent improvements to, or use of, the land, shall not be issued by any Municipal Official until he has ascertained that the site for such building, alteration, improvement or use is located in a development approved and publicly recorded in accordance with the provisions of this Ordinance.

Also, such permits shall be issued only after it has been determined that the site for such building, alteration, improvement or use conforms to the site description as indicated by the approved and recorded Final Plat or other land description acceptable in accordance with the provisions of this Ordinance, and that it is in compliance with all applicable provisions of this Ordinance.

3. The Municipal building permit officer shall require that applications for building permits contain all the information necessary for him to

ascertain that, and he shall not issue any building permit until he determines that, the site and plan for the proposed building, alteration or other improvement is acceptable in accordance with the provisions of this Ordinance.

The Municipal sewage facilities officer shall require that applications for sewage disposal system permits contain all the information for him to ascertain that, and he shall not issue any sewage disposal system permit until he determines that, the site for the proposed system is acceptable in accordance with the provisions of this Ordinance.

SECTION 802 PENALTIES

1. Any person, partnership, or corporation who or which being owner or agent of the owner of any lot, tract, or parcel of land, shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes, or for the common use of occupants of buildings abutting thereon, or who sells, transfers, or agrees, or enters into an agreement to sell any land in a subdivision or land development whether by reference to, or by other use of, a plat of such subdivision or land development or otherwise, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this Ordinance and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or officers of such violation, shall pay a fine not exceeding one thousand dollars (\$1,000) per lot or parcel or per dwelling within each lot or parcel.
2. The description of such lot or parcel by metes and bounds in instrument of transfer, or other document used in the process of setting or transferring, shall not exempt the seller or transferer from such penalties, or from the remedies herein provided. The County may also enjoin such transfer or sale or agreement by action for injunction brought in any court or equity jurisdiction, in addition to the penalty herein provided.

SECTION 803 ACTION FOR RELIEF BY COUNTY

The County Commissioners may obtain a writ of injunction against the owner or agency who attempts the improper sale of conveyance of land to set aside and invalidate any conveyances of land made prior to Final Plan approval of any development.

SECTION 804 OTHER ACTIONS

Nothing herein shall prevent the Planning Commission from taking such other action necessary to prevent or remedy any violation.

SECTION 805 APPEALS

The decision of the Planning Commission with respect to the approval or disapproval of plans may be appealed directly to court by any part, officer or agency. Such appeal shall be filed not later than thirty (30) days following the date of the decision being appealed.

SECTION 806 SEVERABILITY CLAUSE

If any provisions of this Ordinance shall be determined to be invalid or unconstitutional by a recognized court of the Commonwealth, such determination shall not affect the legality of the remaining provisions of this Ordinance.

SECTION 807 ENACTMENT

This Subdivision and Land Development Ordinance shall become effective on August 1, 1979, and shall remain in force until modified, amended, or rescinded. Adopted by the Board of County Commissioners of Adams County, Pennsylvania, this 13 day of July, 1979.

BOARD OF COMMISSIONERS

Robert W. Flunk
President

Thomas L. Colles
Kenneth E. Lewis

Attest:

Maurice F. Brighluer
Chief Clerk

AMENDMENTS TO THE ADAMS COUNTY SUBDIVISION AND
LAND DEVELOPMENT ORDINANCE

1. Article III, Section 304. B. 5. (page 12)

The final sentence is changed to read: Such profiles shall show natural and finished grades, and, where applicable, the regulatory flood elevation.

2. Article V, Section 509.5 (page 44)

The following sub-paragraphs are added:

- (a) The finished elevation of proposed streets shall not be more than one (1) foot below the regulatory flood elevation.
- (b) All other public and private utilities and facilities, including gas and electric, shall be elevated or flood proofed up to the regulatory flood elevation.

3. Article VI. (page 48)

Add: Section 606 CONSULTING FEES

Where applicable regulations require major engineering data, any fees for consulting services required to complete the review of such plans shall be paid for by the developer before final approval is given.

4. Article IX - MOBILE HOMES AND MOBILE HOME PARKS

Add entire new Article IX as attached.

ARTICLE IX - MOBILE HOMES AND MOBILE HOME PARKS

This article contains provisions setting forth minimum standards for the design, construction, alteration, and extension, of mobile home parks and related utilities and facilities.

901 - DEFINITIONS

1. MOBILE HOME - a transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two 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.
2. MOBILE HOME LOT - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased to the occupants of the mobile home erected on the lot.
3. MOBILE HOME PARK - a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.
4. PERSON - any individual, firm, trust, partnership, public or private association or corporation, or other entity.
5. RECREATIONAL VEHICLE - a vehicle which is designed for human occupancy under transient circumstances, such as camping, travel or other recreation, sometimes variously known as a "travel trailer" or a "camping trailer".
6. SERVICE OR RECREATIONAL BUILDING - a structure housing operational office, recreational, park maintenance and other facilities built to conform to required local standards.

902 - APPROVAL FOR MOBILE HOME PARK CONSTRUCTION, ALTERATION OR EXTENSION

1. All mobile home park plans shall have the same status as preliminary and/or final plans as described in Article III of this Ordinance.
2. Approved final plans for mobile home parks shall be recorded as described in Section 305-D of this Ordinance.

902-A - PERMITS REQUIRED

It shall be unlawful for any person to construct, alter, or extend any mobile home park unless a valid permit has been issued by the Pennsylvania Department of Environmental Resources in the name of such person for specific construction, alteration or extension proposed.

902B - APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES

All applications for permits shall be made by the owner of the mobile home park or his authorized representative to the Department of Environmental Resources in accordance with their rules and regulations concerning mobile home parks.

902-C - APPLICATION TO THE COUNTY PLANNING COMMISSION

Copies of the application submitted to the Pennsylvania Department of Environmental Resources shall be concurrently filed with the Adams County Planning Commission. Such application shall be accompanied by a plan drawn at a scale not less than one (1) inch equals fifty (50) feet and containing the following information:

1. All information as required by the Pennsylvania Department of Environmental Resources.
2. Name of mobile home park, if any.
3. Name and address of owner of record and/or applicant.
4. Name of engineer, surveyor or other qualified person preparing the plan.
5. North arrow, scale, and date of plan preparation.
6. Location map.
7. Site Data:
 - a. number of mobile home lots
 - b. total number of acres
 - c. number of lots per acre
 - d. number of off-street parking spaces
8. Topography showing existing and proposed contours at intervals of two (2) or five (5) feet, depending upon the slope of the land.
9. The location of any existing bodies of water or watercourses, floodplain areas, tree masses, buildings or structures, public facilities and any other man-made or natural features within or near the proposed mobile home park area.
10. A storm drainage plan, and storm drainage calculations (see Section 507 of this Ordinance).
11. Existing and proposed property, lot and boundary lines including building setback lines, and information concerning lot dimensions, lot areas, and the location of all utilities, and the street number assigned to each lot.
12. Location and dimensions of all mobile home stands.
13. The location of all existing and proposed streets with information concerning pavement widths, types of paving, and street names.
14. Typical cross-section of all streets.

15. Street centerline profiles.
16. Location of all off-street parking areas.
17. Location and dimension of all pedestrian walkways and sidewalks.
18. Location of proposed recreation areas.
19. Location of all plantings and landscaping.
20. Location, dimensions and proposed use of all service and accessory structures.
21. Engineer's or Surveyor's seal with certification that survey and plan are correct.
22. Block for approval by Planning Commission.

902 - REVIEW AND APPROVAL OF PLANS

1. Upon receipt of the application, the Adams County Planning Commission shall inspect the applications and plans to determine compliance with the provisions of this Ordinance at the next regularly scheduled meeting of the Planning Commission.
2. Action on the application and plan shall be taken by the Adams County Planning Commission and communicated to the owner or developer not later than ninety (90) days following receipt of the application and plan by the Planning Commission. If approved, the Chairman of the Planning Commission shall sign the plan. If the application and plan is disapproved, the Planning Commission shall notify the developer or owner in writing including a statement of reasons for their decisions.

902-E - FEES

Any and all applicable fees as required by the fee schedule set forth in Article VI of this Ordinance shall be paid by the applicant.

903 - DESIGN STANDARDS

903-A - SITE LOCATIONS

The location of all mobile home parks shall comply with the following minimum requirements:

1. The site shall be free from adverse influence by swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects or rodents.
2. The area shall not be subject to flooding.
3. The site shall not be subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, heat, odor, glare, etc.

903-B - SITE DRAINAGE

1. The ground surface in all parts of a park shall be graded and equipped to drain surface water in a safe, efficient manner. Where necessary, storm sewers, culverts, and related facilities shall be provided to permit the unimpeded flow of natural watercourses and to insure the adequate drainage of all locations within the park.
2. A drainage plan (as described in Section 507, of this Ordinance) shall be prepared and submitted for review and approval by the Adams County Planning Commission with the mobile home park plan.
3. All storm water facilities shall be kept completely separate from any sanitary waste facilities.

903-C - SOIL AND GROUND COVER REQUIREMENTS

1. Ground surfaces in all parts of every park shall be paved or planted with a vegetative growth that is reasonably capable of preventing soil erosion and the emanation of dust during dry weather.
2. All paving and/or planting shall be designed in accordance with the storm drainage plan.

903-D - PARK AREAS FOR NON-RESIDENTIAL USES

1. No part of any park shall be used for non-residential purposes, except such uses that are required for recreation, direct servicing, management, or maintenance of the park and its residents.
2. Nothing contained in this Section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to utilities.

903-E - SETBACKS, BUFFER STRIPS, AND SCREENING

1. Mobile homes in parks shall be located at least seventy (70) feet from the centerline of any abutting existing or proposed public local street and eighty (80) feet from the centerline of any abutting existing or proposed public collector street.
1. There shall be a minimum distance of thirty-five (35) feet between an individual mobile home, including accessory structures attached thereto, and the centerline of an abutting park street.
3. Mobile homes shall be located:
 - a. at least twenty-five (25) feet from any park property line
 - b. at least ten (10) feet from any rear mobile home lot line.
 - c. a total of twenty (20) feet from the two side lines of the mobile home lot, with neither side being less than five (5) feet.

4. Mobile homes, including any additions or accessory structures attached thereto, shall be separated from each other and from other buildings by at least twenty (20) feet on all sides.
5. Mobile home parks located adjacent to any industrial or commercial land use shall be required to provide screen planting (trees, shrubs) along the property boundary line separating the park from such adjacent use.

903-F - PARK STREET SYSTEM

1. A safe and convenient vehicular access shall be provided from abutting public streets or roads.
2. The entrance road, or area, connecting the park with a public street or road shall have a minimum pavement of thirty-six (36) feet.
3. Other internal streets shall be as follows:
 - a. The minimum cartway width shall be sixteen (16) feet.
 - b. In addition, stabilized shoulders may be added on one or both sides of the cartway. Such shoulders shall be ten (10) feet. Parking shall be permitted only on these shoulders, if it is permitted on the street at all.
 - c. Dead end streets shall be provided at the closed end with a paved turnaround having an outside diameter of at least sixty (60) feet.
4. Grades of all streets shall be at least 0.5% and not more than 8.0%.
5. Intersections of more than two (2) streets are prohibited.
6. Within one hundred (100) feet of an intersection, streets shall be at approximately right angles. In no case shall streets intersect at less than seventy-five (75) degrees.
7. If intersecting streets are not in alignment, a distance of at least one hundred twenty-five (125) feet shall be provided between the centerlines of the intersecting streets.
8. Minimum curb or edge of pavement radii at intersections shall be as follows:

a. Minor street with minor street	15 feet
b. Minor street with collector street	20 feet
c. Collector street with collector street	20 feet
9. All streets shall be constructed in accordance with section 502 of this Ordinance.
10. All streets within a mobile home park shall be privately owned and maintained.

903-G - OFF-STREET PARKING AREAS

A paved off-street parking space for two(2) motor vehicles shall be provided at each mobile home lot.

903-H - WALKS

1. All mobile home parks shall be provided with pedestrian walks on both sides of the street. Such walks shall be at least three (3) feet in width. Where such walks constitute a continuation of existing sidewalks, they shall be continued at the same width as that existing walk, but in no case shall they be less than three (3) feet in width.
2. All mobile home lots shall be connected to a pedestrian walk with an individual walk at least two (2) feet in width.
3. All pedestrian walks shall be constructed in accordance with Pennsylvania Department of Transportation regulations.

903-I - MOBILE HOME LOTS

1. All lots shall abut and be accessible from a park street.
2. Mobile home lots within the park shall have the following minimum dimensions:
 - a. Minimum area shall be five thousand (5,000) square feet.
 - b. Minimum width at any point shall be forty-five (45) feet.
3. Each mobile home lot shall be improved to provide a mobile home stand and adequate frost free foundation for the placement of the mobile home unit.
4. Individual lots in a mobile home park shall not be sold separately.

903-J - BLOCK DIMENSIONS

The length of blocks shall not exceed nine hundred (900) feet.

903-K - STREET LIGHTS

1. In any mobile home park of five (5) or more units, street lights shall be required at a separation distance of not more than three hundred (300) feet.
2. In lieu of requiring street lights in parks of five (5) units or more, or when considering a proposal of less than five (5) units, the Planning Commission may require individual lot lights in a ratio of one (1) to one (1).

903-L - RECREATION AREAS

In all mobile home parks, a recreation area or areas with suitable facilities, shall be maintained within the park for the use of all park residents. Such recreation areas:

1. Shall not be located in areas which are unsuitable or hazardous.
2. Shall be so located as to provide reasonable access by all park residents.

3. Shall not include less than ten percent (10%) of the gross area of the mobile home park.

905 - WATER SUPPLY

1. An adequate supply of safe water of satisfactory quality under adequate pressure shall be provided in all parks, to all mobile homes, service buildings, and other accessory facilities. Where a public water supply system of satisfactory quantity, quality, and pressure is available, connection shall be made thereto and its supply shall be used exclusively.
2. Where a satisfactory public water supply system is not available, water shall be provided by a private water supply system which has been approved by the Pennsylvania Department of Environmental Resources.

905 - SEWAGE DISPOSAL

1. An adequate and safe sewage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Where a public sewage system of adequate capacity is available, connection shall be made thereto and it shall be used exclusively.
2. Where a satisfactory public sewage system is not available, a private system shall be provided which has been approved by the Pennsylvania Department of Environmental Resources.

906 - SERVICE BUILDINGS AND OTHER COMMUNITY SERVICE FACILITIES

906-A - APPLICABILITY

The requirements of this Section shall apply to service buildings, recreation buildings, and other community service facilities as follows:

1. Management offices, repair shops, and storage areas.
2. Laundry facilities.
3. Indoor recreation areas.

906-B - FACILITIES

1. Every mobile home park shall have a structure clearly designated as the office of the mobile home park manager.
2. Service and accessory buildings located in a mobile home park shall be used only by the residents of the mobile home park.

906-C - STRUCTURAL REQUIREMENTS FOR BUILDINGS

All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites, and other destructive elements. Exterior portions shall be of such materials and be so constructed as to prevent entrance or penetration of moisture and weather.

907 - FIRE PROTECTION

907-A - LOCAL REGULATIONS

The mobile home park area shall be subject to any local fire protection rules and regulations.

907-B - STATE AND FEDERAL REGULATIONS

1. All methods of fire protection employed shall be in compliance with any applicable state and federal regulations.
2. Installation of fire protection facilities such as hydrants shall be in accordance with National Fire Protection Association standards.