

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

For

COLUMBIA COUNTY

PENNSYLVANIA

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Prepared by
COLUMBIA COUNTY PLANNING COMMISSION
COLUMBIA COUNTY PLANNING COMMISSION STAFF
and
ADVISORY COMMITTEE

with the assistance of
LANDPLAN, INC.
Kathie L. Hunter, Principal

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COLUMBIA COUNTY
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ARTICLE 1.

AUTHORITY, PURPOSE & JURISDICTION

100 **AUTHORITY**

This Ordinance is adopted by the Columbia County Board of Commissioners under authority granted by the provisions of Article V of the PA Municipalities Planning Code, Act 170 of 1988, or as may hereafter be amended.

101 **PURPOSE**

This Ordinance was designed and adopted to provide uniform standards and procedures for the regulation of subdivision and land development within Columbia County. The Columbia County Board of Commissioners hereby cite the following as the specific purposes for which this Ordinance was enacted.

- A. To promote the health, safety, and general welfare of the citizens of the County.
- B. To provide for orderly, safe, efficient, and harmonious development throughout the County.
- C. To secure equitable processing of all subdivision and land development plans.
- D. To assure coordination of subdivision and land development proposals with municipal public improvement plans and programs.
- E. To secure protection of soil and water resources and natural drainageways.
- F. To assure that adequate easements and rights-of-way are provided for drainage facilities and public utilities;
- G. To insure that any reservation of land area for public use is suitable in size and location for the designated use;
- H. To facilitate the safe and efficient movement of people and goods through the County.
- I. To encourage the utilization of flood hazard areas in a manner that will not increase the flood hazard.
- J. To insure that land subject to subsidence or underground fires is made safe for proposed development or is utilized in such a fashion that will not endanger life nor aggravate an existing hazard.

102 **JURISDICTION**

- A. Authority of the Columbia County Planning Commission

The authority to receive, review and approve subdivision and land development plans pursuant to this Ordinance and to otherwise administer the provisions herein shall be vested in the Columbia County Planning Commission.

B. Municipalities With No Subdivision and Land Development Ordinance

The provisions of this Ordinance shall be limited to those municipalities within the County with no Subdivision and Land Development Ordinance in effect. The enactment of such an Ordinance by any municipality whose land is subject to the provisions of this Ordinance shall act as a repeal protanto of this Ordinance in said municipality. Prior to enactment of such regulations however, a copy of said Ordinance shall be forwarded to the County Planning Commission for review in accordance with the requirements of the PA Municipalities Planning Code. Within 30 days after adoption, a certified copy of such Ordinance shall be filed with the office of the County Planning Commission.

C. Municipalities With Adopted Subdivision and Land Development Ordinance

All applications for subdivision and land development within any municipality having adopted a Subdivision and Land Development Ordinance shall be forwarded upon receipt by the municipality to the office of the Columbia County Planning Commission for review and report. Such municipalities shall not approve such applications until the County report is received or until the expiration of 30 days from the date the application was forwarded to the County. (See Section 207 for specific Review and Comment Procedures.)

103 APPLICATION

The provisions of this Ordinance shall be considered to be the minimum standards necessary to meet the above-stated purposes and the general purposes of the PA Municipalities Planning Code.

104 CONFLICT WITH OTHER ORDINANCES

Where a municipality under jurisdiction of this Ordinance has enacted a local Zoning Ordinance, the provisions and requirements of that Ordinance shall take precedent where there is conflict with the provisions of these regulations.

105 EFFECT

No subdivision or land development of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, unless and until a final plat has been pre-pared in full compliance with the provisions of this Ordinance and such has been finally approved and recorded as provided herein.

106 DISCLAIMER OF LIABILITY

The grant of approval of a subdivision or land development plan or of any improvement installed as a condition thereof, shall not constitute a representation, guarantee or warranty of any kind by Columbia County, or by any official, employee or appointee thereof, of the practicability or safety of the proposed use or improvement, and shall create no liability upon the County, its officials, employees or appointees for any damage that may result pursuant thereto.

107 SHORT TITLE

This Ordinance shall be known and cited as the "Columbia County Subdivision and Land Development Ordinance of 1992."

ARTICLE 2

PLAN PROCESSING PROCEDURES

200 GENERAL

Whenever a subdivision or land development within a municipality under the jurisdiction of this Ordinance is desired to be effected, an application for development shall be submitted to the Planning Commission for review and approval. Said application may be preceded by a pre-application conference; shall consist of such plan, data, certifications, and other supporting documentation and approvals; shall be filed in such stages (preliminary and/or final); shall be processed; shall be accompanied by such fees, and shall be subject to such conditions as hereinafter specified or otherwise provided for within this Ordinance.

201 PRE-APPLICATION CONFERENCE/SKETCH PLAN

Prior to the filing of an application for review and approval of a proposed subdivision and/or land development, it is recommended that the developer submit a sketch plan to the Planning Commission for advice on the requirements necessary to achieve conformity to the standards and other provisions of this Ordinance; as well as to alert the developer to other factors pertinent to the design and effectuation of the subdivision or land development. The submission of a sketch plan shall not constitute the filing of an application for approval of a plat.

No formal action will be taken on a sketch plan submission, but the Planning Commission Staff shall, after review and evaluation of the proposal and consultation with the Planning Commission Board, notify the developer, in writing, of their findings and recommendations regarding preparation of preliminary or final plans. The Planning Commission Staff shall complete its review of each sketch plan proposal within 60 days of its submission and shall communicate its findings to the developer within 15 days of its completed review. Provided however that if such review is not completed or communicated within these time frames, no vested rights shall be deemed to accrue to the developer.

202 PRELIMINARY PLANS

A. Preliminary Plan Approval Required

Except in the case of minor subdivisions (see Section 203), Preliminary Plan approval is required as a condition precedent to the filing of an application for final approval of a proposed subdivision or land development.

B. Preliminary Plan Processing Procedures

Applications for Preliminary Plan review and approval of a proposed subdivision or land development shall be submitted and processed in accordance with the following procedures.

1. Application. Applications for Preliminary Plan approval shall be submitted to the Planning Commission and shall include eight (8) copies of the Preliminary Plat and two (2) copies of all data required to be submitted with said plat. Consideration of any such application filed less than 14 days prior to a regularly scheduled meeting of the Commission shall be deferred until the next regularly scheduled Commission meeting.
2. Referrals. Upon receipt of said application, the Planning Commission Staff shall refer one (1) copy of the Preliminary Plat and any related documentation to the following officials and agencies, as appropriate, for their review and report. These agencies shall be provided with 30 days to complete said review. The Planning Commission shall defer action on the Preliminary Plan until all requested reports are received or until the expiration of the 30-day review period.
 - a. Local municipal governing body for review and recommendation.
 - b. Local municipal planning commission, if established and active, for review and recommendation.
 - c. County Planning Commission Engineer for review of proposed improvement designs.
 - d. Pennsylvania Department of Transportation when the subdivision or land development will front on an existing or proposed State Route or will have a proposed street requiring access to such a route.
 - e. Pennsylvania Department of Environmental Resources for any necessary report with respect to sewer and water facilities.
 - f. Columbia County Conservation District for review with respect to drainage and erosion considerations and proposed stormwater management facilities.
3. Review and Action. The Planning Commission shall review the Preliminary Plan for conformance with the provisions of this Ordinance and shall render its decision and communicate same to the applicant not later than 90 days following the date of the regularly scheduled Planning Commission meeting next following the date the application was filed, provided that, should the next regular meeting occur more than 30 days following the filing of the application, the said 90-day period shall be measured from the 30th day following the date the application was filed. A plan will be considered filed upon receipt by the Planning Commission of all required plans and supporting data, including plan review and processing fees. The applicant shall be notified in writing of the decision of the Planning Commission not later than 15 days following the decision.
 - a. The Planning Commission may conditionally approve the Preliminary Plan in which case it shall specify all additional information and/or changes which shall be required. Any conditional approval is contingent upon the applicant's written acceptance of the conditions specified by the Planning Commission. The applicant shall respond as to acceptance of any conditions within 30 days of the date of

receipt of the Planning Commission's written correspondence specifying said conditions. If written acceptance is received within the 30 day period, the approval shall be deemed complete, contingent upon the acceptable completion of all required items, when applicable. If written rejection is received within the 30 day period, or the applicant fails to respond within the 30 day period, the approval shall be nullified. Plans shall not be signed by the Planning Commission until receipt of the written acceptance from the applicant and until all applicable requirements of the approval have been adequately addressed.

- b. If the Preliminary Plan is disapproved, the Planning Commission shall specify the defects found and requirements which have not been met, citing in each case, the provisions of the Ordinance relied upon.
- c. The Planning Commission shall note its action on a minimum of three (3) copies of the Preliminary Plan. A minimum of one (1) copy shall be retained by the Planning Commission, one (1) shall be forwarded to the applicant or his agent, as appropriate, and one (1) shall be forwarded to the local municipal secretary. When deemed appropriate by the Planning Commission, note of its denial may be in letter form in lieu of direct notation on the plan.

C. Effect of Preliminary Approval

Approval of the Preliminary Plan by the Planning Commission constitutes approval of the proposed subdivision or land development with respect to the general design, the dimensions, and other planned features. Preliminary approval binds the developer to the general scheme of the plan as approved and permits the developer to begin improvements. Preliminary approval does not authorize the recording, sale or transfer of lots.

D. Preliminary Plan Time Limitation

Preliminary approval shall expire within (2) two years after being granted unless, due to extenuating circumstances, an extension is requested by the developer and approved by the Planning Commission. Requests for extensions must be submitted to the Commission 30 days prior to any prevailing expiration date. Extensions may be granted for no more than (3) three additional (1) one-year periods.

203 MINOR SUBDIVISION APPLICATION OPTION

A. Minor Plan Processing Procedures

In the case of a minor subdivision (as defined in Article 8), the developer may apply directly for Final Plan approval in accordance with the Final Plan procedures in Section 204 of this Ordinance and the plan requirements set forth in Section 303. However, when multiple minor subdivisions consisting of (5) five or more lots within any given tract have been or are expected to be effected, or when other circumstances warrant, the Commission, through its Chairman, may require such additional sub-missions, including those meeting full

Preliminary and Final Plan procedures and requirements, in order that the purposes and intent of this Ordinance may be met.

B. One Lot Minor Subdivision Application

1. In the case of (1) one-lot minor subdivisions, as defined in Article 8, final plan approval may be granted by the Chairman of the Columbia County Planning Commission, or the Vice-Chairman in the absence of the Chairman. However, at the Chairman or Vice-Chairman's discretion, as appropriate, the application may be required to be presented for approval before the full Commission at a regularly scheduled meeting.
2. For (1) one-lot minor subdivision applications as specified in this section, the review period for the local municipality will be 30 days, unless requested otherwise by the municipality.
3. A listing of all subdivisions approved utilizing this procedure during the preceding month will be provided to the full Planning Commission at each monthly meeting.

204 **FINAL PLANS**

A. Final Plan Processing Procedures

Applications for Final Plan review and approval of a proposed subdivision or land development shall be submitted and processed in accordance with the following procedures.

1. Application. Applications for Final Plan approval shall be submitted to the Planning Commission and shall include (8) eight copies of the Final Plat and (2) two copies of allover data required to be submitted with said Plat. Consideration of any such application filed less than 14 days prior to a regularly scheduled meeting of the Commission shall be deferred until the next regularly scheduled Commission meeting.

The Final Plan submission may cover only a portion of the entire proposed subdivision or land development as shown on the approved Preliminary Plan. In such cases, the applicant shall submit a tentative schedule for development of the balance of the tract. The Final Plan submission requirements and plan processing procedures set forth herein must be followed for each subsequent section prior to the recording, transfer or sale of lots within such sections. A signed acknowledgement indicating such requirements shall be included on each Final Plan representing a partial subdivision submission.

2. Referrals. Upon receipt of said application, the Planning Commission Staff shall refer (1) one copy of the Final Plat and any related documentation to the following officials and such others, as appropriate, for their review and report. These agencies shall be provided with 30 days to complete said review. The Planning Commission shall defer action on the Final Plan until all requested review reports are received or until the expiration of the 30 days review period.

- a. Local municipal governing body for review and recommendation.
 - b. Local municipal planning commission, if established and active, for review and recommendation.
 - c. Planning Commission Engineer for review of required improvements.
 - d. Pennsylvania Department of Transportation when the subdivision or land development will front on an existing or proposed State Route or will have a proposed street requiring access to such a route.
 - e. Pennsylvania Department of Environmental Resources for any necessary report regarding sewer and water facilities.
 - f. Columbia County Conservation District for review of required drainage or stormwater management facilities.
3. Review and Action. The Planning Commission shall review the Final Plan for conformance with the provisions of this Ordinance and shall render its decision and communicate same to the applicant not later than 90 days following the date of the regularly scheduled Planning Commission Meeting next following the date the application was filed, provided that, should the next regular meeting occur more than 30 days following the filing of the application, the said 90-day period shall be measured from the 30th day following the date the application was filed. A plan will be considered filed upon receipt by the Planning Commission of all required plans and supporting data, including plan review and processing fees. The applicant shall be notified in writing of the action of the Planning Commission within 15 days following the decision.
- a. The Planning Commission may conditionally approve the Final Plan in which case it shall specify all additional information and/or changes which shall be required. Any conditional approval is contingent upon the applicant's written acceptance of the conditions specified by the Planning Commission. The applicant shall respond as to acceptance of any conditions within 30 days of the date of receipt of the Planning Commission's written correspondence specifying said conditions. If written acceptance is received within the 30 day period, the approval shall be deemed complete, contingent upon the acceptable completion of all required items, when applicable. If written rejection is received within the 30 day period, or the applicant fails to respond within the 30 day period, the approval shall be nullified. Plans shall not be signed by the Planning Commission until receipt of the written acceptance from the applicant and until all applicable requirements of the approval have been adequately addressed.
 - b. If the Final Plan is approved, the Chairman and Secretary of the Planning Commission shall sign a minimum of (4) four copies of the Final Plan. In the case of the absence of the Chairman or Secretary, an alternate board member(s), as designated, may sign the plans. A minimum of (2) two copies of the approved plan

shall be retained by the Planning Commission for its files, (1) one copy shall be returned to the applicant or his agent, as appropriate, and (1) one shall be forwarded to the local municipal secretary.

- c. If the Final Plan is disapproved, the Planning Commission shall specify the defects found and describe the requirements which have not been met and shall, in each case, cite the provisions of the Ordinance relied upon.

B. Resolution of Approval

In order to facilitate financing, when requested by the developer, the Planning Commission may furnish the developer with a signed copy of a Resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the final financial improvement agreement is executed. (See also Section 205 below.) The Resolution of letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days, unless a written extension is requested by the developer and is granted by the Commission; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

205 INSTALLATION AND APPROVAL OF IMPROVEMENTS

A. Improvements Guarantee Required

At the time of filing a plan for final approval, and as a requirement for such approval, the applicant shall satisfactorily complete the required improvements or deposit with the Planning Commission an improvement security acceptable to the County Planning Commission, in an amount sufficient to cover the costs of any improvements which may be required in accordance with the following procedures. Such security shall provide for, and secure to the public, the completion of any improvements which may be required within the period fixed for such completion.

1. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Planning Commission may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion agreed upon by the Commission. Subsequent to said adjustment, the Planning Commission may require the developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the developer in accordance with this subsection.
2. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the developer and shall be

prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Planning Commission, upon the recommendations of the Commission engineer, may refuse to accept such estimate for good cause shown. If the developer and the Planning Commission are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Planning Commission and the developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Planning Commission and the developer.

3. If the developer posting the financial security requires more than (1) one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% for each (1) one year period beyond the first anniversary date of the posting of the original financial security or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding (1) one year period by using the above-established estimating procedure.
4. As the work of installing the required improvements proceeds, the developer posting the financial security may request the Planning Commission to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing, be addressed to the Planning Commission, and the Planning Commission shall have 45 days from receipt of such request within which to allow their engineer to certify, in writing, to the Planning Commission that such portion of the work to be covered by the funds has been completed in accordance with the approved plat. Upon such certification the Planning Commission shall authorize release by the bonding company or lending institution of an amount as estimated by the Commission engineer fairly representing the value of the improvements completed or, if the Planning Commission fails to act within said 45-day period, the Commission shall be deemed to have approved the release of funds as requested. The Planning Commission may, prior to final release at the time of completion and certification by its engineer, require retention of 10% of the estimated cost of the aforesaid improvements.
5. Where the Governing Body of a municipality accepts dedication of all or some of the required improvements following completion, the Commission may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.

B. Release from Improvement Guarantee

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Planning Commission, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Commission engineer. The Planning Commission shall, within (10) ten days after receipt of such notice, direct an authorize the Commission engineer to inspect all of the aforesaid improvements. The Commission engineer shall, thereupon, file a report, in writing, with the Planning Commission, 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 30 days after receipt by the Commission engineer of the aforesaid authorization from the Planning Commission. 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 Commission engineer, said report shall contain a statement of reasons for such non-approval or rejection.
2. The Planning Commission shall notify the developer, within 15 days of receipt of the engineer's report, in writing, by certified or registered mail of the action of the Planning commission with relation thereto.
3. If the Planning Commission or the Commission engineer fails to comply with the time limitation provisions contained herein, all improvements will 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.
4. If any portion of the said improvements shall not be approved or shall be rejected by the Planning Commission, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

C. Remedies to Effect Completion of Improvements

In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accordance with the approved final plat, the Planning Commission 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 said security, the Planning Commission may, at its option, install parts of such development and may institute appropriate legal or equitable action to recover the monies 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.

206 PLAT RECORDING REQUIREMENTS

- A. Upon approval of a final plat by the Planning Commission, the developer shall, within 90

days of such final approval, record (1) one copy of such plat in the office of the Recorder of Deeds of Columbia County. The Columbia County Recorder of Deeds shall not accept any plat for recording, unless such plat officially notes the approval of the Columbia County Planning Commission. Within (10) ten days of the plan recording, verification of such recording shall be presented to the Planning Commission in a manner prescribed by the Commission. Should the developer fail to record the final plat within the 90-day period, the approval shall be null and void. The plat shall be recorded before proceeding with the sale of lots or construction of buildings.

- B. Recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.

207 MUNICIPAL SUBDIVISION REVIEW AND COMMENT PROCEDURES

Local municipalities having adopted a Subdivision and Land Development Ordinance, as set forth by Article V of the PA Municipalities Planning Code, shall forward upon receipt, all subdivision and land development applications to the County Planning Commission for review and comment. Said submissions shall consist of (2) two copies of the plot plan and (1) one copy of any supporting data, and shall be accompanied by a fee, paid by the applicant, as prescribed by the County Commissioners. (See Section 706 B.)

Such municipalities shall not approve said applications until the report and a signed copy of the plan are received from the County Planning Commission, or until the expiration of 30 days from the date the application was forwarded to the County. If said municipalities act upon any application prior to receipt of the County review or prior to the expiration of the 30-day period, the County Planning Commission shall not review nor sign any plot plan as reviewed. No plat shall be signed by the Commission indicating its review unless the application is processed in accordance with Article V, Sections 502 b. and 513 a. of the PA Municipalities Planning Code.

ARTICLE 3.

PLAN REQUIREMENTS

300 GENERAL

Applications that are submitted for the approval of the Columbia County Planning Commission shall contain the following information, data and/or approvals.

301 SKETCH PLANS

Sufficient information shall be provided in the pre-application conference sketch plan submission to clearly indicate the character and extent of the proposed subdivision or land development, and its relationship to existing conditions and facilities within the area in which same is to be located. Such submissions should include a map establishing the location of the site and a plan showing any existing or proposed streets, lots, building sites, utilities, natural features, and any other significant elements within the subdivision or land development. Topographic contours may also be required. Such plans need not be engineering drawings but must be reasonably drawn to scale and be legible.

302 PRELIMINARY PLANS

A. Preliminary Plat Requirements (Major Plan Submissions)

Preliminary plats shall be either black and white or blue and white prints, drawn on 18" x 24" or 24" x 36" sheets. The plat of the lot(s) to be subdivided or developed shall be drawn at a scale not to exceed 100 feet to the inch. All plans shall be produced utilizing mechanical lettering or shall be prepared in a legible, readable and recordable manner.

Preliminary plat plans shall show the following information.

1. Plat data including:
 - a. the title block identifying the subdivision or land development and the municipality in which it is located;
 - b. the name and address of the developer;
 - c. the scale and north point of the Subdivision Plat (and of the Tract Map if separate diagram);
 - d. the date of the plan;
 - e. the number of dwelling units and/or structures by type, in tabular form;

- f. the seal of the registered professional land surveyor and any other professionals responsible for the plan; and,
 - g. plan approval blocks.
2. A diagram of the surrounding area sufficient to clearly indicate the location of the proposed subdivision or land development, i.e. a location map.
 3. A scale drawing showing the boundaries of the entire tract to be subdivided or developed; all previous out-sales (from the effective date of Columbia County Subdivision Ordinance regulations - July 1973); the portion to be parceled into lots or otherwise developed; the area of any remaining residual property; and the names of owners and recording data of all abutting subdivisions, land developments, or unplatted land. At the discretion of the land surveyor, said tract map may be submitted on a separate sheet no less than 8 1/2" x 11" in size.
 4. Existing property lines, easements and rights-of-way and the purpose for which the easements or rights-of-way have been established.
 5. Existing streets on or adjacent to the tract, including name, right-of-way width and pavement width.
 6. Existing buildings, sanitary and storm sewers, water mains, culverts, fire hydrants and other significant man-made features on or adjacent to the tract.
 7. Existing significant watercourses, marshes, rock out-crops, wooded areas and areas subject to flooding. Floodplain areas shall be designated as shown on the appropriate municipal National Flood Insurance Program Maps, prepared by the Federal Emergency Management Agency.
 8. Edge of street pavement, clear sight triangle, and building setback lines with dimensions including the radii of the edge of pavement at intersections.
 9. Existing and, when deemed necessary by the Planning Commission, proposed contours at vertical intervals of (5) five feet or in the case of relatively level tracts, at such lesser interval as may be necessary for satisfactory study and planning of the tract. Datum to which contour elevations refer shall be U.S. Coast and Geodetic Survey datum.
 10. Exact location, width, grade and name of all proposed streets and the location and purpose of all proposed easements.
 11. Proposed lot lines with approximate dimensions; zoning district, minimum lot width, minimum lot size, setbacks; and all parcels proposed to be dedicated or reserved for public or semi-public use.
 12. Area of each parcel to be conveyed; lot or site numbers; and location of any deep test pit

and/or percolation tests.

13. Location of any proposed site improvements such as curbs, sidewalks, street lighting and street trees.
14. As deemed appropriate by the Commission, wetlands delineation or a signed certification by a qualified consultant or the applicable governmental agency indicating that wetlands do not exist on the proposed subdivision.
15. Location of all proposed watercourses, water bodies and erosion control and stormwater management facilities.

B. Data to be Submitted with the Preliminary Plat

Preliminary Plat submissions shall be accompanied by the following data, documents or information. Drawings submitted to meet the following requirements shall be placed on sheets 18" x 24" or 24" x 36" in size, at a scale not to exceed 100 feet to the inch and shall be produced utilizing mechanical lettering or shall be prepared in a legible, readable and recordable manner.

1. In cases where the Preliminary Plat covers only a portion of the developer's tract, a sketch plan for the entire tract may be required.
2. Profiles of all new or proposed streets showing center line grades either approved by the local municipal engineer or in accordance with the design standards of this Ordinance, and showing the existing ground line.
3. Cross sections of streets showing the type of construction, the width of rights-of-way, width of cartway, curb construction, location and width of sidewalks, and locations and size of utility mains as applicable. (See Section 402.)
4. A description of the proposed method of providing water and sewage disposal including sewage permits, and/or water and sewage engineering feasibility studies when required. (See Sections 405 A. & B.)
5. Plans and profiles of proposed sanitary sewer and/or stormwater management facilities with grades and pipe sizes indicated, and a plan of any proposed water distribution system showing pipe sizes and location of valves and fire hydrants, as applicable. (See Sections 405 A., B. & 407.)
6. A complete Erosion and Sedimentation Control Plan including certification that any related permit required by the Pennsylvania Department of Environmental Resources has been issued or an indication of the amount of the site to be disturbed. (See Section 406.)
7. Certification of plan approval and/or permits and an agreement to provide service from any sewer and/or water authority, area water company, and/or the Pennsylvania

Department of Environmental Resources, as appropriate for proposed public sanitary sewage disposal and water supply facilities to be provided by the developer; including evidence of any conditions imposed thereby.

8. For lots requiring access onto a state route or highway, a PennDOT Highway Occupancy Permit shall be submitted, or in lieu of the permit, a Highway Occupancy disclaimer, signed by the developer or his agent, must be included on the plan. For lots requiring access onto a Township or local street, the appropriate municipal Driveway Permit shall be submitted or in lieu thereof, a disclaimer statement, signed by the developer or his agent, shall be included on the plan, in municipalities where such Permits are required.
9. Proof of record ownership showing that the applicant is the landowner.
10. Any existing or proposed deed restrictions.
11. A description of the method to be utilized for the maintenance of any common areas, facilities or improvements not being dedicated.
12. When deemed necessary, location of proposed driveways, including sight distance.
13. Completed and signed developers' agreement and all applicable plan processing and review fees.

303 MINOR SUBDIVISION PLANS

A. Minor Subdivision Plat Requirements

Minor subdivision plans shall be drawn on sheets and at the scale specified for preliminary and/or final plans, except as follows. Single lot subdivisions containing a lot of one acre or less may be drawn on a sheet 8 1/2" x 14", 11" x 17", or 12" x 18" in size, at a scale of 50 feet to the inch. For subdivisions containing more than (1) one lot or a single lot over one acre, sheet size shall be 18" x 24" and the scale shall not exceed 100 feet to the inch. All minor subdivision plans shall be produced utilizing mechanical lettering or shall be prepared in a legible, readable and recordable manner.

Minor subdivision plat plans shall, at a minimum, show the following information. Where deemed necessary by the Planning Commission in order to adequately evaluate a minor plan proposal, additional preliminary or final plan information may be required to be shown on the plat.

1. Plat data including:
 - a. the title block identifying the subdivision and indicating the name of the municipality in which it is located;

- b. the name and address of the developer;
 - c. the scale and north point of the Subdivision Plat (and of the Tract Map, if separate diagram);
 - d. the date of the plan;
 - e. the seal of the registered professional land surveyor or other qualified professional contributing to the plan; and,
 - f. plan approval blocks.
2. A diagram of the surrounding area sufficient to clearly indicate the location of the subdivision, i.e. a location map.
3. A scale drawing showing the boundaries of the entire tract to be subdivided or developed; all previous out-sales (from the effective date of Columbia County Subdivision Ordinance regulations - July 1973); the portion to be parceled into lots or otherwise developed; the area of any remaining residual property; and the names and recording data of all abutting subdivisions, land developments or unplatted land. At the discretion of the land surveyor, said tract map may be submitted on a separate sheet no less than 8 1/2" x 11" in size.
4. A plat of the lot or lots to be formed or subdivided, showing:
- a. all lot lines by bearings and distances, the acreage of all parcels to be conveyed, and lot numbers;
 - b. the right-of-way and cartway width of the abutting street;
 - c. any other existing rights-of-way and easements, including underground utility lines on or adjacent to the tract, or natural drainageways;
 - d. the zoning district, lot width and area requirements, and building setback lines, when applicable;
 - e. deep test pit and percolation test sites;
 - f. the location and description of survey monuments and/or markers; and,
 - g. the bearings and distances of all property and associated right-of-way lines.

B. Data to be Submitted with the Minor Subdivision Plat

Minor subdivision plat submissions shall be accompanied, at a minimum, by the following

data, documents, or information. Where deemed necessary by the Planning Commission in order to adequately evaluate a minor plan proposal, additional information may be required to be submitted.

1. Sewage permits or a fully-approved DER Planning Module.
2. Proof of record ownership showing that the applicant is the landowner.
3. Copies of any existing or proposed deed restrictions or protective covenants.
4. A PennDOT Highway Occupancy Permit or in lieu of the Permit, a Highway Occupancy disclaimer signed by the developer or his agent must be included on the plan for lots requiring access onto a state route or highway.
5. Driveway location(s), including sight distance, when deemed necessary. (Could also be shown on plot plans.)
6. All appropriate plan processing and review fees.

304 **FINAL PLANS**

A. Relationship to Preliminary Plans

Submission for Final Plan approval shall contain all information as required for Preliminary Plans plus the following additional information. The Final Plan may however, cover only a portion of the total subdivision or land development shown in the Preliminary Plan and, furthermore, any conditions specified in the approval of Preliminary Plans shall be incorporated in the Final Plans.

B. Final Plat Requirements

Final plats (the recording document) shall either be black and white or blue and white prints drawn on 18" x 24", or 24" x 36" sheets. The plat of the lot(s) to be subdivided or developed shall be drawn at a scale not to exceed 100 feet to the inch and shall be

produced utilizing mechanical lettering or shall be prepared in a legible, readable and recordable manner.

In addition to all information required for Preliminary Plans in Section 302 A., final plats shall show the following information:

1. Certificate of Recording block.
2. Primary control points, or description and "ties" to such control points, to which all

dimensions, angles, bearings, and similar data on the plat shall be referred.

3. Final property and/or building site lines with accurate dimensions, bearing or deflection angles; and radii, arcs and central angles of all curves.
4. Location and description of all survey monuments and markers, including type of material and condition, if found.

C. Data to be Submitted with the Final Plat

In addition to all data required for Preliminary Plans in Section 302 B., all final plat submissions shall be accompanied by the following data, documents and information. Drawings submitted to meet the following requirements shall be placed on sheets 11" x 17", 18" x 24", or 24" x 36" in size, at a scale not to exceed 100 feet to the inch and shall be produced utilizing mechanical lettering or shall be prepared in a legible, readable and recordable manner.

1. Evidence of satisfactory completion of the required improvements, or a performance guarantee assuring the installation of the required improvements.
2. Statement by the developer offering the dedication of any streets, rights-of-way or sites for public uses to be so offered, and verification of the municipality's acceptance; and evidence that the maintenance of any public or semi-public area or facility not being offered for dedication is assured.
3. All appropriate plan processing, review, and inspection fees.

305 LAND DEVELOPMENT PLANS

Applications for land development shall conform to the requirements of Sections 302 and 304 and also shall contain the following information for preliminary and final plan submissions:

- A. Location of accessway(s) and parking, loading/unloading areas.
- B. Proposed pedestrian and vehicular circulation and related controls.
- C. Cross-sections, showing design of the accessway(s), parking and loading/unloading areas.
- D. Location and size of all existing and proposed buildings.
- E. Description of the purpose of the proposed land development, including sufficient detail so as to evaluate anticipated traffic, and/or employees, tenants, customers, and inhabitants.

ARTICLE 4.

DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

400 GENERAL STANDARDS

- A. The principles, standards, and requirements of this Article shall be applied by the Planning Commission in evaluating and reviewing proposed subdivision and land development plans and shall be considered minimum standards. Where deemed appropriate or necessary to protect the public health, safety or welfare, the Planning Commission may require more restrictive standards. Whenever municipal or other applicable regulations impose more restrictive standards, those regulations shall apply.
- B. Land subject to flooding, and land deemed by the Planning Commission to be uninhabitable because of other hazards to life, health or property such as excessive slopes, unstable soils or soils of inadequate weight bearing strength, or sites with very poor access, shall not be approved for development, nor for such other uses as may increase danger to health, life or property, or aggravate the flood hazard.
- C. The standards of this Ordinance may be increased, or the design of a proposed subdivision or land development may be required to be modified, upon the recommendation of the Municipal Engineer and/or the Commission Engineer, when such is deemed necessary because of topographic constraints or other natural or man-made physical features within or adjoining a particular site to assure safety, health and welfare, the provision of public services, and the maintenance of public facilities.
- D. Subdivision proposals shall conform to any applicable municipal Zoning Ordinance and/or any other applicable ordinances or regulations hereafter adopted by the municipality or County. Proposals should also be generally consistent with any applicable municipal Comprehensive Plan.
- E. New subdivisions shall be coordinated with all existing or proposed developments on adjacent properties so that the entire area may be developed harmoniously.

401 BLOCKS, LOTS AND BUILDING SETBACK REQUIREMENTS

- A. Blocks
 - 1. Blocks shall generally have a maximum length of 1600 feet and a minimum length of 500 feet.
 - 2. Residential blocks shall be of sufficient depth to accommodate (2) two tiers of lots, except where reverse frontage lots border a collector street or where topography restricts such development.

3. In blocks exceeding 1200 feet in length, or where necessary to facilitate pedestrian circulation or to provide access to community facilities, the Planning Commission may require pathways or access walks to be provided and dedicated for public use. Access walks shall have a minimum right-of-way width of (10) ten feet and shall be surfaced to a width of (5) five feet and be constructed in accordance with the specifications contained in PennDOT's Publication, Form 408 for cement, concrete sidewalks. However, for lesser traveled walkways, the design requirement may be reduced by the Planning Commission to (4) four inches of compacted 2A stone.

B. Lots

1. All lots shall conform to the minimum area requirements of any applicable Zoning Ordinance. Where no Zoning Ordinance is in effect, minimum lot area shall be provided in accordance with TABLE 1.

Minimum lot widths shall be measured at the required front setback line and shall be as follows:

- a. Lots with On-Lot Water & Sewage Systems. 100 feet.
- b. Lots with Public and/or Off-Lot Water **OR** Off-Lot Sewage Facilities. 80 feet.
- c. Lots with Public and/or Off-Lot Water **AND** Off-Lot Sewage Facilities. 60 feet.

No lot shall have a width of less than 50 feet at the edge of the adjoining street right-of-way, except where said lot is located on the turn-around of a cul-de-sac.

2. Lot size, dimension and the placement of lots within blocks shall be such that they provide the largest amounts of usable open space for the users thereof; the most economical provision of services; and the most advantageous relationship with the site's natural topography and vegetation.
3. All lots shall abut a street except in the case of a lot being added to and becoming a part of an adjacent existing lot which fronts on a street.
4. Lot lines shall be approximately at right angles or radial to the street line.

TABLE 1.

MINIMUM LOT AREA REQUIREMENTS

Type of Use	On-Lot Water & Sewage Systems ¹	Public Water OR Sewage Systems	Public Water AND Sewage Systems
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Residential²

Single Family Detached	1 acre	20,000 sq.ft.	10,000 sq.ft.
Two Family	20,000 sq.ft.	10,000 sq.ft.	5,000 sq.ft.
Multi-family & Single Family Attached	20,000 sq.ft.	9,000 sq.ft.	5,000 sq.ft.

Non-Residential³

Commercial	30,000 sq.ft.	20,000 sq.ft.	10,000 sq.ft. ⁴
Industrial	1 acre	30,000 sq.ft.	20,000 sq.ft.
Institutional	1 acre	30,000 sq.ft.	20,000 sq.ft.

5. Corner lots shall be proportionally larger than other lots in order to meet required

¹ Where the slope of 50% or more of a proposed lot exceeds 15%, the Planning Commission may require the lot size requirement to be doubled.

² Lot area requirements are per dwelling unit. All lots must however meet the requirements of the PA Sewage Facilities Act and any other municipal sewage regulations.

³ All proposed lots must be of sufficient size to provide for structures, setbacks, parking and loading areas, sewage, water and stormwater management facilities, and all required open space or buffer yards.

⁴ Where off-site parking is provided and approved, minimum lot area requirements may be reduced by 15%.

building setbacks from both streets. Such lots shall be designed with radius corners or diagonal cutoffs substantially concentric with or parallel to the chord of the required cartway radius corners.

6. Double frontage lots shall be avoided, except where they may be essential to provide separation of residential development from collector streets or to overcome topographic or orientation disadvantages. Where double frontage lots are permitted, a buffer yard of at least (10) ten feet, across which there shall be no right of access, shall be provided along the side of the property adjacent to the thoroughfare.
7. A parcel being subdivided for the purpose of being added to an existing, adjacent lot of record shall not be subject to the minimum lot size or soils testing requirements of this Ordinance, provided that a note indicating such is placed on the plot plan and that the existing lot and the addition shall be incorporated into a single deed of record. In lieu of incorporation, the procedure prescribed by the Planning Commission for "add-on" lots shall be followed.

C. Building Setback Lines

1. Building setback line requirements shall conform to any applicable Zoning Ordinance. Where no Zoning Ordinance is in effect, the minimum building setback requirements shall be as follows:
 - a. Front Yards.
 - 1) Arterial Streets. 40 feet from edge of road right-of-way or 80 feet from road centerline, whichever is greater.
 - 2) Collector Streets. 30 feet from edge of road right-of-way or 60 feet from road centerline, whichever is greater.
 - 3) Local Streets. 25 feet from edge of road right-of-way or 50 feet from road centerline, whichever is greater.
 - b. Side Yards.
 - 1) Lots Greater Than 30,000 sq.ft. 15 feet each side.
 - 2) Lots Between 20,000 & 30,000 sq.ft. 10 feet each side.
 - 3) Lots Less Than 20,000 sq. ft. 5 feet each side.
 - c. Rear Yards. 30 feet.
2. The straight alignment of dwellings along established minimum setback lines shall be discouraged and varying structure setbacks shall instead be encouraged to promote

variety and avoid monotony in development design.

402 **STREETS**

A. Street Classification

1. The State Highway System includes all public streets and highways operated and maintained by the Pennsylvania Department of Transportation.
2. The Municipal Street System shall include all public streets and roads maintained by a municipal government. Subdividers proposing public dedication of streets within a subdivision shall submit design and construction plans which meet the minimum specifications of the local municipality and this Ordinance as a part of the plan submission process. Written verification of the municipality's intent to accept the proposed road shall also be submitted. A deed which dedicates the land to be used as a public street to the municipality shall be recorded with the final plan or upon completion of construction of the street and approval by the Commission Engineer.
3. Private streets shall include all streets not dedicated, accepted, and maintained as public streets. Private streets may be permitted where the following conditions are met:
 - a. Private streets shall be designed and constructed in accordance with the standards and specifications contained in TABLES 2 and 4 of this Ordinance.
 - b. A survey of the centerline of the private right-of-way shall be shown on the plot plans along with a notation identifying the street and right-of-way as being private.
 - c. The subdivider shall provide a Right-of-Way Use and Maintenance Agreement in each deed, lease, or conveyance prescribing the right-of-way width and location and setting forth an arrangement between the sub-divider and buyer or lessee for improvement and maintenance of the private right-of-way. A copy of any such proposed Agreement shall be submitted for review and approval with the subdivision or land development plot plans.
 - d. Where an existing private right-of-way is proposed to provide access to a new subdivision, the subdivider shall provide a Right-of-Way Use and Maintenance Agreement signed by all property owners using the right-of-way if such an Agreement has not previously been included in the existing deeds. This Agreement shall be recorded with the final plan and shall prescribe the right-of-way width and location in accordance with the standards of this Ordinance and set forth arrangements for maintenance of the private right-of-way. A copy of any such proposed Agreement shall be submitted for review and approval with the subdivision or land development plot plans.

B. Access Permit Requirements

1. In order to protect public safety, the Planning Commission may limit access onto a public street or highway to specific locations and may require locations to be shown on the plot plan.
2. A Highway Occupancy Permit must be issued by the Pennsylvania Department of Transportation before construction of an access onto any state highway can be initiated. Where any such access is proposed as part of a subdivision or land development proposal, the Commission, at its discretion, shall require the subdivider to submit either a copy of the Highway Occupancy Permit issued by PennDOT or a disclaimer signed by the developer/owner acknowledging this Permit requirement shall be placed on his plot plans.
3. A Driveway or Access Permit shall be issued by the appropriate municipality, when required, before construction of access onto a municipal street may be initiated. In instances where access onto a municipal street is proposed as part of a subdivision or land development proposal, in a municipality which has an access or driveway permit requirement, the subdivider shall either include a copy of the Driveway Permit as a part of his plan submission or a disclaimer signed by the developer/owner acknowledging this Permit requirement shall be placed on his plot plans.

C. Street System

1. All subdivision plans shall extend or continue existing rights-of-way at a width no less than required by the minimum specified by this Ordinance.
2. Local streets within a new development or subdivision shall be laid out to discourage through traffic. Where however, in the opinion of the Planning Commission, it is desirable to provide for street access to adjoining property, streets shall be extended by right-of-way dedication to the boundary of such property. Adequate consideration shall also be given by the developer to provide for the extension or continuation of collector streets into and from adjoining properties.
3. Where a subdivision or land development abuts or contains an existing or proposed arterial or collector street, or a street deemed by the Planning Commission as requiring access control, the Commission may require marginal access streets, reverse frontage lots, or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the arterial street, and separation of local and through traffic.
4. Where the lots in a subdivision or development are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such an eventuality shall be provided.

D. Street Design Standards

Minimum design standards for public and private streets serving residential, commercial and

industrial development are shown on TABLE 2, and are further detailed in the following Sub-Sections.

1. In addition to the minimum right-of-way and cartway widths shown on TABLE 2, the following requirements may also be applied.
 - a. Provision for additional street right-of-way may be required by the Planning Commission for public safety and convenience, or access to off-street parking in commercial and industrial areas and in areas of high density residential development.
 - b. Where a subdivision abuts an existing street of inadequate width, additional right-of-way shall be required to be reserved in accordance with the right-of-way width standards set forth in TABLE 2 of this Ordinance. In no case however, shall the subdivider be required to reserve more than one-half of the additional right-of-way if he abuts only one side of the street, nor shall he be required to dedicate said right-of-way without compensation.
2. In addition to the minimum street grade and alignment standards shown in TABLE 2, the following requirements shall also be applied.
 - a. Vertical curves shall be used in changes of grade exceeding one percent (1%).
 - b. Sight distance shall be provided in accordance with the design standards contained in this Ordinance as part of TABLE 2 with respect to both horizontal and vertical alignments.
 - c. All streets shall be designed to provide for the discharge of surface water away from their right-of-way. Street crown grades shall be 1/4 inch to 3/8 inch per foot for paved streets and 3/8 inch to 1/2 inch per foot for stabilized streets, except where superelevated curves are used.

E. Cul-de-sac Streets

Cul-de-sac streets shall be designed in accordance with the standards provided in Table

1. Cul-de-sac streets shall be provided with a turn-around and shall not exceed 1,000 feet in length or serve more than 20 lots or dwelling units, whichever is less.
2. Cul-de-sac turn-around areas shall be graded and surfaced in the same manner as the street.
3. All dead-end streets shall be provided with a cul-de-sac turnaround.

4. Any street dead-ended for access to an adjoining property, or because of authorized, staged development as per an approved written development agreement, shall be provided with a temporary turn-around with a stabilized surface and an outside diameter of 80 feet.
5. Innovative alternatives to the standard circular turnaround may be considered where area equivalent to the requirement for turn-arounds in TABLE 2 is provided.

F. Intersections

Minimum intersection design standards are shown on TABLE 3 and are further detailed in the following Sub-Sections.

1. Streets shall be laid out to intersect as nearly as possible at right angles, and no street shall intersect any other at less than 75 degrees. Multiple intersections involving the junction of more than two (2) streets shall be avoided
2. Clear sight triangles of the dimension required in TABLE 3 shall be provided and maintained at all intersections. No significant obstructions or plantings higher than 30 inches or tree limbs lower than eight (8) feet shall be permitted within this area.
3. Intersections entering on opposite sides of the street shall be laid out directly opposite each other, or where permitted by the Planning Commission, shall be designed in accordance with the standards provided in TABLE 3.
4. Where the grade of any private and public street exceeds seven percent (7%) at the approach to an intersection, a leveling area shall be provided having a grade of less than or equal to four percent (4%) for a distance as specified in TABLE 3 of this Ordinance.

G. Street Construction Standards

Minimum construction standards for public and private streets serving residential, commercial, industrial and all types of land development are shown on TABLE 4, and are further detailed in the following Sub-Sections.

1. All streets proposed for dedication to a municipality shall at a minimum meet the requirements set forth by the applicable governing body for municipal roads at the time of dedication. (See also Section 402 A.2.)
2. Streets shall be surfaced to the grades and dimensions shown on plans, profiles, and cross-sections submitted by the subdivider or developer and approved by the Planning Commission. Before finalizing the installation of the street surface, the subdivider shall install the required utilities and provide adequate drainage facilities for the streets in accordance with the requirements of this Ordinance.

3. The pavement sub-base, base, and wearing surface for residential, commercial, industrial and all types of land development shall be constructed to the specifications contained in TABLE 4. All components of the pavement structure shall meet the standards established in PennDOT's Publication, Form 408.
4. Street shoulders shall be constructed to a compacted depth equal to the depth of the base and wearing surface. The finished surface elevation of the shoulder shall meet the finished elevation of the cartway. For all proposed streets, shoulders shall extend beyond the finished width of the cartway for the distance specified in TABLE 2, on each side of the roadway, unless curbs are provided.
5. In instances where access to a subdivision is proposed via a private right-of-way, the following construction standards shall apply.
 - a. Private streets serving (1) one or (2) two lots or dwelling units need not be constructed to meet specific standards, but shall provide a minimum right-of-way width of 50 feet.
 - b. Private streets serving (3) three or (4) four lots or dwelling units shall be constructed to the standards outlined in TABLE 4.
 - c. Private streets serving (5) five or more lots or dwelling units shall be constructed in accordance with the standards for local streets contained in TABLE 4.
 - d. Existing private streets proposed as access to a new subdivision or development must be constructed with a stabilized, all-weather driving surface in accordance with the standards set forth in this Ordinance. An independent engineering analysis, paid for by the subdivider or developer, may be required by the Planning Commission to evaluate the condition of the existing road and determine its compliance with the required Ordinance standards.

H. Curbs and Drainage Swales

1. Curbs. Curbs shall be provided on all streets located within multi-family residential, commercial, industrial or institutional developments; in all subdivisions having a typical lot width of 100 feet or less; where a new subdivision or land development abuts an existing development using curbs; or in other developments deemed necessary by the Commission. Curbs shall be the vertical type. When required, all curbs shall be constructed of concrete and shall conform to all PennDOT standards.
2. Drainage Swales: In areas where curbing is not used, stabilized drainage swales shall be provided along all new streets to avoid erosion and control run-off. These drainage swales, along with all other drainage facilities, shall be designed to handle the runoff from the proposed development and areas of the drainage basin already accommodated. At a minimum the following specifications shall be met:

- a. The side slope shall be a maximum of 2:1 horizontal to vertical ratio, 3:1 or flatter slope being desirable.
- b. There shall be a rounded area with a cross-sectional dimension or (2) two feet at the point of inter-section of the shoulder and side slope.
- c. The minimum depth of the swale shall be (1) one foot below the outer edge of the shoulder.
- d. The bottom of the swale shall have a rounded area with a cross-section dimension of (4) four feet.
- e. The minimum and maximum gradient of the drainage swale shall be .75% and 12% respectively and shall relate to the grade of the proposed street.
- f. The swale shall be sodded, seeded or otherwise stabilized to avoid erosion problems.

Where driveways cross a drainage swale, a drainage pipe of adequate size shall be installed underneath the driveway to handle the runoff.

I. Street Verge

1. Sidewalks. Sidewalks shall be required within multi-family residential, commercial, industrial or institutional developments; in all subdivisions having a typical lot width of 80 feet or less; and where a new subdivision or land development abuts an existing development using sidewalks; or in any area where, in the opinion of the Planning Commission, such would be necessary to provide access to community facilities. Sidewalks shall be located within the street right-of-way and shall commence (1) one foot from the property line and extend toward the curbline or edge of the cartway. In all cases, sidewalks shall be separated from the cartway by a planting strip.

Sidewalks shall be at least (4) four feet in width; be constructed in accordance the standards of PennDOT's Publication, Form 408 for cement, concrete sidewalks; be at least 4 inches thick; and be underlain with crushed stone.

2. Street Signs and Lighting. Street name signs and traffic regulatory signs as applicable shall be placed at all intersections and a street lighting system shall be installed in all multi-family residential, commercial, industrial, and institutional developments or elsewhere as required by the Planning Commission. The design and location of signs and light fixtures shall be approved by the Commission.
3. Street Names. Names proposed for new streets shall not duplicate or resemble closely an existing street name. Proposed streets in obvious alignment with others already existing and named, shall be given the name of the street they continue. All proposed street names shall be approved by the appropriate municipality and Post Office, where necessary.

403 DRIVEWAYS AND ACCESS DRIVES

A. Driveways

1. All proposed lots or land developments shall be situated in such a fashion so that safe driveway access onto a public or private road can be provided. Safe driveway access shall be defined as that portion of a property on which a driveway can be constructed in accordance with the minimum guidelines contained in TABLE 5.
2. In a situation where significant safety hazards exist, such as excessive slope or areas of extremely limited sight distance, the Planning Commission may require, prior to granting final approval, that the subdivider construct the driveway access in accordance with the applicable guidelines contained in TABLE 5 or the standards contained in a municipal driveway ordinance, where such exists; or that a deed restriction be placed on the lot requiring the guidelines to be complied with when a driveway is proposed for construction.

B. Access Drives

Whenever required or provided under the provisions of this Ordinance, all access drives shall be designed in accordance with the applicable guidelines contained in TABLE 5 and the following standards.

1. The general layout for access drives shall be such that there will be no need for motorists to back over or into public rights-of-way.
2. Access drives shall be constructed of durable, all-weather material and shall not be less than 20 feet nor exceed 35 feet in width, except as may be increased by curb radii.
3. The number of access drives shall not exceed (2) two per lot on any (1) one street frontage. The Planning Commission may grant permission for additional access drives where required to meet exceptional circumstances and where frontage of unusual length exists.
4. Access drives shall not cross the street right-of-way lines:
 - a. within 40 feet of the street right-of-way line of an intersecting street and in no case less than (10) ten feet from the point of tangency when the intersecting street lines are joined by a curve; (This requirement may be increased by the Planning Commission however where non-residential uses are proposed.)
 - b. within (10) ten feet of a fire hydrant, catch basin or drain inlet.

5. Access to public streets shall be controlled in the interest of public safety. Off-street parking, loading and service areas on all properties shall be physically separated from the street by a curb, pipe rail, or fence and/or a planting strip or buffer yard.

404 OPEN SPACE REQUIREMENTS

- A. Where a proposed subdivision or land development contains 25 or more lots or dwelling units, the Planning Commission may require the reservation and/or dedication of common open space consisting of up to (5) five percent of the total area of the proposed development, for the common use by all residents of the development.
- B. Any open space required by the Planning Commission shall be suitable for varied outdoor uses, including recreational activities. Such open space area shall be located so as to be easily and safely accessible from all areas of the subdivision and shall be free of safety and health hazards. Portions of the area to be used for recreational purposes shall have suitable physical characteristics for varied recreational use, including well-drained soils, gentle topography, and suitable shape and size.
- C. Where common open space is provided, the subdivider shall submit, with the subdivision or development plan, a proposal which provides for the maintenance and ultimate ownership of such space. Where such open space is not dedicated to the municipality in which it is located or where such dedication is not accepted by the municipality, an Agreement which assigns the maintenance responsibilities for the open space and/or any recreation facilities shall be recorded with the final plan and referenced in the deeds of each parcel within the development.

405 UTILITIES

- A. Water Supply Facilities
 1. General Requirements. For subdivisions or land developments involving 25 or more lots or dwelling units, the Planning Commission may require the developer to prepare a detailed hydrogeologic study to assess the feasibility of the proposed method of water supply to provide an adequate quantity and quality of water. Such studies shall be prepared by a qualified individual, as approved by the Commission.
 2. Public Water Systems.
 - a. Subdivisions and land developments shall be connected to new or existing public water systems unless the developer shows that such connection is not feasible. The Planning Commission may require the developer to submit a feasibility study prepared by a qualified individual, as approved by the Commission, to show that the use of a public water system is not feasible.
 - b. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development,

the developer shall present evidence to the Planning Commission that water is to be supplied to the subdivision by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the PA Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

- c. New public water systems which are proposed to service new land developments shall be designed and constructed in accordance with the regulations of the PA Department of Environmental Resources. The developer shall submit to the Planning Commission a copy of the DER approval letter certifying approval of the proposed plans for the new public water system as a part of his preliminary plan submission.
- d. Extensions to existing water systems which are proposed to service new land developments shall be designed and constructed in accordance with the regulations of the PA Department of Environmental Resources. The developer shall submit to the Planning Commission a letter from the appropriate water authority approving the plans for the proposed extension to the existing system and indicating their intent to serve the subdivision as a part of his preliminary plan submission. In addition, the developer shall also submit a letter of approval for the proposed system from DER.
- e. Fire hydrants shall be installed as an integral part of any public water supply system and shall be placed at such locations as are deemed appropriate, based on the type of development proposed.

3. Non-Public Water Systems.

- a. Where determined appropriate by the Planning Commission, a PA Department of Environmental Resources' approval letter certifying approval of the plans for the new non-public water system proposed to service a subdivision or land development may be required.
- b. Where groundwater problems are known to exist, or where anticipated levels of development may result in water supply problems, the Planning Commission may require the developer to demonstrate that a reliable, safe and adequate groundwater supply exists to support the water usage demands of the proposed subdivision without detrimental effects upon existing adjacent water wells. The standards set forth in the Safe Drinking Water Act and other appropriate DER regulations shall apply.

B. Sewage Disposal Facilities

- 1. General Requirements. In general, the method of sewage disposal shall be

determined by the Planning Commission, giving consideration to the following order of preference:

- a. Connection to a public sanitary sewer system in accordance with the requirements of the PA Department of Environmental Resources;
- b. Provision by the developer of a complete private sanitary sewer system using a treatment plant, designed and constructed in accordance with the requirements of the PA Department of Environmental Resources;
- c. Sewage disposal on individual lots in accordance with the requirements of the PA Department of Environmental Resources.

The judgment of the Planning Commission as to the method of sewage disposal used will be made after study and review of a sewage feasibility report submitted by the developer. Feasibility studies may be required for all subdivisions or land developments involving 25 or more lots or dwelling units or in any other case

where the Commission deems it necessary. Such studies shall be prepared by a qualified individual, as approved by the Commission.

2. Planning Requirements.

- a. All proposed subdivisions shall have appropriate soils testing performed in accordance with State standards, unless connection to or provision of a sanitary sewer system is proposed by the developer. The location of all test pit and percolation test sites shall be marked on the subdivision plot plan.
- b. Documentation which demonstrates that the subdivider has adequately planned for sewage disposal within the proposed subdivision must be submitted with the subdivision plan, whether preliminary or final, as follows.
 - 1) For subdivisions of (10) ten lots or less proposing on-site, sub-surface sewage disposal, a completed DER Sewage Facilities Planning Module Component I, approved by the Department, shall be required.
 - 2) For subdivisions proposing on-site, sub-surface sewage disposal on more than (10) ten lots, a community sewage system, stream discharge, or municipal sewer extension, a completed copy of the appropriate DER Sewage Facilities Planning Module(s) and an indication that approval has been given by the Department of Environmental Resources for the proposed revision to the municipal Sewage Facilities Plan shall be required.

- c. Soils testing shall be required to be performed for all subdivisions prior to plan approval. Waivers to this requirement may only be granted when the subdivider has proven, to the satisfaction of the Commission, that the subject land is undevelopable or has no potential for development.

If soils testing indicates that the soils of the subject site will not accommodate an on-site, sub-surface sewage disposal system, the Commission may approve the proposed subdivision with the condition that the site not be developed until such time as further testing would locate a suitable place for such a system or until a public or community sewage system is provided.

3. Sanitary Sewer System Design and Construction Requirements.

- a. Where extension to an existing sanitary sewer system or construction of a new sewer system, either public or private, is proposed, the subdivider or developer shall provide the Planning Commission with plans prepared by a registered professional engineer and a letter of certification indicating that the proposed facility has been designed in accordance with the standards of the Department of Environmental Resources or a copy of the DER approved Water Quality Permit for the facility. Where an existing sanitary sewer is to be extended, the developer shall also submit a letter from the appropriate sewer authority approving the plans for the proposed extension and indicating their intent to serve the subdivision as a part of his preliminary plan submission.
- b. Following construction, the developer shall provide the Commission with an approved inspection report from the Department of Environmental Resources and/or Commission Engineer which indicates that the sewage disposal facility has been constructed and installed according to the terms of the Water Quality Permit. The subdivider or developer shall reimburse the Commission for all reasonable expenses charged by the Commission Engineer for such inspection in accordance with the procedure established in Section 706 A.2 of this Ordinance.
- c. Provision for the maintenance of all private sanitary sewer systems using a treatment plant shall be made by the developer and furnished to the Commission for review and approval.

C. Electric and Other Utility Services

1. When easements are required for utilities, the minimum width shall be as required by the utility companies and to the fullest extent possible, shall be centered on or be adjacent to rear or side lot lines. Local utility companies shall be consulted by the developer when locating easements.
2. The location, width and purpose of all utility easements shall be shown on preliminary and final plot plans.

3. Telephone, electric, television cable and other such utilities shall be installed underground in accordance with the PA Underground Utilities Act (Act 287 of 1974). Underground installation of utilities shall not be required:
 - a. in subdivisions of less than (5) five lots bordering an existing right-of-way served by overhead utility lines, or
 - b. where utilities are proposed to service commercial or industrial properties, or
 - c. where a variance to the requirements of Act 287 has been granted by the Public Utilities Commission.
4. Underground installation of the utility distribution and service lines shall be completed prior to street paving and storm drainage, curbing and sidewalk installation. All street rights-of-way and other easements where utility lines are to be installed shall be graded to within 6 inches of final grade before trenches are excavated.
5. Letters of intent to provide service for the proposed subdivision or land development from all appropriate utility companies shall be submitted to the Planning Commission by the developer as a part of his preliminary plan submission.
6. The Planning Commission may require the installation of utilities prior to final approval where the cost of installation, including the cost of excavation for underground utilities, will not be completely paid by the utility company. In each case, the Commission shall also consider the procedures of the applicable utility company involved for the extension of utility service to lots within a subdivision.

406 EROSION AND SEDIMENTATION CONTROL

- A. Land shall not be developed or changed by grading, excavating, or by removal or destruction of the natural topsoil, trees, or other vegetative cover unless adequate provisions for minimizing erosion and sedimentation are provided.
- B. For the purposes of this Ordinance, a complete erosion and sedimentation control plan as outlined in the current edition of the Erosion and Sediment Pollution Control Program Manual, developed by the Bureau of Soil and Water Conservation of the Department of Environmental Resources, shall be prepared by a qualified individual for all subdivision or land development proposals where:
 - 1 a minimum of 1/2 acre to 3/4 acre will be disturbed to develop the site (including dwelling construction, driveway and sewage system installation, etc.);

2. improvements are involved;
 3. major earthmoving activities are proposed;
 4. the proposal involves any non-residential use; or,
 5. where deemed appropriate by the Planning Commission.
- C. All such Erosion and Sedimentation Control Plans shall be submitted to the Planning Commission along with preliminary or final subdivision or land development plans, as appropriate. A copy of the Plan shall then be submitted to the Columbia County Conservation District, and as necessary, the Department of Environmental Resources, for review and concurrence prior to approval of the proposed subdivision or land development.

407 STORMWATER MANAGEMENT

The management of stormwater from a site, both during and after any subdivision or land development, shall be accomplished in accordance with the standards and requirements of the PA Stormwater Management Act (Act 167-1978). The provisions in this Section are intended to provide protection against uncontrolled stormwater run-off, and to assure that downstream property owners and water courses are not adversely affected by increases in stormwater run-off resulting from a subdivision or land development.

A. General Requirements

1. A Stormwater Management Plan meeting the criteria out-lined in this Section shall be prepared by a registered professional engineer or other qualified individual, as approved by the Commission, for all subdivision or land development proposals where:
 - a. streets or other related improvements are proposed which will increase the total impervious area of the tract;
 - b. slopes of the site or adjacent areas could contribute to accelerated stormwater run-off as the lot(s) within the proposed subdivision are developed; or,
 - c. areas of poor drainage or stormwater run-off problems are known to exist within, directly adjacent to, or immediately down gradient from the proposed subdivision.
2. All subdivision and land development proposals shall meet the requirements of the Stormwater Management regulations in effect in the applicable municipality, or in the absence of such regulations, shall meet the requirements of any Watershed Stormwater Management Plan in effect or hereinafter enacted.
2. Stormwater Management Plans shall be submitted to the Planning Commission along

with preliminary or final subdivision or land development plans, as appropriate. A copy of the Plan shall then be submitted to the Columbia County Conservation District and Commission Engineer for review and concurrence prior to approval of the proposed subdivision or land development. All such Plans shall meet the minimum standards suggested by the County Conservation District and/or Commission Engineer.

B. Plan Requirements

1. A Stormwater Management Plan for a proposed subdivision or land development shall include a brief description of the following:
 - a. existing drainage patterns and stormwater run-off characteristics of the site, including any existing drainage or stormwater run-off problems and facilities;
 - b. the anticipated impact that future development of the property will have on existing stormwater run-off and drainage patterns; and,
 - c. the type of structural and nonstructural improvements planned to control post-development stormwater run-off.
2. The proposed location of both structural and nonstructural improvements shall be shown on the subdivision plot plans. The Planning Commission may also require the subdivider to provide topographic contour information at such intervals as may be deemed appropriate on the plot plan in order to better evaluate the proposed stormwater management techniques.
3. Separate, detailed specifications, including cross-sections, profiles, etc. shall be submitted for all proposed structural stormwater management improvements, such as detention basins, etc.
4. The subdivider shall also submit a proposal for ownership and maintenance of all proposed stormwater management facilities within his subdivision or development, in accordance with the following provisions.
 - a. Where the subdivider proposes to dedicate such improvements to the municipality and the municipality has agreed to accept the ownership and maintenance responsibilities thereof, a deed which dedicates the land to be used for the stormwater management improvement to the municipality shall be submitted to the Planning Commission as a part of the Stormwater Management Plan. If approved by the Commission, the deed of dedication shall be recorded with the final subdivision plan.
 - b. Alternatively, where no municipal participation is anticipated, an Ownership and Maintenance Agreement, specifying ownership and assigning maintenance responsibilities for the proposed improvements to either the developer or among property owners within the subdivision, shall be recorded with the final sub-division

plan and referenced in the deeds for each property within the subdivision.

~~C. Design Standards~~

- ~~1. Stormwater management facilities shall be designed so that the peak rate of run-off from any development or subdivision shall be no greater than the peak rate of run-off from the site in its pre development condition. For the purposes of this Ordinance, the pre-development condition shall be considered as grassland in all cases. The Commission Engineer may however waive or modify these requirements based upon the conditions of the site.~~
- ~~2. All drainage and stormwater management facilities shall be designed to adequately handle surface run-off and carry it to a suitable outlet. Such facilities shall be designed in accordance with the Rational Method of Design developed by the American Society of Civil Engineers Manual No. 37 or the U.S. Department of Agriculture Soil Conservation Service Technical Release No. 55, Urban Hydrology for Small Watersheds or other technical methodology acceptable to the Commission Engineer.~~
- ~~3. Stormwater run-off shall not be concentrated onto adjacent properties unless approval is given by the property owner and the applicable municipality. When storm drainage is to be directed into an adjacent municipality, all provisions for accommodating such drainage shall be submitted to the governing body of that municipality for review.~~
- ~~4. Where existing storm sewers are reasonably accessible and of adequate capacity, subdivisions and land developments shall connect to the existing system, subject to approval of the authority or municipality having jurisdiction over the existing system.~~
- ~~5. Where a subdivision or land development is traversed by a water course, drainageway, channel or stream, a drainage easement conforming substantially with the line of such water course shall be provided. The drainage easement shall be such width as will be adequate to preserve the unimpeded flow of natural drainage; or for the purpose of widening, deepening, relocating, maintaining, improving or protecting such drainageway; or for the purpose of protecting such water course for the purpose of stormwater management or installation of a storm sewer. Any change proposed in the existing drainageway shall be subject to the approval of the Department of Environmental Resources.~~

NEW

C. Design Standards

1. Stormwater management facilities shall be designed so that the peak rate of run-off from any development or subdivision shall be no greater than the peak rate of run-off from the site in its pre-development condition. For the purposes of this Ordinance, the pre-development condition shall be considered as grassland in all cases. The Commission Engineer may however waive or modify these

requirements based upon the conditions of the site.

2. All drainage and stormwater management facilities shall be designed to adequately handle surface run-off and carry it to a suitable outlet. Such facilities shall be designed in accordance with the Rational Method of Design developed by the American Society of Civil Engineers Manual No. 37 or the U.S. Department of Agriculture Soil Conservation Service Technical Release No. 55, Urban Hydrology for Small Watersheds or other technical methodology acceptable to the Commission Engineer.
3. Stormwater run-off shall not be concentrated onto adjacent properties unless approval is given by the property owner and the applicable municipality. When storm drainage is to be directed into an adjacent municipality, all provisions for accommodating such drainage shall be submitted to the governing body of that municipality for review.
4. Where existing storm sewers are reasonably accessible and of adequate capacity, subdivisions and land developments shall connect to the existing system, subject to approval of the authority or municipality having jurisdiction over the existing system.
5. Where a subdivision or land development is traversed by a water course, drainageway, channel or stream, a drainage easement conforming substantially with the line of such water course shall be provided. The drainage easement shall be such width as will be adequate to preserve the unimpeded flow of natural drainage; or for the purpose of widening, deepening, relocating, maintaining, improving or protecting such drainageway; or for the purpose of protecting such water course for the purpose of stormwater management or installation of a storm sewer. Any change proposed in the existing drainageway shall be subject to the approval of the Department of Environmental Resources.

408 FLOODPLAIN MANAGEMENT

The management and regulation of subdivision or development in identified floodprone areas of those communities under jurisdiction of this Ordinance shall be accomplished in accordance with the standards and requirements of the National Flood Insurance Program and the PA Floodplain Management Act (Act 166-1978). The provisions of this Section are intended to protect property owners from increased flood hazards resulting from inappropriate development in the floodplain, and to protect potential buyers from purchasing land which may not be suitable for development.

A. General Requirements

- 1 Subdivisions and land developments governed by this Ordinance shall comply with all applicable municipal Floodplain Management Regulations, including construction design and elevation.
2. Land areas susceptible to flooding shall be identified using the most current National Flood Insurance Program mapping, prepared by the Federal Emergency Management Agency (FEMA). In areas where detailed flood mapping is not provided by FEMA, the best available elevation and floodway information from Federal, State or other acceptable sources shall be used to determine the flood hazard area.

3. For the purposes of this Ordinance, the regulatory flood or that flood which defines the regulatory floodplain shall be the 100-year flood. Where detailed flood mapping is provided by FEMA, the floodplain is divided into Floodway and Flood Fringe areas. Where detailed flood mapping is not provided by FEMA, the location of the Floodway within the General Floodplain or other Special Flood Hazard Areas shall be approximated using a 50 foot setback measured landward from the top of the stream bank, unless detailed elevation and floodway information is provided from other sources.
4. The Planning Commission may require the subdivider, as a stipulation of subdivision approval, to include a notice on the plot plans and in every deed stating that the subdivision is located in a floodplain and that any development of lots within the subdivision must occur in accordance with all Federal, State and municipal floodplain management regulations.

B. Plan Requirements

1. All plans for subdivision or development of property located within an identified floodplain must show the location of the 100-year floodplain boundary and the location of the floodway, if available, according to the most current National Flood Insurance Program flood mapping for the community.
2. When appropriate and where required by the PA Department of Community Affairs, a copy of the Special Permit application and an indication of the Department's action on the application shall be submitted to the Planning Commission along with the subdivision or land development plan.

C. Design Standards

Where no municipal floodplain management regulations exist or where such regulations do not meet the DCA/FEMA requirements, the following standards shall apply to the design of any development proposed to be located in an identified floodplain area.

1. Any new construction, development, use, or activity proposed to be located within a designated Floodway Area which will cause an increase in flood heights shall be prohibited.
2. All new or substantially improved residential structures proposed to be located within a designated Flood Fringe Area must be elevated to or above the 100-year flood elevation; and all new or substantially approved non-residential structures must be elevated to or above the 100-year flood elevation or be floodproofed in accordance with all applicable floodproofing standards.
3. The finished elevation of proposed streets shall not be more than (1) one foot below the 100-year flood elevation. The Planning Commission may require, where nec-essary, profiles and elevations of streets to determine compliance with this requirement. In

addition, drainage openings shall be of sufficient size to discharge flood flows without unduly increasing flood heights.

4. All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters. Sanitary sewer facilities and systems shall also be designed to prevent the discharge of untreated sewage into flood waters.
5. No part of any on-site sewage disposal system shall be located within any identified floodplain area except in strict compliance with all State and local regulations for such systems. The Planning Commission may require the developer to note on his plot plans and on any deed of conveyance that on-site sewage systems are prohibited in designated areas of the floodplain.
6. All other utilities, such as gas and electric lines and telephone systems, shall be located and constructed to minimize the chance of impairment during a flood.
7. Storm drainage facilities shall be designed to convey the flow of stormwater run-off in a safe and efficient manner. The system shall ensure proper drainage along streets and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess run-off onto adjacent properties.
8. No alteration or relocation of a stream or watercourse may take place without obtaining the required permit from the Department of Environmental Resources. Prior to such alteration or relocation, adjacent communities, the PA Department of Community Affairs and the Federal Emergency Management Agency must be notified. Under no circumstances shall any alteration or relocation take place which will lower the flood-carrying capacity of the stream or watercourse.

409 MONUMENTS AND MARKERS

A. Material and Size

Monuments and markers shall be constructed and shall be of such size as follows:

<u>Construction</u>	<u>Minimum Size</u>
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Monument	* Concrete	4" x 4" x 36"	or equivalent area
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Marker	Iron Pipes or Iron or Steel Bars	30" x 5/8" dia.
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* Or other monument approved by the Commission

B. Placement; Marking

Monuments and markers must be placed by a registered professional land surveyor so that the scored or marked point coincides with the point of intersection of the lines being monumented. Monuments must contain magnetic material to simplify future location.

C. Location of Monuments

Monuments must be set along one side of all street rights-of-way for the entire length of the street:

1. at the beginning and ending of all curves more than 200 feet in length;
2. on curved sections at intervals not exceeding 500 feet; and,
3. on tangent sections at intervals not exceeding 1000 feet, provided there is a clear line of sight between these points; otherwise, additional monuments will be required.

Waivers may be given for the use of monuments in minor subdivisions.

D. Location of Markers

Markers must be set:

1. at the beginning and ending of curves along street property lines if not monumented;
2. at points where lot lines intersect curves either front or rear;
3. at angles in property lines or lots; and,
4. at all other lot corners.

E. Removal

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

ARTICLE 5.

LAND DEVELOPMENTS

500 GENERAL STANDARDS

- A. All proposed land developments shall conform to the provisions of any applicable Zoning Ordinance. Where no zoning regulations exist, the design and site planning standards contained in this Article shall be applied to all land development proposals, as appropriate.
- B. The standards outlined in this Article shall be applied by the Planning Commission in evaluating land development proposals. These standards shall be considered minimum standards and the Commission may impose more restrictive standards. Plans for land development proposals shall comply with the following standards as well as all other applicable provisions of this Ordinance, including the Plan Requirements contained in Section 305.
- C. All land development proposals shall also meet the Design and Construction Standards outlined in Article 4 of this Ordinance, unless otherwise noted.
- D. Innovative design which will provide for all foreseeable problems and which will enhance the character of the municipality in which it is located may be permitted and will be encouraged. The criteria for review will be the quality of the design and the proposed development.
- E. In addition to the standards outlined below, land development proposals shall also comply with all State and Federal laws and regulations. Approval of a land development plan by the Planning Commission does not absolve the developer from his responsibilities to meet such other requirements as may be applicable. A signed acknowledgement, with wording as prescribed by the Planning Commission, must be placed on the plan where such other requirements are applicable.

501 SITE PLANNING REQUIREMENTS

- A. Pedestrian Circulation
 - 1. Pedestrian walkways shall be provided within all multi-family residential developments, commercial, industrial and institutional developments in order to promote safe pedestrian circulation throughout the developed area.
 - 2. Pedestrian walkways shall be physically separated from all streets and where possible, from vehicle circulation ways within non-residential developments.
 - 3. Parking lots shall be designed to minimize the necessity for pedestrians to walk within

and across vehicle circulation ways.

4. Commercial developments should be designed to allow pedestrians to browse and pause in areas removed or otherwise protected from vehicular circulation and parking areas.
5. Where possible, common open space areas and other residential service areas should be located at the interior of development sites to minimize the necessity for pedestrians to cross streets. Such other safety precautions as deemed appropriate may be required by the Commission.

B. Structure Orientation

1. Structure sites shall be clustered whenever possible to ensure the largest, most usable tracts of open space are preserved.
2. All buildings located on corner lots at street inter-sections shall be situated so as to assure that the sight distance required by Table 3 of this Ordinance will be met.
3. Where possible, commercial structures should be relatively central with respect to their parking areas in order to minimize required walking distance for safety and convenience.

C. Landscaping

1. Development shall be planned to minimize the removal of existing trees, shrubs and ground cover and to minimize the percentage of each site covered with structures, paved parking areas, and other impermeable surfaces.
2. Street trees shall be provided in residential areas along arterial or collector streets to absorb traffic noise.

D. Buffer Yards

1. Where a commercial or industrial use abuts a residential property, a buffer yard of at least 50 feet shall be required. The buffer yard shall be a part of the commercial or industrial installation and shall be maintained by the business or industry.
2. Where a commercial or industrial use abuts a stream, drainage channel or wetland area, a buffer yard of at least 50 feet shall be provided. The yard shall be measured from the nearest edge of the stream, channel or wetland.
3. Buffer yards required for uses other than commercial or industrial activities shall be not less than 25 feet in width, unless provided otherwise in a specific section of this Ordinance.
4. All buffer yards shall be planted and maintained with vegetative material, such as grass,

sod, shrubs or other evergreens. Within buffer yards, screening shall be accomplished as required in sub-section F. below.

5. The buffer yard may be considered as part of the required yard space.
6. No structure, storage of materials or parking of vehicles shall be permitted in the buffer yard.
7. Walkways, as well as utilities, may cross buffer yards.

E. Screen Planting

1. Screening shall be required in the following instances:
 - a. where commercial or industrial uses abut residential uses;
 - b. where residential developments abut a railroad or arterial highway, including reverse frontage lots;
 - c. around all open sides of any common utility yard and any outdoor storage or refuse area in residential developments; and,
 - d. elsewhere as deemed necessary by the Planning Commission.
2. Plant or vegetative materials used in screen planting shall be evergreen trees or evergreen type hedges or shrubs or such other species that will produce within three (3) years a complete visual screen at least (6) six feet in height.
3. Screen planting shall be maintained permanently, and any planting material which does not live shall be replaced by the developer within (1) one year.
4. Screen plantings shall be placed so that at maturity they will be no closer than three (3) feet to any street or property line.
5. Screen planting shall be broken only at points of vehicular or pedestrian access, utility easements, or as provided in sub-section 6 below.
6. A clear sight triangle shall be maintained at all street intersections in accordance with the requirements of Table 3 of this Ordinance. No bushes or shrubs exceeding 30 inches in height or tree limbs hanging lower than (8) eight feet shall be situated within these areas.

F Off-Street Parking Facilities

Off-street parking spaces or facilities shall be provided for all types of land development in

accordance with the schedule contained in this Section. Such facilities shall also be designed and constructed as outlined below.

1. Individual parking spaces shall contain no less than 180 square feet of usable area and shall have a minimum width of (9) nine feet.
2. Required parking spaces may be located on a lot other than that containing the principal use, subject to approval of the Planning Commission. Such remote park-in shall however remain under the control and care of the owner or operator of the use to which it is appurtenant.
3. All parking areas shall be graded for proper drainage and shall be designed to provide for the orderly and safe parking and storage of vehicles. Parking areas shall be designed and constructed as follows:

Wearing Surface * 1 1/2 inches
Base BCBC 2 inches
Sub-base 2A Stone 4 inches

* Surface material shall meet the requirements of PennDOT's Publication, Form 408.

When however, in the opinion of the Planning Commission, land use warrants, a waiver may be granted to the design and construction standards listed above for parking areas.

4. Adequate provisions shall be made for ingress and egress to all parking spaces and parking areas. Access to off-street parking areas shall be limited to a minimal number of well-defined locations. In no case shall unrestricted access along the length of a street upon which the parking abuts be permitted. Parking areas shall be designed so that there will be no need for motorists to back over or into public rights-of-way. (See also Section 403 B.)
5. Any lighting used to illuminate off-street parking areas shall be mounted and shielded in such a manner to effectively eliminate direct glare on adjacent properties or upon public streets.
6. The number of off-street parking spaces required shall be as set forth in the Schedule below. In the case of any building or structure, the use of which is not specifically mentioned therein, the provisions of a use so mentioned and to which such use is similar, in the opinion of the Planning Commission, shall apply.

OFF-STREET PARKING SCHEDULE

1. Residential Developments (inc.
multi-family & mobile home park

- developments). 2 for each dwelling unit.
2. Commercial Developments (inc. shopping centers & multi or mixed use facilities). 5.5 for each 1,000 sq. ft. of gross leasable area.
 3. Individual Retail Stores or Business Establishments. 1 for each 250 sq. ft. of retail floor area.
 4. Food Markets or Grocery Stores. 1 for each 100 sq. ft. of retail floor area.
 5. Restaurants, Taverns or Social Clubs. 1 for each 3 customer seats
 6. Offices. 1 for each 250 sq. ft. of floor area + 1 for each 2 employees.
 7. Hotels, Motels, or Lodging Facilities. 1 for each guest room + 1 for each 3 employees.
 8. Industrial Developments. 1 for each 2 employees in the maximum work shift.
 9. Institutional Developments (inc. churches, schools, hospitals & places of public assembly). 1 for each 3 auditorium seats, 15 classroom seats, or 3 facility beds + 1 for each 2 employees.
 10. Recreational Developments. 1 for each 3 persons of total facility capacity.
- G. Off-Street Loading Facilities

Off-street loading berths or facilities shall be provided in connection with every commercial, industrial, institutional or recreational building or part thereof hereafter proposed to contain a gross floor area of 5,000 square feet or more. Such accommodations shall be provided in accordance with the schedule contained in this Section and shall meet the following standards.

1. Each off-street loading space or berth shall not be less than 12 feet in width, 50 feet in length, and shall have an overhead clearance of no less than 14 feet, exclusive of drives or maneuvering area. The loading area shall be located entirely on the lot being served and shall be designed so that there will be no need for drivers to back over public walkways or rights-of-way.
2. Loading areas shall be graded for proper drainage and shall be designed and constructed in accordance with the standards established in Section 501 F. for parking areas.
3. Any lighting used to illuminate off-street loading areas shall be mounted and shielded in such a manner to effectively eliminate direct glare on adjacent properties or upon public streets.

4. The number of off-street loading spaces required shall be as set forth in the Schedule below.

OFF-STREET LOADING SCHEDULE

Gross Floor Area Berths Required

5,000 - 20,000 sq. ft. 1
20,001 - 40,000 sq. ft. 2
Each additional 20,000 sq. ft. 1 additional

502 RESIDENTIAL DEVELOPMENTS

The placement of two or more residential buildings on a lot or tract of land or the division or allocation of space in a single residential structure for the purpose of creating additional residential units within the building shall be considered residential land development. Where local zoning laws do not regulate such activities, the standards of this Article shall apply to all residential land developments.

Residential developments shall include, but need not be limited to, multi-family dwellings, cluster housing developments, mobile home parks and other similar types of residential developments. The following standards shall apply to all such developments.

A. Multi-Family Dwellings

1. General Requirements. All multi-family residential development plans shall be prepared in accordance with the Plan Requirements contained in Section 305 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4. Plans for multi-family residential developments shall be submitted to the Planning Commission for review and action pursuant to the procedure outlined in Sections 202 and 204 of this Ordinance.

In addition, the developer shall also submit a description of the type of multi-family dwelling proposed and shall indicate the total number of dwelling units per structure.

2. Minimum Area Requirements. All lots containing multi-family dwellings shall conform to any applicable zoning ordinance. Where no zoning regulations exist, the minimum lot sizes and dimensions established in Section 401 B. and TABLE 1 of this Ordinance shall apply.
3. Access and Parking Requirements. All streets and accessways proposed to serve multi-family dwellings shall be designed and constructed in accordance with the standards set forth in Article 4 of this Ordinance. Off-street parking shall be provided in accordance with Section 501 F.
4. Sewage and Water Facilities. Adequate sewage and water facilities must be provided

by the developer in accordance with the requirements of Section 405 of this Ordinance. The developer shall submit sufficient documentation to the Planning Commission regarding the method of sewage disposal and/or water supply to be utilized along with his development plans.

5. Common Open Space and Joint Facilities. Where the proposed development contains 25 or more dwelling units, common open space shall be provided as required by Section 404 of this Ordinance. A proposal for the maintenance of all such open space and any other jointly-owned facilities shall also be submitted.
6. Landscaping. Where adjacent land use dictates, or where in the opinion of the Planning Commission such would be appropriate, buffer yards and/or screen planting as out-lined in Section 501 D. and E. shall be provided.
7. Arrangement of Buildings. Where more than (1) one multi-family dwelling structure is proposed to be situated on a single tract of land, the following standards shall also apply:
 - a. Adequate provision shall be made for light, air, emergency access and privacy in the arrangement of buildings to each other.
 - b. The minimum distance between buildings shall not be less than 50 feet.
 - c. All multi-family dwelling structures shall be setback a minimum of 75 feet from all property lines and 50 feet from the edge of all streets or public rights-of-way.

B. Cluster Housing Developments

The purpose of the following standards is to permit the clustering or grouping of detached, semi-detached, attached and multi-family residential structures on a single tract to maximize the amount of open space that can be preserved.

1. General Requirements. All cluster housing development plans shall be prepared in accordance with the Plan Requirements contained in Section 305 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4. Plans for cluster housing developments shall be submitted to the Planning Commission for review and action pursuant to the procedure outlined in Sections 202 and 204 of this Ordinance.

In addition, the developer shall also submit a description of the type of dwellings proposed and shall indicate the total number of dwelling units being proposed.

2. Minimum Area and Density Requirements. Cluster housing developments shall contain a minimum area of 10 acres. The maximum allowable density shall be five (5) dwelling units per acre for detached dwellings and (8) eight dwelling units per acre for semi-detached, attached or multi-family units.

3. Common Open Space. A minimum of 40% of the total development area shall be set aside for and shall remain common open space. Such open space shall include areas of land and water, but shall exclude all roads, parking areas, structures, or service lanes. The developer shall submit a proposal which provides for the ultimate ownership and maintenance of all open areas.
4. Access and Parking Requirements. All streets and accessways proposed to serve dwellings within the cluster development shall be designed and constructed in accordance with the standards set forth in Article 4 of this Ordinance. Off-street parking shall be provided in accordance with Section 501 F.
5. Sewage and Water Facilities. Adequate sewage and water facilities must be provided by the developer in accordance with the requirements of Section 405 of this Ordinance. The developer shall submit sufficient documentation to the Planning Commission regarding the method of sewage disposal and/or water supply to be utilized along with his development plans.
6. Landscaping. Where adjacent land use dictates, or where in the opinion of the Planning Commission such would be appropriate, buffer yards and/or screen planting as outlined in Section 501 D. and E. shall be provided.
7. Arrangement of Buildings.
 - a. Adequate provision shall be made for light, air, emergency access and privacy in the arrangement of buildings to each other.
 - b. The minimum distance between buildings shall not be less than 20 feet.
 - c. All dwelling structures shall be setback a minimum of 25 feet from all tract boundary lines and 50 feet from the edge of all streets or public rights-of-way.

C. Mobile Home Parks

See Article 6, Section 600, of this Ordinance.

503 COMMERCIAL DEVELOPMENTS

The placement of one or more commercial buildings on a lot, regardless of the number of occupants or tenure, shall be considered a commercial land development. Where local zoning laws do not regulate such activities, the standards of this Article shall apply to all commercial land developments.

Commercial developments shall include, but need not be limited to, shopping centers, retail stores

or businesses, hotels and motels, restaurants, office buildings or complexes, and other similar types of activities. The following general standards shall apply to all such developments.

A. General Requirements

All commercial land development plans shall be prepared in accordance with the Plan Requirements contained in Section 305 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4. Plans for commercial developments shall be submitted to the Planning Commission for review and action pursuant to the procedure outlined in Sections 202 and 204 of this Ordinance.

B. Design Standards

1. Access to public streets shall be limited to well-defined entrance and exit lanes. Exit lanes shall be separated from entrance lanes by dividers or planting islands.
2. Painted lines, arrows and dividers shall be provided to control parking and vehicular circulation. Customer parking and circulation shall be separated from delivery service drives and loading areas.
3. Drives providing vehicular access to such land developments shall be designed and constructed in accordance with the requirements established in Section 403 B. of this Ordinance.
4. Proposed sewage disposal and water supply systems shall be designed and constructed in accordance with the requirements of Section 405 of this Ordinance.
5. Buffer yards and/or screen plantings may be required as per the requirements of Sections 501 D. and E. or where deemed appropriate by the Planning Commission.
6. Parking and loading areas shall be setback at least 15 feet from all street right-of-way and property lines and shall be designed to meet the requirements of Sections 501 F. and G.

504 INDUSTRIAL DEVELOPMENTS

The placement of one or more industrial buildings on a lot, regardless of the number of occupants or tenure, shall be considered an industrial land development. Where local zoning laws do not regulate such activities, the standards of this Article shall apply to all industrial land developments.

Industrial developments shall include, but need not be limited to, industrial parks, multi-tenant manufacturing buildings, warehousing or industrial storage facilities, or other similar types of activities. The following general standards shall apply to all such developments.

A. General Requirements

All industrial land development plans shall be prepared in accordance with the Plan Requirements contained in Section 305 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4. Plans for industrial developments shall be submitted to the Planning Commission for review and action pursuant to the procedure outlined in Sections 202 and 204 of this Ordinance.

B. Design Standards

1. Access to public streets shall be limited to well-defined entrance and exit lanes. Exit lanes shall be separated from entrance lanes by dividers or planting islands.
2. Painted lines, arrows and dividers shall be provided to control parking and vehicular circulation, as appropriate. Visitor parking and circulation shall be separated from delivery service drives and loading areas.
3. Drives providing vehicular access to such land developments shall be designed and constructed in accordance with the requirements established in Section 403 B. of this Ordinance.
4. Proposed sewage disposal and water supply systems shall be designed and constructed in accordance with the requirements of Section 405 of this Ordinance.
5. Buffer yards and/or screen plantings may be required as per the requirements of Sections 501 D. and E. or where deemed appropriate by the Planning Commission.
6. Parking and loading areas shall be setback at least 15 feet from all street right-of-way and property lines and shall be designed to meet the requirements of Sections 501 F. and G.

505 INSTITUTIONAL DEVELOPMENTS

The placement of one or more institutional buildings on a lot, regardless of the number of occupants or tenure, shall be considered an institutional land development. Where local zoning laws do not regulate such activities, the standards of this Article shall apply to all institutional land developments.

Institutional developments shall include, but need not be limited to, schools, hospitals, nursing or personal care homes, municipal buildings or other similar structures intended for public purposes. The following general standards shall apply to all such developments.

A. General Requirements

All institutional land development plans shall be prepared in accordance with the Plan Requirements contained in Section 305 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4. Plans for institutional developments shall be submitted to the Planning Commission for review and action pursuant

to the procedure outlined in Sections 202 and 204 of this Ordinance.

B. Design Standards

1. Access to public streets shall be limited to well-defined entrance and exit lanes. Exit lanes shall be separated from entrance lanes by dividers, planting islands, other acceptable means.
2. Painted lines, arrows and dividers shall be provided to control parking and vehicular circulation, as appropriate. Visitor parking and circulation shall be separated from delivery service drives and loading areas.
3. Drives providing vehicular access to such land developments shall be designed and constructed in accordance with the requirements established in Section 403 B. of this Ordinance.
4. Proposed sewage disposal and water supply systems shall be designed and constructed in accordance with the requirements of Section 405 of this Ordinance.
5. Buffer yards and/or screen plantings may be required as per the requirements of Sections 501 D. and E. or where deemed appropriate by the Planning Commission.
6. Parking and loading areas shall be setback at least 15 feet from all street right-of-way and property lines and shall be designed to meet the requirements of Sections 501 F. and G.

506 RECREATIONAL DEVELOPMENTS

The division or allocation of space on a lot or tract of land for intermittent recreational use shall be considered a recreational land development. Where local zoning laws do not regulate such activities, the standards of this Article shall apply to all recreational land developments.

Recreational developments shall include, but need not be limited to, campgrounds or recreational vehicle parks, private or public parks or playgrounds, golf courses, ski lodges and associated facilities, or other similar activities. The following general standards shall apply to all such

developments. **See also Article 6, Section 601, for specific standards pertaining to campgrounds.**

A. General Requirements

All recreational land development plans shall be prepared in accordance with the Plan Requirements contained in Section 305 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4. Plans for recreational developments shall be submitted to the Planning Commission for review and action pursuant to the procedure outlined in Sections 202 and 204 of this Ordinance.

B. Design Standards

1. Access to public streets shall be limited to well-defined entrance and exit lanes.
2. Drives providing vehicular access to such land developments shall be designed and constructed in accordance with the requirements established in Section 403 B. of this Ordinance.
3. Proposed sewage disposal and water supply systems shall be designed and constructed in accordance with the requirements of Section 405 of this Ordinance.
4. Buffer yards and/or screen plantings may be required as per the requirements of Sections 501 D. and E. or where deemed appropriate by the Planning Commission.
5. Parking areas shall be setback at least 15 feet from all street right-of-way and property lines and shall be designed to meet the requirements of Sections 501 F.

507 OTHER LAND DEVELOPMENTS

Plans for other types of land developments not specifically listed shall be prepared in accordance with the Plan Requirements contained in Section 305 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4. All land development plans shall be submitted to the Planning Commission for review and action pursuant to the procedure outlined in Sections 202 and 204 of this Ordinance.

ARTICLE 6.

MOBILE HOME PARKS AND CAMPGROUNDS

600 MOBILE HOME PARKS

The basic requirements of this Ordinance may be modified in the design and development of mobile home parks to the extent of and in accordance with the following minimum standards. Where a local municipal zoning ordinance regulates such activities, all applicable provisions governing mobile home parks therein shall take precedence. All approvals granted under this Ordinance for mobile home parks shall be considered conditional or subject to the applicant's compliance with any such regulations.

A. General Requirements

All mobile home park development plans shall be prepared in accordance with the Plan Requirements contained in Section 305 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4. Plans for mobile home park developments shall be submitted to the Planning Commission for review and action pursuant to the procedure outlined in Sections 202 and 204 of this Ordinance.

B. Mobile Home Lot Design Requirements

1. Minimum Area. An area of not less than 7,500 square feet shall be provided for each mobile home lot. The minimum width of each mobile home lot shall be 60 feet and the minimum depth of each mobile home lot shall not be less than 125 feet.
2. Lot Grade. The longitudinal gradient and cross slope of any mobile home lot shall not exceed (5) five percent, except for terracing at the periphery and the minimum slope in any direction shall be (1) one percent.
3. Setbacks. Each mobile home shall be located not less than 50 feet from the front lot line of the mobile home park, nor less than 30 feet from the side or rear lot lines of the park. Mobile homes shall also be setback a minimum of 30 feet from the edge of the right-of-way of any street in the internal park street system and 30 feet from any park building or other mobile home. Units shall also be setback no less than 15 feet from any side or rear mobile home lot line.
4. Lot Improvements.
 - a. Pad or Stand. Each mobile home lot shall be improved to provide an adequate foundation for the placement of the mobile home, thereby securing the superstructure against uplift, sliding or rotation. At a minimum, this shall include the provision of a pad or stand which shall be equal to the length and width of the

mobile home proposed to use the site. Such pad shall consist of two (2), two foot wide strips constructed of 4 inches of concrete, with wire mesh reinforcement. In addition, the pad shall be designed so as not to heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the structure.

- b. Anchors. The mobile home pad or stand shall be provided with anchors and tie-downs, such as "deadmen" eyelets imbedded in concrete foundations or run-ways, screw augers, arrowhead anchors, or other devices securing the stability of the unit.
- b. Patio. Each mobile home lot shall be provided with a patio containing at least 200 square feet of area. This patio shall be constructed of 4 inches of concrete and shall be 8 feet x 25 feet in dimension.
- d. Mobile Home Enclosure. A durable enclosure shall be installed around the entire base of each mobile home with any ventilating openings providing adequate protection against the intrusion of rodents, other vermin, and debris.

C. Park Streets

The Street Design and Construction Standards contained in Article 4 of this Ordinance shall apply to streets being proposed as part of the park's internal street system, except as provided below.

1. Cul-de-sac streets shall be provided with a turn-around having an outside right-of-way dimension of 90 feet.
2. The pavement edge at all intersections shall have an inside radius of at least 30 feet.
3. Street grades shall not exceed (8) eight percent and adequate transition shall be made at grade changes for the maneuvering of mobile home units.

D. Curbs and Sidewalks

Curbs and sidewalks shall be provided throughout the mobile home park and shall be constructed in accordance with the standards set forth in Sections 402 H.1 and I.1 of this Ordinance. However, where the average lot width in a mobile home park is greater than 70 feet, the curb and/or sidewalk requirements may be waived by the Planning Commission.

E. Buffer Yards and Screening

All mobile home parks located adjacent to industrial or commercial land uses shall be provided with a buffer yard of not less than 50 feet and shall be screened in accordance with

the requirements of Section 501 E. or be fenced. Screen planting shall also be provided along all property lines of the park.

F. Open Space/Recreation Area

A minimum of (8) eight percent of the gross park area or 700 square feet per unit, whichever is greater, shall be reserved by the developer as common open space/recreation area for the use of all residents of the park. Applications for mobile home parks shall include a proposal regarding the ultimate ownership and maintenance responsibilities for such common area.

G. Off-Street Parking

There shall be (2) two off-street parking spaces provided for each mobile home in the park. Such spaces shall be designed as per the standards of Section 501 F. of this Ordinance and shall be located on the lot which they are intended to serve. At a minimum these spaces shall be constructed of (4) four inches of compacted 2A stone.

H. Park Lighting

Each mobile home park shall be furnished with lighting designed to adequately illuminate driveways, walkways and intersections and to provide for the safe movement of vehicles and pedestrians throughout the park at night.

I. Water Supply System

An adequate supply of water shall be provided for all mobile homes, service buildings and other accessory facilities within the park. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made to it and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the applicant shall design, install and maintain an approved privately-owned community water supply system according to the standards of the PA Department of Environmental Resources and Section 405 A. of this Ordinance.

J. Sewage Disposal System

An adequate and safe sewage system shall be provided in all mobile home parks for conveying and disposing of sewage from the mobile homes, services buildings and other accessory facilities within the park. Mobile home parks shall be connected to public sewer systems, where possible. Where a satisfactory public sewage system is not available, the applicant shall design, install and maintain an approved privately-owned community sewage system according to the standards of the PA Department of Environmental Resources and Section 405 B. of this Ordinance.

K. General

Utility line locations, easements, erosion and sediment control, stormwater management, and

general site planning requirements shall be addressed in accordance with all applicable standards of the Commonwealth of PA and Sections 405 C., 406, 407, and 501 of this Ordinance.

601 CAMPGROUNDS

The basic requirements of this Ordinance may be modified in the design and development of campgrounds to the extent of and in accordance with the following minimum standards. Where a local municipal zoning ordinance regulates such activities, all applicable provisions governing campgrounds therein shall take precedence. All approvals granted under this Ordinance for campgrounds shall be considered conditional or subject to the applicant's compliance with any such regulations.

For the purposes of this Ordinance, a campground shall be defined as a facility providing space for the placement of (2) two or more recreational vehicles, travel trailers or similar portable units, or tents.

A. General Requirements

All campground development plans shall be prepared in accordance with the Plan Requirements contained in Section 305 of this Ordinance and shall also comply with all applicable Design and Construction Standards outlined in Article 4. Plans for campground developments shall be submitted to the Planning Commission for review and action pursuant to the procedure outlined in Sections 202 and 204 of this Ordinance.

B. Camping Space Design Requirements

1. Minimum Area. An area of not less than 4,000 square feet shall be provided for each camping space within the campground to accommodate the camping unit. The minimum width of each camping space shall be 50 feet and the minimum depth shall be not less than 80 feet.

The area requirements may be modified for campgrounds intended to accommodate only tent sites, but in no case shall the lot width be less than 50 feet nor the density of camping spaces exceed 15 per acre.

2. Setbacks. Each camping unit shall be located not less than 50 feet from the front lot line of the campground, nor less than 30 feet from the rear or side lot lines of the facility. Camping units shall also be setback a minimum of 20 feet from the edge of the right-of-way of any street in the internal campground street system and no less than 20 feet from any building or other camping unit.

C. Roadways

The Street Design and Construction Standards contained in Article 4 of this Ordinance shall apply to roadways being proposed as part of the campground's internal street system, except

as provided below.

1. Roadways shall be designed and constructed of (4) four inches of 2A aggregate with a 1/2 inch bituminous wearing surface, in accordance with the specifications of PennDOT's Publication, Form 408.
2. One way drives or roadways shall be no less than 12 feet in width. One way drives shall not exceed 600 feet in length.
3. Cul-de-sac drives shall be provided with a turn-around having an outside right-of-way diameter of at least 90 feet.
4. The pavement edge at all intersections shall have an inside radius of at least 30 feet.

D. Camping Space Improvements

Camping spaces shall be improved to provide an adequate foundation for the placement of a camping unit. Where camping units are intended to include travel trailers, recreational vehicles or other similar portable units, such foundation shall consist of at least a four (4) inch compacted 2A stone base, topped with crushed stone and shall be 10 feet x 50 feet in dimension. While the specific tent site of a camping space need not be provided with a foundation, such foundation, 10 feet x 20 feet, shall be provided on this type of camping site for vehicle parking.

E. Off-Street Parking

(1) one additional off-street parking space shall be required for each (5) five camping spaces in the campground. Parking areas to accommodate this requirement shall be located throughout the campground to provide for visitor parking. Parking for commercial buildings within the campground shall be provided in accordance with the requirements of Section 501 F. of this Ordinance.

F. Walkways

Walkways shall be provided to ensure safe pedestrian circulation within the campground to comfort stations, open space areas, and commercial facilities, when offered. Such walkways shall consist of (4) four inches of compacted 2A stone at a width of three (3) feet.

G. Open Space/Recreation Area

A minimum of (8) eight percent of the gross area of the campground or 700 square feet per camping unit in the facility, whichever is greater, shall be reserved by the developer as common open space/recreation area for the use of all residents of the campground. Applications for camp-grounds shall include a proposal regarding the ultimate ownership and maintenance responsibilities for such common area.

H. Screening

Where campgrounds are located adjacent to residential land uses screen planting shall be provided along all such property lines in accordance with the standards established in Section 501 E. of this Ordinance.

I. Utilities and Sanitation

1. Each camping space shall be provided with individual electrical, sewage and water connections.
3. Every campground shall be provided with a public comfort station with showers, restroom facilities and a sheltered drinking fountain. A minimum of (1) one comfort station shall be provided for every 50 camping sites and shall be situated in easily accessible locations.
4. Every campground shall be provided with a paved sanitary station for the disposal of wastes from vehicle holding tanks.
5. All sewage and water facilities, including proposed supply and disposal methods, shall comply with the applicable standards, rules and regulations of the PA Department of Environmental Resources. Evidence of such compliance shall be provided by the applicant prior to plan approval. Where available, campgrounds shall be connected to public sewage and water supply systems. Where such systems are not available, the applicant shall design, install and maintain approved privately-owned community systems.
5. The utility requirements pertaining to individual camping spaces intended for tent sites accommodations only may be modified as deemed appropriate by the Planning Commission.

J. General

Utility line locations, easements, erosion and sediment control, stormwater management, and general site planning requirements shall be addressed in accordance with all applicable standards of the Commonwealth of PA and Sections 405 C., 406, 407, and 501 of this Ordinance.

ARTICLE 7.

ADMINISTRATION AND ENFORCEMENT

- A. The provisions of this Ordinance represent minimum standards for the protection of the public welfare.
- B. If any mandatory provision of this Ordinance is shown by the applicant, to the satisfaction of a majority of the Planning Commission, to be unreasonable and to cause unique and undue hardship as it applies to his proposed subdivision or land development, the Planning Commission may grant a waiver or modification in writing to such applicant from such mandatory provision, so that substantial justice may be served and the public interest secured; provided that such waiver or modification will not have the effect of nullifying the intent and purpose of this Ordinance.
- C. In granting waivers or modifications, the Planning Commission may impose such conditions as will, in its judgement, encourage innovative design and/or secure substantially the objectives of the standards or requirements so waived or modified.

701 RECORDS

The Planning Commission shall maintain an accurate public record of all the plans they review and those upon which they take action and of their findings, decisions, and recommendations in relation thereto.

702 AMENDMENTS

The Board of Commissioners of Columbia County may, from time to time, revise, modify, and amend this Ordinance by appropriate action taken at a scheduled public meeting, all in accordance with the applicable provisions of the PA Municipalities Planning Code, 53 P.S. Section 10505, as reenacted and amended in 1988, December 21, P.L. 1329, Act 170.

703 MEDIATION OPTION

The Planning Commission may offer a mediation option as an aid in completing proceedings authorized by this Section. In exercising such an option, the Commission and mediating parties shall meet the stipulations and follow the procedures set forth in Article IX of the PA Municipalities Planning Code, 53 P.S. Section 10908.1, as added in 1988, December 21, by P.L. 1329, Act 170.

704 PREVENTIVE REMEDIES

- A. In addition to other remedies, the Columbia County Planning Commission may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations; to prevent unlawful construction; to recover damages; and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the

seller or transferrer from such penalties or from the remedies herein provided.

- B. As provided by Section 515.1 of the PA Municipalities Planning Code, 53 P.S. Section 10515.1, as added in 1988, December 21, by P.L. 1329, Act 170, the Planning Commission may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:
1. The owner of record at the time of such violation.
 2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- C. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Planning Commission may require compliance with the conditions that would have applied to the property at the time the applicant acquired an interest in such real property.

705 ENFORCEMENT REMEDIES

- A. Any person, partnership or corporation who or which has violated the provisions of this Ordinance, shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Columbia County Planning Commission, pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorney fees incurred by the Planning Commission as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Planning Commission may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Ordinance shall be paid over to Columbia County.

- B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
- C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Columbia County Planning Commission the right to commence any action for enforcement pursuant to this Section.

706 **FEE SCHEDULE**

A. Plans Under Jurisdiction of County Subdivision Ordinance

All fees for processing and review of subdivision and land development plans and inspection of improvements in municipalities under jurisdiction of this Ordinance shall be paid to the "Columbia County Planning Commission". These fees are designed to cover reasonable and necessary costs associated with such activities conducted by the Planning Commission, as required by the provisions of this Ordinance and the PA Municipalities Planning Code.

1. Plan Processing and Review Fees. Fees for processing, review, evaluation and presentation of preliminary and final subdivision and land development plans shall be established by Resolution of the Columbia County Board of Commissioners. Such fees shall be reasonable and shall include charges for staff, as well as all charges by the Commission Engineer or consultant, as may be necessary. All engineering or consulting fees shall be in accordance with the ordinary and customary charges by the Commission Engineer or consultant for similar service in the County, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the County when fees are not reimbursed or otherwise imposed on applicants. These fees shall accompany the submission of plans to the Planning Commission and shall be nonrefundable.

In the event the applicant disputes the amount of such fees, the procedure for resolution of such disputes contained in Section 503 (1) of the PA Municipalities Planning Code, 53 P.S. Section 10503 (1) as reenacted and amended in 1988, December 21, P.L. 1329, Act 170, shall apply.

2. Inspection Fees. Where improvements are required by the Planning Commission to be installed as a condition of final approval of a subdivision or land development plan, said improvements shall be inspected by the Planning Commission in accordance with the procedure set forth in Section 205 of this Ordinance upon their completion. The applicant shall reimburse the Planning Commission for the reasonable and necessary expense incurred for the inspection of such improvements. Such expense shall be in accordance with the ordinary and customary fees charged by the Commission Engineer for work performed for similar services in the County, but in no event shall the fees exceed the rate or cost charged by the engineer to the County when fees are not reimbursed or otherwise imposed on applicants. These fees shall be paid to the Planning Commission prior to the approval of a final plan, prior to the release of the performance guarantee, or as may be prescribed by the Commission.

In the event the applicant disputes the amount of such inspection fee, the procedure for resolution of such disputes contained in Section 510 (g) of the PA Municipalities Planning Code, P.S. 53 Section 10510 (g) as reenacted and amended in 1988, December 21, P.L. 1329, Act 170, shall apply.

B. Municipal Plan Reviews

Fees for the review of plans for proposed subdivision and land developments situated in municipalities having adopted a Subdivision and Land Development Ordinance shall be established by Resolution of the Columbia County Board of Commissioners. All required fees shall accompany plans being submitted for review and shall be paid to the "Columbia County Planning Commission." These fees are intended to cover reasonable and necessary costs associated with conducting the required review and preparing written comments.

In the event of a dispute regarding the amount of such fee, the procedure outlined in Section 706 A.1 above shall apply

707 SEVERABILITY AND VALIDITY

The provisions of this Ordinance shall be severable. Should any section, subsection or provisions of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or of any other part thereof.

708 REPEALER

The Columbia County Subdivision and Land Development Ordinance, enacted July 24, 1973, and amended on October 3, 1975, August 18, 1977, September 28, 1978 and April 17, 1980, and all other Ordinances or sections thereof, which are inconsistent with any of the provisions herein, are hereby repealed. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights accrued or liability incurred or any cause or causes of action accrued or existing under any Ordinance repealed by this Ordinance. Nor shall any right or remedy be lost, impaired or affected by this Ordinance.

709 ENACTMENT AND EFFECTIVE DATE

ENACTED and ORDAINED into an Ordinance this _____ day of _____, 199_, by the Board of Commissioners of Columbia County, PA.

Said Ordinance shall become effective on the ___ day of _____, 199_.

COLUMBIA COUNTY COMMISSIONERS

Chairman

ATTEST:

Chief Clerk

ARTICLE 8.

DEFINITIONS

800 GENERAL INTERPRETATIONS

Unless the context clearly indicates otherwise, the following definitions shall be used in the interpretation of this Ordinance. In addition, the word "lot" includes the words "plot" and "parcel"; words in the present tense shall include the future; the singular shall include the plural and the plural the singular; the male gender shall include the female; the word "person" shall include a partnership or corporation, as well as an individual; and the term "shall" is mandatory, the word "may" permissive.

801 DEFINITIONS

ABUT: To physically touch or border upon; or to share a common property line, be contiguous. The term "abutting" implies a closer proximity than the term "adjacent".

ACCESS DRIVE: A vehicular approach or entry to or exit from a multi-unit residential or non-residential land development.

ACRE: A measure of land area containing 43,560 square feet.

ADJACENT: For purposes of this Ordinance, a lot or parcel of land which shares all or part of a common lot line with another lot or parcel. The term "adjacent" implies that the two parcels are not widely separated.

ADMINISTRATOR: The official charged with administering the requirements of this Ordinance.

AGENT: An individual acting on behalf of or representing a land owner or developer, i.e. during the plan submission or plan processing stages of the subdivision or land development process.

AGRICULTURE: The use of land for agricultural purposes, including crop farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the accessory uses for packing, treating, or storing the produce.

AGRICULTURAL LAND: Land used or capable of being used for agricultural purposes, whether for gain, pleasure or sustenance.

AGRICULTURAL PURPOSES: The use of land for the purpose of producing agricultural commodities, which shall include but not be limited to: growing grains, fruits, vegetables, nursery plants, Christmas trees, or timber; raising poultry or livestock; or producing agricultural commodities through greenhouse production. In some instances the use of land for agricultural purposes may involve the construction of barns, silos, feed lots and/or farm-related accessory

buildings.

ANCHORING SYSTEM: A system of tie-downs and anchors designed and installed on mobile home pads in accordance with the standards of the Department of Community Affairs to resist the flotation, collapse, and lateral movement of mobile homes.

APPLICANT: A landowner or developer who has filed an application for approval of a subdivision or land development.

APPLICATION: The application form and all accompanying documentation required of an applicant by the requirements of this Ordinance for review of a subdivision or land development proposal.

BASEMENT: 1) That portion of a building partly underground but having less than half of its clear height below the average lot grade. A basement shall be counted as a story for the purposes of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than (5) five feet or if it is used for business or dwelling purposes. 2) For floodplain management purposes, a basement shall be that area of a building or structure having its floor subgrade (below ground level) on all sides.

BERM: That portion of a street lying on either side of the cartway that is provided for lateral support of the pavement, emergency stopping or parking purposes, and a minimal amount of recovery area beyond the pavement edge. (See also SHOULDER.)

BLOCK: A unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways or any other barrier to the continuity of development.

BOARD: The Board of Commissioners of Columbia County, PA.

BOARD OF SUPERVISORS: The governing body or elected officials of any Township under jurisdiction of this Ordinance.

BUFFER YARD: Land area, either landscaped or planted, used to visibly separate one use from another or to shield or block noise, light, or other nuisance.

BUILDABLE AREA: The area of a lot remaining after the minimum yard and open space requirements have been met, excluding areas or space designated for rights-of-way.

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

a. **Building, Accessory:** A detached subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

b. **Building, Principal:** The main structure on a given lot, in which the principal use of the site is

conducted.

BUILDING COVERAGE: That portion of the lot covered by the principal and accessory buildings.

BUILDING HEIGHT: The vertical distance of a building measured from the average elevation of the finished grade to the highest point on the roof for flat roofs, to the deck lines for mansard roofs, and to the mean height between eaves and ridges for gable, hip and gambrel roofs.

BUILDING LINE: A line parallel to the front, side or rear lot line set so as to provide the required yard (building setback).

BUILDING PERMIT: Written permission issued by the proper authorities for the construction, repair, alteration or addition to a building or structure. (See also ZONING PERMIT.)

BUILDING SETBACK LINE: See SETBACK LINE.

CAMPGROUND: A tract or tracts of land, or any portion there-of, used for the purpose of providing two or more spaces for travel trailers, recreational vehicles, or tents, with or without a fee charged for the leasing, renting or occupancy of such space.

CARTWAY: The surface of a street or alley available for vehicular traffic.

CENTERLINE: A line located exactly in the center of the width of the cartway, right-of-way, easement, access, road, or street.

CHAIRMAN: The Chairman of the Columbia County Planning Commission or Board of County Commissioners, as indicated.

CLEAR SIGHT TRIANGLE: An area of unobstructed vision at street intersections. It is defined by lines of sight between points at a given distance from the intersection of the street centerlines.

CLUSTER DEVELOPMENT: A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

COMMISSION: The Columbia County Planning Commission.

COMMISSIONERS: The Board of Commissioners of Columbia County, PA.

COMMON OPEN SPACE: A specific area of land within a development site, designed and intended for the principal use or enjoyment of the occupants of the development, not including streets, off-street parking areas, and land dedicated for public or community facilities or use.

COMMONWEALTH: The Commonwealth of Pennsylvania.

COMMUNITY FACILITY: A building or structure, or non-structural improvement such as an easement for utilities or storm-water controls, jointly owned and/or maintained by property owners within a subdivision, or by a governmental agency, to provide a service to the public.

COMMUNITY SYSTEM: For the purposes of this Ordinance, a community system shall be defined as a privately owned, operated and maintained sewage or water supply system which serves a certain segment of a community or the residents of a particular subdivision or development. Such system is not available for use by the public.

COMPREHENSIVE PLAN: The official Comprehensive Plan of Columbia County, PA or any municipality under jurisdiction of this Ordinance, as indicated.

CONDOMINIUM: A building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

CONSERVATION DISTRICT: The Columbia County Conservation District.

CONTOUR: A line that connects the points on a land surface that have the same elevation.

CONVERSION APARTMENT: Dwelling units created by the conversion of a large building (single-unit dwelling, barn or similar structure) into a multi-unit structure.

COUNTY: Columbia County, PA.

CURB: A barrier, usually concrete, marking the edge of the roadway or paved area of the cartway.

CUT: An excavation. The difference between a point on the original ground and a designated point of lower elevation on the final grade. Also, the material removed in excavation.

DEDICATION: A gift or donation of property by the owner to another party, a homeowner's association, a municipality, the County or the general public.

DEED: A legal document conveying ownership of real property.

DEED RESTRICTION: A restriction on the use of land set forth in the deed or instrument of conveyance. Said restriction usually runs with the title of the land and is binding upon subsequent owners of the property.

DENSITY: The number of families, individuals, dwelling units, or housing structures permitted to be constructed or situated on a specific unit of land.

DER: The PA Department of Environmental Resources.

DETENTION BASIN: A basin or pond designed to retard storm water runoff by temporarily

storing the runoff and releasing it at a predetermined rate.

DEVELOPER: (See SUBDIVIDER.)

DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations. (See also LAND DEVELOPMENT.)

DEVELOPMENT PLAN: See PLAN and PLAT.

DIRECTOR: The Executive Director of the Columbia County Planning Commission, Columbia County, PA.

DISTRICT: A zone or geographic area within a municipality having enacted a Zoning Ordinance where certain zoning or development regulations apply.

DRAINAGE AREA: The area in which all of the surface runoff resulting from precipitation is concentrated into a particular stream. (See also WATERSHED AREA.)

DRAINAGE FACILITY: See STORMWATER MANAGEMENT FACILITY.

DRAINAGE PLAN: See STORMWATER MANAGEMENT PLAN.

DRAINAGEWAY: Any natural or artificial watercourse, trench, ditch, swale or similar depression into which surface water flows.

DRIVEWAY: That portion of a property which provides vehicular access between buildings and a public or private street or right-of-way.

DROPPED CURB: A section of curbing which is lowered to the street pavement level to permit access into a property or properties.

DWELLING: Any structure, or part thereof, designed exclusive-ly for human habitation.

- a. Dwelling, Attached: A single family dwelling attached to (2) two or more single family dwellings by common vertical walls, i.e. townhouse and garden apartment units.
- b. Dwelling, Detached: A freestanding structure consisting entirely of a single dwelling unit.
- c. Dwelling, Mobile Home: See MOBILE HOME.
- d. Dwelling, Multi-Family: A structure consisting of (3) three or more dwelling units, including row houses, townhouses, apartment buildings, and conversion apartments consisting of (3) three or more units.
- e. Dwelling, Semi-Detached: A single family dwelling attached to another single family

dwelling by a common vertical wall, and each dwelling located on a separate lot, i.e. a two family structure with the dwelling units located side-by-side.

- f. Dwelling, Single Family: An attached or detached dwelling unit or a mobile home intended for occupancy by one family. (See respective definitions).
- g. Dwelling, Two Family: A structure consisting of (2) two dwelling units, including twin or double and duplex structures, and two unit conversion apartments.

DWELLING UNIT: One or more rooms in a dwelling structure designed for the use by one or more individuals living together as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities.

EASEMENT: A defined right of use or privilege granted for a limited use of land for a public or quasi-public purpose.

EASEMENT, DRAINAGE: An easement required for the installation of stormwater management facilities or drainage swales, and/or required for the preservation or maintenance of a natural stream or water course or other drainage facility.

ELEVATION: 1) A vertical distance above or below a fixed reference level; 2) A flat scale drawing of the front, rear or side of a building.

ENGINEER: 1) A professional engineer licensed as such in the Commonwealth of Pennsylvania; 2) The professional engineer retained by the Columbia County Planning Commission to provide design, review or other engineering expertise and advice on various aspects of proposed developments, as requested by the Commission or its Staff.

EROSION: The removal of surface materials by the action of natural elements.

EROSION AND SEDIMENTATION CONTROL: Temporary and permanent actions or measures taken to reduce erosion and sedimentation and to control stormwater runoff during and after development activities, generally carried out as part of a plan developed prior to the initiation of the earth moving activity. (See also SOIL EROSION AND SEDIMENTATION CONTROL PLAN.)

EXCAVATION: Removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged.

FAMILY: One or more individuals occupying a dwelling unit and living as a single household unit.

FARM: A parcel of land used for agricultural activities.

FENCE: An artificially barrier of any material or combination of materials erected to enclose or

screen areas of land.

FILL: Sand, gravel, earth or other materials of any composition placed or deposited by humans.

FLOOD: A temporary inundation of normally dry land areas.

- a. Flood, One Hundred Year: A flood that, on the average, is likely to occur once every 100 years, i.e. that has a one percent chance of being equaled or exceeded in any given year; for the purposes of this Ordinance, the Regulatory Flood.
- b. Flood, Regulatory: The flood that has been selected to serve as the basis upon which the floodplain management provisions of this Ordinance have been based; the 100 year flood.

FLOOD FRINGE: That portion of the 100-year floodplain outside of the floodway.

FLOOD HAZARD AREA: For the purposes of this Ordinance, the Flood Hazard Area shall be defined the same as the Floodplain.

FLOODPLAIN: 1) A relatively flat or low land area adjoining a stream, river, or watercourse, which is subject to partial or complete inundation; or, 2) any area subject to the unusual and rapid accumulation or runoff of surface waters from any source. The boundary of this area shall coincide with the boundary of the 100 year flood.

FLOOD PRONE AREA: A low-lying or other land area susceptible to repeated inundation from flooding.

FLOODPROOFING: Any combination of structural and non-structural modifications or other changes or adjustments to buildings or their contents, undertaken to reduce or eliminate flood damage.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas required to carry and discharge the flood waters of a 100-year flood without cumulatively increasing the water surface elevation more than (1) one foot at any point.

FLOOR GRADE, FINISHED: The final elevation of the floor of a building or structure after construction, including floodproofing.

FRONTAGE: That side of a lot abutting on a street; the front lot line.

GOVERNING BODY: The Board of Commissioners of Columbia County or the elected officials of any municipality under jurisdiction of this Ordinance, as indicated.

GRADE: The degree of rise or descent of a sloping surface. (See also SLOPE.)

GRADE, FINISHED: The final elevation of the ground surface after development.

GROSS LEASABLE AREA: Total floor area of commercial buildings for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors if any; expressed in square feet and measured from the centerline of joint partitions and from outside wall faces.

IMPERVIOUS SURFACE: Any surface which reduces or prevents absorption of stormwater into previously undeveloped land.

IMPROVEMENT AGREEMENT: A deposit consisting of cash, a bond, a binding letter of credit, escrow account, or negotiable securities and an agreement guaranteeing the developer will install the required improvements.

IMPROVEMENTS: Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

JUNK: Any used or discarded material, including but not limited to waste paper, rags, rubber tires, metal, glass, building materials, house furnishings, machinery, vehicles or parts thereof, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. For purposes of this Ordinance, the term "junk" shall not include hazardous wastes, industrial residual wastes, or municipal solid wastes as defined in the PA Solid Waste Management Act.

JUNK YARD: Any outdoor establishment, place of business, or use of land which is maintained, used, or operated for storing, keeping, buying or selling junk.

LAND DEVELOPMENT: Any of the following activities:

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

Provided however, that the following activities shall be exempted from the definition of LAND DEVELOPMENT:

- a. The conversion of an existing single-unit detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium; and,
- b. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

- c. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this Ordinance, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

LAND DEVELOPMENT, COMMERCIAL: The subdivision or development of a tract of land into lots or spaces which are designed and intended for commercial purposes, including, but not limited to shopping centers, motels, and other similar types of development.

LAND DEVELOPMENT, INDUSTRIAL: The subdivision or development of a tract of land into lots or spaces which are designed and intended for industrial purposes, including, but not limited to industrial parks, multi-tenant buildings, and other similar types of development.

LAND DEVELOPMENT, INSTITUTIONAL: The subdivision or development of a tract of land into lots or spaces which are designed and intended for institutional purposes, including, but not limited to schools, hospitals, nursing homes, sheltered care facilities, prisons, municipal buildings, or other such structures used for public purposes.

LAND DEVELOPMENT, RECREATIONAL: The subdivision or development of a tract of land into lots or spaces which are designed and intended for intermittent recreational purposes, including, but not limited to campgrounds, private or public parks or playgrounds, or other similar types of recreational development.

LAND DEVELOPMENT, RESIDENTIAL: The subdivision or development of a tract of land into lots or spaces which are designed and intended for full time residential occupancy, including, but not limited to multiple family dwellings or housing developments, mobile home parks, or planned residential developments.

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

LANDSCAPE ARCHITECT: A professional landscape architect licensed by the Commonwealth of Pennsylvania.

LATERAL: A pipe conveying sewerage from individual buildings to larger pipes called trunk or interceptor sewers that are usually located in street right-of-ways.

LEVELING AREA: A safe stopping area at the intersection of streets or the intersection of a driveway and a street which is designed in accordance with the standards of this Ordinance.

LOCAL MUNICIPAL GOVERNING BODY: The elected officials of local municipalities within Columbia County, PA.

LOCAL MUNICIPAL PLANNING COMMISSION: The individuals appointed by the local municipal governing body to serve as members of the local planning commission; a municipal level review agency.

LOCATION MAP: A map sketch or diagram included on a subdivision or land development plan showing the relation of the site to all road and highway systems and municipal boundaries in the area surrounding the proposed subdivision or development.

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

- a. Lot, Add-On: A parcel of ground, located immediately adjacent to other property owned by the intended grantee, that is being added to the grantee's existing lot-of-record. Said lots shall not be subject to the minimum area or soils testing requirements of this Ordinance provided that the grantee is willing to combine both parcels into one description in a new deed and indicate therein that both parcels are to be considered as one for subdivision purposes.
- b. Lot, Area: The area contained within the property lines of a lot as shown on a subdivision plan, excluding space within any street or street right-of-way but including the area of any easement.
- c. Lot, Corner: A lot abutting on (2) two or more streets at their intersection, or on two (2) parts of the same street forming an interior angle of less than 135 degrees.
- d. Lot, Depth: The distance measured from the front lot line to the rear lot line.
- e. Lot, Double Frontage: A lot which extends from one street to another, with frontage on both streets.
- f. Lot, Frontage: The length of the front lot line measured at the street right-of-way line.
- g. Lot, Interior: A lot other than a corner lot.
- h. Lot, Reverse Frontage: A lot extending between and having frontage on an arterial street and on a minor street or alley, with vehicular access being provided solely from the latter.
- i. Lot, Width: The width of a lot measured at the building setback line.

LOT LINES: The property lines bounding the lot.

- a. Lot Line, Front: The line separating the lot from a street.
- b. Lot Line, Rear: The lot line opposite and most distant from the front lot line.

c. Lot Line, Side: Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line.

LOT OF RECORD: Any lot which individually or as part of a subdivision has been recorded in the office of the Columbia County Recorder of Deeds.

MARKER: An iron pipe or iron or steel bar set by a professional land surveyor to permanently mark the beginning and end of curves along property lines, angles in property lines, and lot corners. (See also MONUMENT.)

MEDIATION: A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences culminating in a written agreement which the parties themselves create and consider acceptable.

MOBILE HOME: A transportable, single family dwelling intended for permanent occupancy, contained in (1) one unit, or in (2) two or more units designed to be joined into (1) 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. For floodplain management purposes, the term shall also include park trailers, travel trailers, recreational vehicles and other similar types of manufactured homes placed on a site for a period of time exceeding 180 consecutive days.

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.

MOBILE HOME PAD OR STAND: A stabilized space on a mobile home lot which has been reserved for the placement of the mobile home, appurtenant structures or additions.

MOBILE HOME PARK: A parcel or contiguous parcels of land which has been so designated and improved that it contains (2) two or more mobile home lots for the placement thereon of mobile homes. For floodplain management purposes, the term shall also include facilities for the

placement of (2) two or more park trailers, travel trailers, recreational vehicles, or other similar types of manufactured housing for a period of time exceeding 180 consecutive days.

MODIFICATION: See WAIVER.

MONUMENT: For the purposes of this Ordinance, a monument shall be defined to mean a reinforced concrete monument, containing magnetic material, set by a professional land surveyor to permanently identify the intersection of lines forming angles in the boundary of a lot or tract, or at other locations as determined appropriate by the Planning Commission.

MOTEL: An establishment providing overnight or transient accommodations where each room

has its own independent outside access. (See also TRANSIENT LODGING FACILITIES.)

MULTI-USE BUILDING: A building or structure containing (2) two or more distinct uses.

MUNICIPALITY: Any Borough, Town or Township in Columbia County, PA, including Columbia County.

NONCONFORMING LOT: Any lot which does not conform to the minimum width, depth, or area dimensions specified for the zone or district where the lot is located.

NONCONFORMING STRUCTURE: Any structure or part of a structure manifestly not designed to comply with the use or extent of use provisions contained in an applicable Zoning Ordinance.

NONCONFORMING USE: Any use of a building or land which is not listed as a permissible use or activity for the zone or district in which the property is located.

OCCUPANCY PERMIT: A Permit, usually issued by a Zoning Officer, indicating that a project has been completed in accordance with the terms of the applicable Building or Zoning Permit and authorizing occupancy of the building or structure.

OFFICIAL MAP: A map adopted by ordinance pursuant to the criteria established in Article IV of the PA Municipalities Planning Code.

OFFICIAL ZONING MAP: See ZONING MAP.

OPEN SPACE: Space not occupied by a structure, open to the sky, and on the same lot with a building or structure. (See also COMMON OPEN SPACE.)

ORDINANCE: A law or regulation adopted by a municipality or the County; i.e. a Subdivision Ordinance or Zoning Ordinance.

OWNER: See LANDOWNER.

PARCEL: A lot or tract of land.

PARK: A tract of land, dedicated and used by the public for active and passive recreation.

PARKING AREA: Any public or private land area designated and used for parking of vehicles including parking lots, garages, private driveways and legally designated areas of public streets.

PAVEMENT: A sub-base, base course, or surface course placed on a sub-grade to support traffic load.

PEDESTRIAN WAY: A specified easement, walkway, path, sidewalk or other reservation which is designed and designated for the exclusive use of pedestrians.

PENNDOT: The Pennsylvania Department of Transportation.

PERFORMANCE GUARANTEE: Any security that may be accepted by the County as a guarantee that improvements required as part of final subdivision or land development plan approval will be satisfactorily installed or completed.

PERMIT: Written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law, but not allowed without such authorization. (See also BUILDING PERMIT, OCCUPANCY PERMIT and ZONING PERMIT.)

PERMITTED USE: Any use or activity allowed in a zoning district, subject to restrictions applicable to that zoning district.

PERSON: A corporation, company, association, society, firm, partnership or joint stock company, as well as an individual, a state and all of its political subdivisions and any agency or instrumentality thereof.

PERSONAL SERVICES: Establishments primarily engaged in providing services involving the care of a person or his or her apparel.

PLAN: A map or plat of a subdivision or land development, whether sketch, preliminary or final. (See also SUBDIVISION PLAN.)

- a. Plan, Sketch: An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development.
- b. Plan, Preliminary: A tentative subdivision or land development plan, in lesser detail than the final plan, indicating the approximate proposed layout of a subdivision or land development as a basis for consideration prior to preparation of the final plan. Where however, improvements are to be installed prior to final plan approval, detailed design and construction plans for all necessary improvements must be submitted as a part of the preliminary plan.
- c. Plan, Final: A complete and exact subdivision or land development plan prepared for official approval and recording as required by statute.

PLANNING COMMISSION: The Planning Commission of Columbia County or other municipality, as specified.

PLANNED RESIDENTIAL DEVELOPMENT: Any area of land controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of a municipal or County Zoning Ordinance.

PLAT: The map or plan of a subdivision or land development, whether preliminary or final. (See also PLAN.)

PLOT: A parcel of land that can be identified and referenced to a recorded plat or map.

PRIVATE: Something owned, operated, and supported by private individuals or a private corporation, rather than a government.

PROFESSIONAL OFFICES: Offices of a member of a recognized profession maintained for the conduct of that profession.

PUBLIC: Something owned, operated and controlled by a government agency (Federal, state or local), including a corporation created by law for the performance of certain specialized governmental functions.

PUBLIC GROUNDS: 1) Parks, playgrounds, trails, paths and other recreational areas and other public areas, 2) sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities, and 3) publicly owned or operated scenic and historic sites.

PUBLIC HEARING: A formal meeting held pursuant to public notice by a governing body, planning agency, or Zoning Hearing Board, intended to inform and obtain public comment, prior to taking certain actions as required by the PA Municipalities Planning Code.

PUBLIC MEETING: A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

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

RECREATION SPACE: Undeveloped land within a subdivision or development which is set aside or reserved for recreational use in accordance with the requirements of this Ordinance.

RECREATIONAL VEHICLE: A vehicular type of portable structure without a permanent foundation, which can be towed, hauled or driven and is primarily designed as temporary living accommodation for recreational, camping and travel use, including travel trailers, truck campers, camping trailers and self-propelled motor homes. (See also TRAVEL TRAILER.)

RECREATIONAL VEHICLE PARK: Any site upon which (2) two or more recreational vehicles are, or are intended to be located.

REGISTERED PROFESSIONAL ENGINEER: See ENGINEER.

RESIDUAL PROPERTY: The lot or parcel created through subdivision which is the remaining portion of the parent tract. The residual property shall be considered as an integral part of the proposed subdivision and shall be required to meet the standards of this Ordinance, where it contains five (5) or fewer acres or is less than 50 percent of the subdivided lot.

RESORT: A facility for transient guests where the primary attraction is generally recreational facilities, features or activities.

RESUBDIVISION: The subdivision or division of a tract or parcel of ground that itself was part of a previously approved subdivision.

RETENTION BASIN: A pond, pool or basin used for the permanent storage of stormwater runoff.

RIGHT-OF-WAY: 1) A specific type of easement being limited to use for passage over another person's land; for example, an easement for vehicular passage or public utility passage; 2) A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation which is occupied or intended to be occupied by a road, crosswalk, railroad, electric transmission line, oil or gas pipeline, water lines, sanitary sewer or storm sewer lines or other similar uses.

RIGHT-OF-WAY, ULTIMATE OR FUTURE: The planned future width of an existing, sub-standard right-of-way based on the criteria established by this Ordinance, applicable county or municipal plans, or PennDOT requirements.

ROAD GRADE: See STREET GRADE.

ROADWAY: See STREET.

ROOMING OR BOARDING HOUSE: A building containing a single family dwelling unit and rooms for the boarding of individuals for definite periods of times in excess of (1) one week.

RUNOFF: The surface water discharge or rate of discharge of a given watershed after a rainfall or snow that does not enter the soil but runs off the surface of the land.

SANITARY SEWAGE: Any liquid waste containing animal or vegetable matter in suspension or solution, or the water-carried waste resulting from the discharge of water closets, tubs, washing machines, sinks, dishwashers, or any other source of water-carried waste of human origin or containing putrescible material.

SANITARY SEWER: Pipes that carry only domestic, commercial or industrial sewage and into which storm, surface and ground waters are not intentionally admitted.

SCREENING: A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms or densely planted vegetation. (See also SCREEN PLANTING.)

SCREEN PLANTING: A barrier to visibility, glare, and noise between adjacent properties made of plant materials such as trees or shrubs which shall be of such species as will produce, within (3) three years, a visual screen of at least (6) six feet in height. (See also Section 501 F.)

SEDIMENT: Deposited silt that is being or has been moved by water or ice, wind, gravity or other means of erosion.

SEDIMENTATION: The process by which mineral or organic material is accumulated or deposited by moving wind, water or gravity.

SEMI-PUBLIC: Something owned, operated and supported by private individuals or a corporation, on a non-profit basis, for the use or benefit of the general public or for some part of the general public.

SERVICE OR AUXILIARY BUILDING: A structure housing operation-al, office, recreational, maintenance and other facilities usually associated with a land development, i.e. a mobile home park or recreational complex.

SETBACK: The horizontal distance between a structure and a street line or property line.

SETBACK LINE: The line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be erected or placed.

SEWAGE: The total of organic waste and waste water generated by residential, industrial and commercial establishments.

SEWAGE DISPOSAL SYSTEM: A man-made system or technical device which is designed for the collection, treatment and disposal of sewage either through the use of a sub-surface system or through the use of a treatment plant.

SEWAGE FACILITY: Any sewer, sewage system, sewage treatment plant or parts thereof, designed, intended or constructed for the collection, treatment, or disposal of liquid wastes, including industrial wastes.

- a. Sewage Facility, Off-Lot: Any approved system or part thereof in which sanitary sewage is collected from buildings and piped by means of a sewerage system to a sanitary sewage treatment plant. Such a system must be designed in accordance with DER standards and be permitted by the Bureau of Water Quality Management of the Department of Environmental Resources. Such systems shall include municipal or public treatment facilities as well as package treatment plants or community systems installed by private developers.
- b. Sewage Facility, On-Site: Any approved system or part thereof designed to serve a single dwelling or building in which sewage is collected in a septic tank or similar container located on the same lot and is untreated except for bacterial action occurring within such tank and is disposed of either through a drain field connected to the tank or by hauling to a sewage

treatment plant.

SHOPPING CENTER: A group of commercial establishments, planned, developed, owned and managed as a unit and related in location, size, and type of shops to the trade area that the unit serves; it provides on-site parking in definite relationship to the types and sizes of stores. This definition shall include the term "shopping mall".

SHOULDER: That portion of the roadway which is adjacent to the cartway and is provided for lateral support of the pavement, emergency stopping, and a minimal amount of recovery area beyond the pavement edge.

SIGHT DISTANCE: The amount of distance required to be provided at a street or driveway intersection which is considered adequate for a driver to be able to see in order to proceed in a safe manner.

SIGN: Any device, structure or object for visual communication that is used for the purpose of bringing the subject thereof to the attention of others, but not including any flag, badge, or insignia of any public, semi-public, civic, charitable or religious group.

- a. **Sign, Directional:** Signs limited to directional messages, principally for pedestrian or vehicular traffic, generally located off-premises.
- b. **Sign, Free-Standing:** A self-supporting sign resting on the ground or supported by means of poles or standards in the ground.
- c. **Sign, Off-Premises:** A sign which directs attention to an activity, business, commodity, service or industry not located, sold or conducted on the same lot where the sign is located, i.e. a billboard or advertising sign board.
- d. **Sign, On-Premises:** A sign which directs attention to an activity, business, commodity, service or industry which is located, conducted or sold on the same lot where the sign is located, i.e. a business identification sign or general residential identification signs.
- e. **Sign, Parallel:** A sign attached, painted or otherwise mounted parallel to a wall or other vertical building surface.
- f. **Sign, Projecting:** A sign which is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.
- g. **Sign, Roof:** A sign mounted or erected on the roof of a building or which is totally dependent upon the roof for support and projects above the point of the building roof.
- h. **Sign, Temporary:** A sign used or intended to be used for a limited period of time.
- i. **Sign, Window:** A sign that is applied or attached to the exterior or interior of a window or is located in such manner within a building that it can be seen from the exterior of the structure

through a window.

SIGN AREA: The entire face of a sign including the advertising surface and any framing, trim or molding, but not including the supporting structure.

SITE ALTERATION: Any change or adjustment to the grade of an existing site, i.e. any earthmoving activity. Such alterations generally require the completion of a soil erosion and sedimentation control plan.

SITE PLAN: A plan for the development of a single tract of land, whether or not a subdivision is involved, which shows the existing and proposed conditions of the parcel including topography, drainage, floodplains, wetlands, waterways, open spaces, walkways or pedestrian easements, means of ingress and egress, utility service line locations, landscaping, structures, lighting and screening devices and any other information that may reasonably be required in order that an informed decision can be made by the County Planning Commission. Such plans are generally required in order to evaluate multi-family residential, commercial and industrial development proposals.

SLOPE: 1) The face of an embankment or cut section; 2) any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed as a ratio based upon vertical difference in feet per 100 feet of horizontal distance.

SOIL EROSION AND SEDIMENTATION CONTROL PLAN: A plan that indicates necessary land treatment measures, including a schedule for installation, which will effectively minimize soil erosion and sedimentation.

SOIL PERCOLATION TEST: A test designed to determine the ability of the ground or soil to absorb water and used in determining the suitability of a particular site for the use of a sub-surface sewage disposal system.

SOIL SURVEY: 1) The detailed evaluation of the soils found in Columbia County prepared by the Soil Conservation Service of the Department of Agriculture; 2) A survey or evaluation prepared by a land owner or developer identifying the specific soils found on his property or proposed development site.

SOLID WASTE: Unwanted or discarded material, including garbage with insufficient liquid content to be free flowing.

SPECIAL PERMIT: A special approval issued by the Department of Community Affairs or local municipality in accordance with Section 38.6 of the State Floodplain Management Regulations for specific types of development and obstructions which present a special hazard to the health and safety of the public or occupants, or may result in significant pollution, increased flood levels or flows, or debris endangering life or property, when such development or obstructions are located in all or a designated portion of a floodplain.

SQUARE FOOTAGE: The unit of measure used to express the area of a lot, tract or parcel involved in a subdivision or land development; the length of a lot, in feet, x the width of a lot, in feet.

STABILIZATION: Natural or mechanical treatment of a mass of soil or ground area to increase or maintain its stability or otherwise improve its engineering properties and resistance to erosion.

STAFF: The technical and administrative staff of the Columbia County Planning Commission.

STORM SEWER: A conduit that collects and transports runoff.

STORMWATER MANAGEMENT FACILITY: Any structural or non-structural device, or combination thereof, which is designed, constructed and maintained to manage or control stormwater runoff from a development site, including but not limited to drainage swales, easements, seepage pits, culverts, pipes, storm sewers, detention or retention basins, ponds and other similar facilities.

STORMWATER MANAGEMENT PLAN: A plan for managing stormwater runoff, including data and calculations, prepared by a developer in accordance with the standards of this Ordinance.

STORY: That portion of a building included between the surface of any floor and the surface or the floor or ceiling next above it.

STREET: A strip of land, including the entire right-of-way, intended for use as a means of vehicular and pedestrian circulation. The term street shall include avenues, boulevards, roads, highways, freeways, parkways, lanes, alleys, viaduct or any other ways, whether public or private.

- a. Street, Alley or Service Drive: A minor right-of-way, privately or publicly owned, which provides a secondary access primarily for service to the back or sides of properties.
- b. Street, Arterial: A major highway carrying vehicles through a municipality, used primarily for fast or heavy traffic, i.e. an expressway or interstate highway.
- c. Street, Cul-de-Sac: A street intersecting another street at one end and terminating at the other in a vehicular turn-around.
- d. Street, Local: Minor streets within subdivisions and developments used primarily for access to the abutting properties, including marginal access streets and cul-de-sac streets, which are characterized by short street lengths and low operating speeds.
- e. Street, Major Collector: Streets which provide access within the municipality and streets which provide connection to arterial streets and the State Highway Network System.
- f. Street, Marginal Access: Local or minor streets which are parallel to and adjacent to arterial streets and which provide access to abutting properties and protection from through traffic.

- g. Street, Minor Collector: Streets which access or pass through subdivisions and developments, and connecting streets which move traffic into and between subdivisions and developments.
- h. Street, Private: All streets and rights-of-way not dedicated, accepted, and maintained as public streets.
- i. Street, Public: All streets and rights-of-way open to public use and maintained by, or dedicated to and accepted by a Township, the County, the State or the Federal Government.

STREET GRADE: The overall slope of a street or road between two points usually expressed as a percentage.

STREET LINE: The line determining the limit of the adjoining street or road right-of-way, whether existing or contemplated.

STREET SYSTEM: All public and private streets and rights-of-way intended for use as a means of vehicular circulation.

- a. Street System, Municipal: All public streets and rights-of-way maintained by a municipal government, including local streets and minor and major collector streets.
- b. Highway Network System, State: All public streets and rights-of-way maintained by the PA Department of Transportation, including minor and major collector streets, arterial highways, and Interstate highways.

STRUCTURAL ALTERATION: Any change or adjustment made to a building affecting the overall area occupied by that structure or that will change the supporting members, bearing walls, beams, girders or interior walls of the structure. Such alterations generally require a building permit.

STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the ground. For the purposes of this Ordinance, fences, poles, recreational equipment and other similar objects shall be exempted.

- a. Structure, Accessory: A structure detached from the principal building or structure, but located on the same lot, which is customarily incidental and sub-ordinate to the principal building, structure or use.
- b. Structure, Principal: The main or primary structure on a given lot.

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

SUBDIVISION: The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling shall be exempted.

- a. **Subdivision, Major:** Any subdivision involving (6) six or more lots, parcels of land or other divisions of land whether or not they involve new streets, additional utilities or other improvements; all subdivisions not considered as minor subdivisions for plan processing purposes.
- b. **Subdivision, Minor:** Any subdivision abutting an existing public street or road, cumulatively involving no more than (5) five lots, parcels of land, or other divisions of land from the same parent tract as of the effective date of County Subdivision Ordinance regulations (July 1973), which does not require a new street, the installation of sanitary sewers, storm sewers, water mains or pipes, or other public improvements.

SUBDIVISION PLAN: A proposal to subdivide or develop (1) one or more tracts of land. The plan shall include the proposed layout of the subdivision or land development and shall be accompanied by all other supplementary materials required by this Ordinance when submitted for consideration. (See also PLAN.)

SUBSTANTIALLY COMPLETED: Where, in the judgment of the municipal engineer, at least 90% (based on the cost of the required improvements for which financial security was posted) of those improvements required as a condition of final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SURVEYOR: A licensed, professional land surveyor registered in the Commonwealth of Pennsylvania.

SWALE: A low-lying stretch of land which gathers or carries surface water runoff.

TOPSOIL: The original upper layer of soil material to a depth of six (6) inches which is usually darker and richer than the subsoil.

TOURIST HOME: An establishment in a private dwelling that supplies temporary accommodations to overnight guests for a fee.

TOWNSHIP: Any Township located in Columbia County.

TOWNSHIP SUPERVISORS: The elected officials/governing body of any Township in Columbia County.

TRACT: An area, parcel, site, piece of land or property which is the subject of a subdivision or

land development application.

TRANSIENT LODGING FACILITIES: A building or group of buildings under single management, containing both rooms and dwelling units available for temporary rental to transient individuals or families for up to 30 days.

TRAVEL TRAILER: A vehicular, portable structure built on a chassis (pick-up camper, tent or pop-up camper, travel trailer or similar device) designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight (8) feet. (See also RECREATIONAL VEHICLES.)

TRAVEL TRAILER PARK: See RECREATIONAL VEHICLE PARK.

UNDEVELOPED LAND: Land in its natural state before development.

USE: The specific purpose or activity for which land or a structure or building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" shall not be deemed to include any nonconforming use.

VARIANCE: Permission granted by a Zoning Hearing Board, following a public hearing advertised pursuant to public notice, for relief from the strict application of a specific regulation or provision of a Zoning Ordinance, which if enforced would cause unique and undue hardship for the applicant.

WAIVER: A modification granted by the Columbia County Planning Commission for relief from the strict application of a specific requirement or provision of this Ordinance, which if enforced would cause unique and undue hardship for the applicant.

WATER COURSE: Any river, stream, run, drainageway, lake, pond or other body of water appearing as a permanent or intermittent waterway on United States Geological Survey maps.

WATERSHED AREA: The drainage area of a particular stream or watercourse. (See also DRAINAGE AREA.)

WATER SUPPLY SYSTEM: A system for the collection, treatment storage and distribution of potable water from the source of supply to the consumer.

- a. Water Supply System, Non-Public: All water systems which are not public water systems.
- b. Water Supply System, Off-Lot: An approved system in which potable water is supplied from a central water source to a dwelling or other building located off the lot on which such dwelling or building is located.
- c. Water Supply System, On-Lot: A well or other approved system designed to provide potable water to a single dwelling or building located on the same lot as the source.

- d. Water Supply System, Public: A water system, as defined by the PA Department of Environmental Resources, which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

WAY: Any path, street, trail, easement, or area dedicated or reserved as an access for a specific use, i.e. pedestrian, recreational, transportation, etc.

WETLANDS: Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

YARD: An open space that lies between the principal and accessory building(s) and the nearest lot line. Such space is unoccupied and unobstructed from the ground upward, except as may be permitted herein or by a local, municipal zoning ordinance.

- a. Yard, Front: An open space extending the full width of a lot between the principal building and the front lot line, unoccupied and unobstructed from the ground upward.
- b. Yard, Rear: An open space extending the full width of a lot between the principal and accessory building(s) and the rear lot line, unoccupied and unobstructed from the ground upward.
- c. Yard, Required: The minimum area or open space that is required to be provided between any front, rear or side property lines and a principal or accessory structure on the lot.
- d. Yard, Side: An open space extending from the front yard to the rear yard between the principal and accessory building(s) and the nearest side lot line, unoccupied and unobstructed from the ground upward.

ZONING HEARING BOARD: 1) A quasi-judicial agency at the local level appointed by the municipal governing body to hear and decide appeals and other matters related to the municipal zoning ordinance, including variance and special exception requests. 2) The Zoning Hearing Board of a specific municipality, as indicated.

ZONING MAP: The map officially adopted as a part of a Zoning Ordinance which illustrates the boundaries of the various districts in the affected municipality.

ZONING OFFICER: The administrative officer charged with the duty of enforcing the provisions of a zoning ordinance.

ZONING ORDINANCE: 1) A legally enacted document adopted by a municipal governing body which establishes regulations governing the type, density and intensity of land uses or development which may occur within that municipality. 2) The Zoning Ordinance of a specific municipality, as indicated.

ZONING PERMIT: A permit stating that the purpose for which a building or land is to be used is in conformity with the uses permitted and all other requirements of a zoning ordinance for the zone in which the proposed activity is to be located. (See also BUILDING PERMIT.)

APPENDIX A

RESOLUTION

WHEREAS, the Columbia County Board of Commissioners has enacted a Subdivision and Land Development Ordinance for administration in the municipalities of Columbia County having no such municipally-adopted regulations; and

WHEREAS, the PA Municipalities Planning Code requires the County to review all applications for subdivisions and/or land developments located in municipalities having enacted a local Subdivision and Land Development Ordinance; and

WHEREAS, the Columbia County Board of Commissioners has delegated the responsibility for administration and enforcement of the Columbia County Subdivision and Land Development Ordinance to the Columbia County Planning Commission; and

WHEREAS, the Columbia County Planning Commission incurs certain expenses carrying out the administration of the County Subdivision and Land Development Ordinance;

NOW, THEREFORE BE IT RESOLVED, that the following schedule of fees shall be utilized by the Columbia County Planning Commission in the administration of the Columbia County Subdivision and Land Development Ordinance.

FEE SCHEDULE

I. PLAN PROCESSING FEES

The following fees shall be paid for the processing and evaluation of proposed subdivision and/or land development plans under jurisdiction of the Columbia County Subdivision and Land Development Ordinance. All such fees shall be paid to the "Columbia County Planning Commission" and shall be paid at the time of plan filing. No plans shall be considered filed until the appropriate processing fee is received.

- A. Sketch Plans - No charge.
- B. Preliminary Plans - \$ 35.00 per plan plus \$ 10.00 per lot or residential or non-residential unit shown on the plans.
- C. Final Plans - \$ 35.00 per plan plus \$ 10.00 per lot or residential or non-residential unit shown on the plans.

II. REVIEW FEES

The applicant shall reimburse the County Planning Commission for all reasonable and necessary charges by the Commission Engineer or consultant for review of improvement or development designs in accordance with the procedure set forth in Section 706 A.1 of the Columbia County Subdivision and Land Development Ordinance.

III. INSPECTION FEES

Where improvements are required by the Planning Commission to be installed as a condition of final approval of a subdivision or land development plan, said improvements must be inspected by the Commission Engineer in accordance with the procedure established in Section 205 B. of the Columbia County Sub-division and Land Development Ordinance upon their completion. The applicant shall reimburse the Commission for all reason-able and necessary expenses associated with the inspection of required improvements by the County Engineer in accordance with the procedure set forth in Section 706 A.2. of the Ordinance.

IV. MUNICIPAL PLAN REVIEWS

Fees for the review of plans for proposed subdivision and/or land developments situated in municipalities having adopted a Subdivision or Land Development Ordinance shall be as follows.

- A. Preliminary Plans - \$ 35.00 per plan plus \$ 10.00 per lot or residential or non-residential unit shown on the plans.

FEE SCHEDULE RESOLUTION

- B. Final Plans - \$ 35.00 per plan plus \$ 10.00 per lot or residential or non-residential unit shown on the plans.

All such fees shall accompany plans being submitted for review and shall be paid to the "Columbia County Planning Commission"

ENACTED AND ORDAINED this ____ day of _____, 1991, by the Board of Commissioners of Columbia County, PA, to be effective on the ____ day of _____, 1991.

COLUMBIA COUNTY COMMISSIONERS

Chairman

ATTEST:

Chief Clerk

TABLE 2.

MINIMUM DESIGN STANDARDS
FOR PUBLIC AND PRIVATE STREETS

	Collector Streets	Local Streets ⁵	Private Streets ^{6,7}
<u>General</u>			
Minimum Right-of-Way Width	60 ft.	50 ft.	50 ft.
Minimum Cartway Width 36 ft. ¹⁰ 32 ft. ¹¹	22 ft. ⁸	20 ft. ⁹	20 ft.
Minimum Shoulder Width without curbs (Each Side)	8 ft.	6 ft.	4 ft.
<u>Cul-de-Sac Turnaround</u>			
Right-of-Way Diameter ----	100 ft.	80 ft.	
Cartway Diameter ----	80 ft.	60 ft.	

MINIMUM DESIGN STANDARDS

⁵ If alleys or services drives are proposed, they shall have a minimum right-of-way width of 22 feet.

⁶ These standards shall apply to private streets serving three (3) or four (4) lots or dwelling units. Private streets serving less than three (3) lots or dwelling units shall have a minimum right-of-way width of 50 feet and a maximum grade of 15%.

⁷ Private streets serving five (5) or more lots or dwelling units shall be designed and constructed to the standards outlined for local streets.

⁸ Minimum width where curbs are not installed.

⁹

¹⁰ Minimum width where curbs are installed.

¹¹

FOR PUBLIC AND PRIVATE STREETS

	Collector Streets	Local Streets	Private Streets
<u>Street Grades</u>			
Maximum Grade	7 % ¹²	10 % ¹³	12 %
Minimum Grade	0.75 %	0.75 %	0.75 %
<u>Minimum Sight Distance at Intersections</u> ¹⁴			
	420 ft.	240 ft.	200 ft.
<u>Minimum Curve Radius at Centerline</u>			
	1000 ft.	355 ft. ¹⁵	100 ft.
<u>Minimum Tangent Length Between Curves</u>			
	150 ft.	100 ft.	----

TABLE 4.

¹² May be increased by 1% for grades not more than 300 ft. long.

¹³ May be increased by 2% for grades not more than 150 ft. long.

¹⁴ Where street lines deflect from each other more than 2 degrees.

¹⁵ For local streets terminating in a cul-de-sac turn-around, the minimum curve radius shall be 260 ft.

CONSTRUCTION STANDARDS
FOR PUBLIC AND PRIVATE STREETS

Street Type ¹⁶	Type of Course	Depth of Mat'l Material ¹⁷	After Compaction
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	Wearing Surface	ID-2	1 inch
Collector Streets	Base ¹⁸ Bituminous		
	Concrete	5 inches	
	Sub-base ¹⁹	Sub-base	6 inches

	Wearing Surface	ID-2	1 inch
Local Streets	Base ²⁰ Bituminous		
	Concrete	3 inches	
	Sub-base ²¹	Sub-base	6 inches

Private Streets (serving 3 or 4 lots or d.u.'s)²³

Wearing Surface	-----	-----	
Base ²²	-----	-----	
Sub-base	2A Aggregate		4 inches

¹⁶ Arterial streets shall be designed and constructed in accordance with all applicable PA DOT standards.

¹⁷ All components of the pavement structure (Sub-base, Base, and Wearing Surface) shall meet the requirements of PennDOT's Publication, Form 408.

¹⁸ The thickness of the base course may be increased by the Planning Commission where surface and sub-surface soil conditions warrant such, as determined by the Commission Engineer.

¹⁹ The sub-base shall extend six (6) inches beyond the finished width of the cartway on each side to provide necessary support for the wearing surface and shall be at the same depth as the sub-base material.

²⁰

²¹

²²

²³ Private streets serving one (1) or two (2) lots or dwelling units need not be constructed to meet specific standards. Private streets serving five (5) or more lots or dwelling units shall be constructed to standards for local streets.

TABLE 5.

DRIVEWAY/ACCESS DRIVE DESIGN GUIDELINES

Type of Development	Min. Width	Max. Grade	Min. Curb Radius ²⁴	Min. Sight Intervals ²⁵	Min. Sight Distance ²⁶	Min. Sight Intervals ²⁶	Distance ²⁷
Single-Unit Residential	----	12%	10 ft.	25 ft. ²⁸	*		
Multi-Unit Residential ²⁹	20 ft.	10%	15 ft.	50 ft.	*		

²⁴ All driveways and access drives shall provide a stopping or leveling area having a grade of less than or equal to 5% for a distance of 25 feet measured from the edge of the shoulder or curb of the intersecting street. The leveling area shall intersect the street or road at an angle of no less than 60 degrees and preferably 90 degrees.

²⁵ Where dropped curbs are used to provide driveway access, the minimum width of the dropped curb shall be 20 feet for single-unit residential uses and 35 feet for multi-unit and non-residential uses. The transition from the normal driveway width to the width of the dropped curb shall begin 10 feet back from the edge of the curb for single-unit residential and 15 feet back for multi-unit and non-residential development.

²⁶ Minimum intervals for all types of development shall apply between any two points of access, including both driveways and public streets.

²⁷ Minimum sight distance shall be measured from the point of intersection of the driveway centerline and the street right-of-way line to a point on the cartway centerline. No significant obstructions or plantings higher than 30 inches or tree limbs lower than eight (8) feet shall be permitted within this area.

²⁸ Minimum required intervals may be waived by the Planning Commission where common drives are provided for safety purposes.

²⁹ For the purposes of driveway design, the multi-unit residential design criteria shall be used for driveways providing access to five (5) or more dwelling units.

Non-Residential 20 ft. 10% 15 ft. 50 ft. *

* Minimum sight distance shall be provided in accordance with PennDOT specifications.
(See Appendix B.)