

**SUBDIVISION
AND LAND
DEVELOPMENT
ORDINANCE**

LOGANVILLE BOROUGH

YORK COUNTY, PENNSYLVANIA

TABLE OF CONTENTS

	<u>Page</u>
ARTICLE I SHORT TITLE, PURPOSE, AUTHORITY AND JURISDICTION	I - 1
s.101 Short Title	I - 1
s.102 Purpose	I - 1
s.103 Authority and Jurisdiction	I - 2
ARTICLE II DEFINITIONS	II - 1
s.201 Intent	II - 1
s.202 General Usage	II - 1
s.203 Specific Words and Phrases	II - 1
ARTICLE III PROCEDURE	III - 1
s.301 Pre-application Consultation	III - 1
s.302 Submission of Sketch Plans	III - 1
s.303 Submission of Preliminary and Final Plans	III - 1
s.304 Referral of Plans	III - 2
s.305 Review of Plans	III - 3
s.306 Public Hearings	III - 4
s.307 Approval of Plans	III - 4
s.308 Effect of Preliminary Plan Approval	III - 5
s.309 Effect of Final Plan Approval	III - 5
s.310 Recording of Final Plan	III - 5
s.311 Re-subdivision	III - 6
ARTICLE IV PLAN REQUIREMENTS	IV - 1
s.401 Sketch Plan Requirements	IV - 1
s.402 Preliminary Plan Requirements	IV - 1
s.403 Feasibility Report on Sewer and Water Facilities	IV - 4
s.404 Final Plan Requirements	IV - 6
ARTICLE V DESIGN STANDARDS	V - 1
s.501 Application of Standards	V - 1
s.502 Location of Site	V - 1
s.503 General Design Standards for Sites Subject to Flooding or Other Hazards	V - 1
s.504 Street Systems - General	V - 2
s.505 Street Design	V - 2
s.506 Intersection Design	V - 5
s.507 Other Street Provisions	V - 6
s.508 Blocks	V - 7
s.509 Lots and Lot Sizes	V - 8
s.510 Sewage Disposal and Water Supply	V - 9

Table of Contents (Continued)

	<u>Page</u>
ARTICLE V DESIGN STANDARDS (Continued)	
s.511 Storm Drainage	V - 10
s.512 Other Utilities	V - 11
s.513 Local Recreation Sites	V - 12
s.514 Other Public Sites	V - 13
s.515 Watercourses and Drainageways	V - 13
ARTICLE VI IMPROVEMENTS, DEDICATION AND RESERVATION	VI - 1
s.601 Monuments and Markers	VI - 1
s.602 Streets	VI - 1
s.603 Curbs and Sidewalks	VI - 2
s.604 Street Name Signs	VI - 2
s.605 Street Trees	VI - 2
s.606 Street Lights	VI - 3
s.607 Sewage Disposal	VI - 3
s.608 Water Supply	VI - 3
s.609 Storm Drainage	VI - 4
s.610 Fire Hydrants	VI - 4
s.611 Completion of Improvements or Guarantee Thereof Prerequisite to Final Plan Approval	VI - 4
s.612 Release From Improvement Bond	VI - 4
s.613 Remedies to Effect Completion of Improvements	VI - 5
s.614 Offers of Dedication	VI - 6
s.615 Land Reservation	VI - 6
s.616 Effect of Plan Recording on Dedication and Reservation	VI - 6
s.617 Maintenance Guarantee	VI - 6
ARTICLE VII MOBILEHOME PARK PROVISIONS	VII - 1
s.701 Approval Required	VII - 1
s.702 Application for Mobilehome Park Approval	VII - 1
s.703 Site Location and Dimensions	VII - 1
s.704 Improvements in Mobilehome Parks	VII - 1
s.705 Street System	VII - 1
s.706 Easements	VII - 1
ARTICLE VIII ADMINISTRATION AND ENACTMENT	VIII - 1
s.801 Enforcement	VIII - 1
s.802 Modifications	VIII - 1
s.803 Amendments	VIII - 1
s.804 Fees	VIII - 2
s.805 Penalties	VIII - 2
s.806 Appeals	VIII - 2

Table of Contents (Continued)

Page

ARTICLE VIII ADMINISTRATION AND ENACTMENT (Continued)

s.807 Repealer	VIII - 3
s. 808 Interpretation	VIII - 3
s.809 Severability Clause	VIII - 3
s.810 Effective Date	VIII - 3

ORDINANCE NUMBER 73

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

An Ordinance establishing rules, regulations and standards governing the subdivision and development of land within the Borough of Loganville York County, Pennsylvania, pursuant to the authority granted in the Pennsylvania Municipalities Planning Code (Act 247) as enacted and amended, setting forth the procedures to be followed by the Planning Commission and the Borough Council applying and administering these rules, regulations and standards and providing penalties for the violation thereof.

Be it Ordained by the Loganville Borough Council, York County Pennsylvania as follows:

ARTICLE I

SHORT TITLE, PURPOSE, AUTHORITY AND JURISDICTION

s.101 Short Title

This Ordinance shall be known as and may be cited as the "Loganville Borough Subdivision and Land Development Ordinance."

s.102 Purpose

The purpose of this Subdivision and Land Development Ordinance is to provide for the harmonious development of the Borough by:

- Assisting in the orderly and efficient integration of land developments within the Borough.
- Ensuring conformance of land development plans with the Comprehensive Plan, and public improvements plans.
- Ensuring the provision of adequate public facilities including roadways, walkways, street lighting, water supply, storm and sanitary sewerage facilities, recreation sites, open spaces and other improvements for the public health, safety and welfare.
- Ensuring coordination of inter-municipal public improvement plans and programs.
- Securing the protection of water resources and drainageways and other environmental resources.
- Facilitating the efficient movement of traffic.
- Securing equitable handling of all land development plans by providing uniform standards and procedures.
- In general promoting greater health, safety, and welfare of the citizens of the Borough.

- Securing adequate sites for recreation, conservation, scenic and other open space purposes.

s.103 Authority and Jurisdiction

No 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 laid out, constructed, opened, or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.

The authority for the control and regulation of subdivision and land development within the Borough shall be as follows:

- a. Approval by the Borough Council: The Loganville Borough Council hereinafter referred to as the Borough Council, shall be vested with the authority to approve or disapprove all subdivision and land development plans.
- b. Review by the Borough Planning Commission: The Loganville Borough Planning Commission, hereinafter referred to as the Planning Commission, shall be vested with the review and recommendation for approval or disapproval of subdivision and land development plans.
- c. Review by the County Planning Commission: Plans for subdivision and land development located within Loganville Borough shall be forwarded upon receipt by Loganville Borough to the York County Planning Commission for review and report. Loganville Borough Council shall not approve such plans until the County report is received or until the expiration of forty-five (45) days from the date the application was forwarded to the County.

ARTICLE II

DEFINITIONS

s.201 Intent

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning given herein:

s.202 General Usage

- a. Words used in the present tense imply also the future tense.
- b. Words used in the singular imply also the plural.
- c. The words "person," "subdivider," "landowner," "developer," and "applicant" includes a partnership or corporation as well as an individual.
- d. The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive.

s.203 Specific Words and Phrases

Agent - Any person other than the developer, who acting for the developer submits land development plans to the Borough Council for the purpose of obtaining approval thereof.

Applicant - A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

Application for Development - Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plot or plan or for the approval of a development plan.

Base Flood Elevation - The 100 year flood elevation. Within the Approximated Flood Plain the base flood elevation shall be established as a point on the boundary of the approximated flood plain which is nearest to the subdivision or development site in question.

Block - An area bounded by streets.

Building - Any structure or ediface designed or intended for use as an enclosure, a shelter, or for protection of persons, animals, or property.

Building Coverage - The percentage portion of a lot which is proposed to be covered by buildings.

Clear Sight Triangle - An area of unobstructed vision at street intersections defined by the centerlines of the streets and by a line of sight between points on their centerlines at a given distance from the intersection of the centerlines.

Comprehensive Plan - The plan, or parts thereof, which have been adopted by the Borough Council, showing its recommendations for such systems as: land uses, parks and recreation facilities, water supply, sewerage and sewage disposal, garbage disposal, transportation, highways, civic centers and other public improvements which affect the development of the Borough.

Corner Lot - A lot abutting upon two streets at their intersection.

Crosswalk - A right-of-way, municipally or privately owned, at least ten (10) feet wide, which cuts across a block to furnish access for pedestrians to adjacent streets or properties.

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

Curb Line - The outside edge of the roadway.

Developer - Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a land development.

Double Frontage Lot - A lot fronting on two streets other than a corner lot.

Drainage Facility - Any ditch, gutter, pipe, culvert, storm sewer or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any land development or contiguous land areas.

Driveway - A minor vehicular way providing access between a street and a parking area or garage within a lot or property.

Dwelling Unit - A building or portion thereof arranged or designed for occupancy by not more than one family for living purposes and having cooking facilities.

Easement - A limited right of use granted in private land for public or quasi-public purpose.

Engineer - A professional Engineer licensed as such in the Commonwealth of Pennsylvania.

Flood-prone Area - A relatively flat or low land area adjoining a stream, river, or watercourse, which is subject to partial or complete inundation; or, any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

Floodproofing - Any combination of structural and nonstructural additions, changes, or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures, and contents of buildings.

Floodway - The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of a given magnitude.

Frontage - The horizontal or curvilinear distance along the street line upon which a lot abuts.

Future Right-of-way - (1) The right of way width required for the expansion of existing streets to accommodate anticipated traffic loads; (2) a right-of-way established to provide future access to or through undeveloped land.

Gutter - That portion of a right-of-way carrying surface drainage.

Impervious Surface Coverage - The portion of a lot which is proposed to be covered by impervious surfaces such as, but not limited to, buildings, parking areas, driveways, sidewalks, etc.

Improvements - Pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street signs and plantings, and other items required for the health, safety and welfare of the property owners and the public.

Land Development - (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving (a) a group of two or more buildings, or (b) the division or allocation of land or space between or among 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; (2) A subdivision of land.

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 persons having a proprietary interest in land.

Location Map - A map showing the site with relation to adjoining areas.

Lot - A parcel of land considered as a unit (1) for a principal use and/or (2) from the standpoint of ownership. It may be vacant, devoted to a certain use, occupied by a structure or occupied by a group of structures that are united by a common interest or use.

Lot Area - The area contained within the property lines of an individual lot, excluding any area within a street right-of-way whether existing or future, but including the area of any easement.

Lot Width - The distance between the side property lines measured along the street right-of-way line.

Major Subdivision - A subdivision involving six (6) or more lots or a subdivision involving five (5) lots or less and requiring new streets or other public improvements.

Minor Subdivision - A subdivision involving five (5) lots or less and involving no new streets or other public improvements.

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

Mobilehome Lot - A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome, which is leased by the park owner to the occupants of the mobilehome erected on the lot.

Mobilehome Park - A parcel of land under single ownership which has been planned and improved for the placement of mobilehomes for nontransient use, consisting of two or more mobilehome lots.

Multiple Dwelling Building - A building providing separate living quarters for three or more families.

One hundred Year Flood - A flood that has one chance in one hundred or a one percent chance of being equaled or exceeded in any year. For the purposes of this Ordinance, the one-hundred year flood (base flood) as defined by the Federal Insurance Administration, in its Flood Insurance Study, Borough of Loganville, York County, Pennsylvania. Also, the Regulatory Flood.

Performance Bond - Any security in an amount and form satisfactory to Borough Council which may be accepted in lieu of a requirement that certain improvements be made prior to Final Plan approval.

Plan - The map or plan of a subdivision or land development, whether sketch, preliminary or final.

Plan, Sketch - An informal land development plan, not necessarily to scale, indicating existing features of a tract and its surroundings and the general layout of the proposed land development. This plan is for discussion purposes only and will not be considered for formal approval.

Plan, Preliminary - A tentative land development plan, in lesser detail than a final plan, showing the existing features of a tract and its surroundings and approximate proposed street and lot layout as a basis for consideration and possible approval prior to preparation of a final plan.

Plan, Final - A complete and exact land development plan, prepared for official approval and recording, to define property rights and proposed streets and other improvements.

Public Grounds - Includes (1) parks, playgrounds and other public areas; and (2) sites for school, sewage treatment, refuse disposal and other public owned or operated facilities.

Re-subdivision - Any land development which has been approved by the Borough which changes, or proposes to change property lines and/or public right-of-way not in strict accordance with the approved plan.

Reverse Frontage Lot - A lot extending between and having frontage on a minor street and either an arterial street or collector street with vehicular access solely from the minor street.

Right-of-way - Land across which a right to pass has been legally established for public or private purposes such as streets, railroads, public utility lines, walkways, etc.

Roadway - The portion of a street right-of-way which is paved, improved, designated or intended for vehicular traffic. Sometimes referred to as cartway.

Screen or Buffer Planting - A vegetative material of sufficient height and density to conceal from the view of adjacent property owners the structures and uses on the premises on which the screen planting is located.

Setback - The required horizontal distance between a setback line and a property or street line.

Setback, Front - The distance between the street line and the front setback line projected the full width of the lot. Commonly called "front yard."

Setback, Rear - The distance between the rear lot line and the rear setback line projected the full width of the lot. Commonly called "rear yard."

Setback, Side - The distance between the side lot line and the side setback line projected from the front yard to the rear yard. Commonly called "side yard."

Setback Line - A line within a property and parallel to a property or street line which delineates the required minimum distance between a structure and that property or street line.

Street - Includes street, avenue, boulevard, road, highway freeway, lane, alley, viaduct and any other dedicated and accepted public right-of-way, or private right-of-way which is constructed to Borough specifications, used or intended to be used by vehicular traffic or pedestrians. Streets are further classified as follows:

Arterial Street - A street or road which is used primarily for fast or heavy through traffic. Arterial streets include all streets identified as arterials in the Borough Comprehensive Plan.

Collector Street - A street which carries traffic from minor streets to the major system of arterial streets. Collector streets include all streets identified as collectors in the Borough Comprehensive Plan.

Cul-de-sac Street - A minor street with one end open for public vehicular and pedestrian access and the other end terminating in a vehicular turnaround.

Half or Partial Street - A street parallel and adjacent to a property line having a lesser right-of-way width than required for a satisfactory improvement and use of the street.

Minor Street - A street which is used primarily for access to the abutting properties.

Service Street or Alley - A minor right-of-way which is used to provide secondary vehicular access to the rear or side of two or more properties.

Street Grade - The officially established grade of the street upon which a lot fronts or in its absence the established grade of other streets upon which the lot abuts at the midway of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

Street Line - A line defining the edge of a street right-of-way and separating the street from abutting property or lots, commonly known as the "right-of-way line."

Subdivision - The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose whether immediate or future of lease, transfer of ownership, or building or lot development; provided however, that the division of land for agricultural purposes into parcels of more than ten (10) acres not involving any new street or easement of access shall be exempted.

Undeveloped Land - Land in parcels sufficiently large for future land development which is presently used for agriculture, woodland or is lying fallow.

ARTICLE III

PROCEDURE

s.301 Pre-application Consultation

Copies of this Ordinance shall be available at reasonable charge on request for the use of any person who desires information concerning subdivision and land development standards and procedures in effect within Loganville Borough. Any prospective developer may request a consultation with the Planning Commission at any regularly scheduled meeting to discuss and review tentative plans and discuss the applicability of the provisions of this Ordinance.

s.302 Submission of Sketch Plans

Prospective applicants are urged, but not required, to submit a Sketch Plan for review by the Planning Commission. Sketch Plans should include at least those items listed in s.401. Such plans should be submitted to the Borough Secretary at least fifteen (15) days prior to the next regularly scheduled meeting of the Planning Commission.

Sketch Plans will be considered as submitted for informal review and discussion and shall not constitute formal filing of the plan with the Borough.

As far as may be practical on the basis of the Sketch Plan review and discussion, the Planning Commission will informally advise the prospective applicant of the extent to which the proposed land development conforms to the applicable provisions of this Ordinance and will discuss possible Plan modifications necessary to secure conformance.

s.303 Submission of Preliminary and Final Plans

Applications for approval of Preliminary and Final Plans for all proposed land developments lying within the Borough shall be filed with the Borough Secretary.

The initial Plan filed with the Borough Secretary for formal review and approval shall be considered as a Preliminary Plan. However, in the event that the initial plan is for a minor subdivision, the developer may proceed directly to Final Plan preparation in compliance with the requirements of s.404. The processing of a minor subdivision plan shall be consistent with the procedures for processing a Final Plan as required in this Article.

The developer shall submit the Preliminary and Final Plans drawn on linen or mylar material along with twenty (20) copies, blue or black line paper prints, as well as two (2) copies of the required supporting data. Preliminary and Final Plans shall comply with the requirements of Article IV.

An application for Final Approval may be for all land included in the Preliminary Plan Approval or for a section thereof. When Preliminary Plan Approval, either with or without conditions, has been granted by the Borough Council, the developer shall have a maximum of twelve (12) months after the Preliminary Plan Approval date to submit an Application for Final Approval. In the event the land development is to be constructed in stages or phases, the Application for Final Approval of the first stage or phase must be submitted within twelve (12) months from the date of Preliminary Plan Approval and each successive stage or phase must be submitted within twelve (12) months of the preceding stage or phase. Failure to submit any Application for Final Approval of any stage or phase within the specified time period will void the approval of the Application for Preliminary Approval if a one (1) stage or phase development is being carried out, or will void the approval of the remaining stages or phases of the Application for Preliminary Approval on which applications for Final Approval have not yet been submitted in the case of a multiple stage or phase development. However, if the developer, due to extenuating circumstances, cannot submit an Application for Final Approval of any stage or phase within the specified time period, he may apply to Borough Council for a time extension.

s.304 Referral of Plans

All Plans, whether Preliminary or Final, shall be forwarded by the Borough Secretary to all appropriate Borough officials and to the Borough Planning Commission for review and recommendation. If no report is received from the Borough Planning Commission within sixty (60) days, such Plan shall be considered as receiving favorable review and recommendation from the Planning Commission. The Borough Secretary shall also transmit one (1) copy of all Plans to the York County Planning Commission as required by s.103 of this Ordinance and one copy to the local office of the Pennsylvania Department of Environmental Resources for review.

The Borough Secretary may also notify the following agencies as necessary for review and recommendations in writing that the Plan whether Preliminary or Final has been received and will be considered at its meeting of specified date:

- One copy transmitted to the local office of the Soil Conservation Service of the U.S. Department of Agriculture for review and recommendations concerning erosion, sediment and drainage control.
- One copy transmitted to the local office of the Pennsylvania Department of Transportation for review and recommendations where the land development will front on an existing or proposed State Highway or has a proposed street entering on such a Highway.
- One copy transmitted to all affected public utilities who shall be requested to make recommendations as to the suitability of installing underground telephone and electric lines.

- One copy transmitted to the appropriate fire company officials for their review and comments.
- One copy transmitted to the Borough Engineer or other authorized persons for review of engineering requirements.

s.305 Review of Plans

All Plans, whether Preliminary or Final, shall be reviewed by the Borough with reference to the following:

- The standards and requirements of this Ordinance.
- Any proposals contained in the Loganville Borough Comprehensive Plan.
- Any proposals contained in the Loganville Borough Comprehensive Sewage Plan.
- Site suitability for the particular type of development proposed.
- The availability for necessary services and facilities.
- The requirements of the Loganville Borough Zoning Ordinance.
- The requirements of any other applicable Borough Ordinance.
- The improvements, design and dedications or reservation required by this Ordinance.

In addition, any comments and recommendations from the following persons or agencies shall be given consideration:

- Borough Engineer.
- York County Planning Commission.
- Pennsylvania Department of Environmental Resources.
- Soil Conservation Service of the U.S. Department of Agriculture.
- Pennsylvania Department of Transportation.
- Affected Public Utilities.
- Local fire company officials.
- Interested citizens.

s.306 Public Hearings

Before acting on any land development plan, the Borough Council may hold a public hearing thereon pursuant to public notice.

s.307 Approval of Plans

At a scheduled public meeting the Borough Council shall render its decision on the Plan, whether Preliminary or Final, and communicate its decision to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed. Should this next meeting occur more than thirty days following the filing of the application, the ninety (90) day period shall begin with the thirtieth day following the day the application was filed.

Final Plan approval shall not be granted until such improvements as required by this Ordinance and shown on such Final Plan have been completed or guarantee posted as required in Article VI.

The decision of the Borough Council concerning Plan approval, whether Preliminary or Final, shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.

When the Plan is not approved in terms as filed the decision shall specify the defects found in the Plan and describe the requirements which have not been met and cite the provisions of these regulations relied upon.

Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed as approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

From the time a Plan, whether Preliminary or Final, is submitted as provided in this Ordinance and while such Plan is pending approval or disapproval, no change or amendment of the Zoning, Subdivision and Land Development or other Borough Ordinance or Plan shall affect the decision on such Plan adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the Borough Ordinances or Plans as they stood at the time the application was duly submitted. In addition, when a Preliminary Plan has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved Preliminary Plan as hereinafter provided.

However, if a Plan is properly and finally denied, any subsequent Plan shall be subject to the intervening change in Borough regulations. When an application for approval of a Plan, whether Preliminary or Final, has been approved or approved subject to

conditions acceptable to the applicant, no subsequent change or amendment in the Zoning, Subdivision and Land Development or other Borough Ordinance or Plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within three years from such approval. Where final approval is preceded by preliminary approval, the three-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the Borough Ordinances or Plans as they stood at the time when the Plan for such approval was duly submitted.

s.308 Effect of Preliminary Plan Approval

Approval of the Preliminary Plan by the Borough Council constitutes approval of the development as to the character and intensity of development, the general layout, and the approximate dimensions of streets, lots, and other planned features. This approval binds the developer to the general scheme shown on the Preliminary Plan.

Approval of the Preliminary Plan shall not constitute approval of the Final Plan, nor does it authorize recording of the Preliminary Plan or the sale of any lots or the construction of any buildings. However, such approval does authorize the developer to proceed with the preparation of the Final Plan, installation and construction of improvements subject to obtaining work permits from the Borough and/or the posting of a bond guarantee as specified in this Ordinance.

s.309 Effect of Final Plan Approval

Approval of the Final Plan by the Borough Council constitutes final approval of the land development as to the character and intensity of development, the layout, and the dimensions of streets, lots and other planned features. This approval binds the developer to the scheme shown on the Final Plan.

Final Plan approval authorizes the developer to proceed with the recording of the Final Plan which must be accomplished before the developer can proceed with the sale of any lots or the construction of buildings or structures.

s.310 Recording of Final Plan

Upon approval of the Final Plan, the developer shall within ninety (90) days of such approval record such Plan in the office of the Recorder of Deeds of York County. Within thirty (30) days after such recording, the developer shall furnish proof of recording to the Borough Secretary. Should the developer fail to furnish proof of recording the Final Plan within such period, the approval of the Borough Council shall be null and void, unless an extension of time has been granted by the Borough Council upon written request.

The Recording of the Final Plan 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 Plan.

s.311 Re-subdivision

For any re-platting or re-subdivision of land, the same procedures and regulations apply as prescribed for any original land development.

ARTICLE IV

PLAN REQUIREMENTS

s.401 Sketch Plan Requirements

- a. General Requirements for Sketch Plans - The Sketch Plan may be a free-hand drawing and should be accompanied by an Application for Subdivision and Land Development Approval. A Sketch Plan need not be drawn to exact scale nor are precise dimensions required.
- b. Sketch Plan Requirements for Subdivisions, Land Developments and Mobilehome Parks - The Sketch Plan for either a Subdivision, Land Development or a Mobilehome Park should show the following:
 - 1) Name and address of developer, name of municipality, title, north arrow, date and approximate scale.
 - 2) Existing tract boundaries.
 - 3) Location map showing relation of the land development to the surrounding area and community.
 - 4) Existing and proposed streets, easements and rights-of-way.
 - 5) Proposed general lot layout showing buildings, vehicular entrances and exits, parking areas, loading areas, storage areas.
 - 6) Number of acres in tract, average lot size, approximate number of lots, anticipated type of development.
 - 7) All public reservations such as schools, parks, etc.
 - 8) Topography of tract or sketch showing existing drainage patterns and slope directions.

s.402 Preliminary Plan Requirements

- a. General Information - The Preliminary Plan shall be clearly and legibly drawn on a single sheet of either linen or mylar material to a scale of ten feet, 20 feet, 30 feet, 40 feet, 50 feet, 60 feet or 100 feet to the inch. Sheet size should be 22" x 36". However, if this sheet size is found to be insufficient, a larger sheet size may be used.
- b. Specific Requirements - All Preliminary Plans shall show the following:
 - 1) Title block containing the name of the land development, name of the municipality, name and address of the record owner of the property or of his

authorized agent, name of the person or firm responsible for preparing the plan, scale, the plan date and the date(s) of all plan revisions.

- 2) North point.
- 3) A location map, at a scale of not less than eight hundred (800) feet to the inch, showing the proposed development and adjoining areas. Such map shall show significant physical and natural features in the tract vicinity.
- 4) The entire existing tract boundaries with bearings and distances.
- 5) The names of owners of immediately adjacent land and the names of proposed or existing land developments immediately adjacent.
- 6) Existing contours at vertical intervals of two (2) feet for land with average natural slope of three (3) percent or less and at vertical intervals of five (5) feet for land with average natural slope exceeding three (3) percent. Contours shall be accompanied by a notation indicating the datum to which contour elevation refer.
- 7) Location of all existing watercourses, flood hazard areas, tree masses, rock outcrops and other significant natural features within or adjacent to the tract.
- 8) Location of all existing streets and also those streets that are preliminary approved or recorded but unimproved within or adjacent to the tract, including names, right-of-way width and roadway width.
- 9) Location of all existing buildings, sewers, water mains, culverts, petroleum lines, gas lines, electric transmission lines, fire hydrants and other significant manmade features within or adjacent to the tract.
- 10) Location and width of all existing easements and rights-of-way within or adjacent to the tract and the purpose for which the easements or rights-of-way have been established.
- 11) The stages, if any, to be followed in the construction of the Land Development.
- 12) An indication of the size and general location of proposed water mains and sanitary sewers. For on-lot septic systems, the location of perc tests must be shown. Location of wells, if on-lot water is proposed, must be shown.
- 13) Certification, with seal, by a professional engineer or registered surveyor to the effect that the survey and plan are correct.

- 14) Provision for signature by the President of Borough Council indicating a majority of Council's approval of the plan (1 space for signature and 1 space for approval date).
 - 15) Provision for signature by the Chairman of the Borough Planning Commission and the Borough Engineer indicating their review of the plan (1 space for planning commission chairman's signature and 1 space for review date and 1 space for engineer's signature, 1 space for review date).
 - 16) Layout of proposed lots, approximate dimensions of lot lines, approximate size of each lot, proposed building setback lines and number to identify each lot.
 - 17) Location, names, roadway width, and right-of-way width of all proposed streets and location and width of the future right-of-way required for the expansion of existing streets.
 - 18) Typical cross-sections for proposed streets.
 - 19) Clear sight triangles at each street intersection.
 - 20) Location, width and purpose of all proposed easements and rights-of-way.
 - 21) Location, approximate dimensions, and purpose of areas to be dedicated or reserved for public and semi-public uses or to be reserved for common use of all property owners and/or tenants in the Land Development.
 - 22) Table of site and development data including statements of total acreage of the entire existing tract, proposed use of the property, existing zoning classification, number of proposed lots, proposed minimum lot size, number of proposed dwelling units and lineal feet of new streets proposed.
- c. Preliminary Plan Accompanying Certificates and Data - All Preliminary Plans shall be accompanied by the following:
- 1) Application for Subdivision or Land Development approval.
 - 2) Filing fees (s.804).
 - 3) Feasibility Study on sewer and water facilities for the tract (s.403).
 - 4) Planning module for land development as required by the Pennsylvania Department of Environmental Resources.
 - 5) If public sewage disposal is proposed, a letter from the Springfield Township, York County, Sewer Authority stating that sewage treatment capacity is available to serve the land development.

- 6) If a public water supply is proposed, a letter from the York Water Company stating that public water facilities are available to serve the land development.
- 7) If the developer proposes to impose restrictions on either tenants or future lot owners by means of lease provisions, deed restrictions, or covenants, the text of such provisions.
- 8) Proof of any variances or special exceptions which may have been granted.
- 9) Where proposed street construction covers only a part of the developer's entire tract, a sketch shall be submitted of the prospective street layout for the remainder.
- 10) Centerline profiles for each proposed street.
- 11) Preliminary engineering designs of any proposed bridges or culverts.
- 12) A drawing of all present and proposed grades and facilities for storm water drainage and drainage calculations for storm sewer designs.
- 13) Where the land included in the proposed development plan has an electric transmission line, a gas pipeline, or a petroleum or petroleum project transmission line located within the tract, the plan shall be accompanied by a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement which shall contain the above data.
- 14) Whenever a land development proposes to dispose storm water runoff to an adjacent property within a manmade drainage improvement or within a natural watercourse but in a manner which exceeds the capability of the natural watercourse, a letter from the affected property owners stating their approval of the proposal.
- 15) Other certificates or data as may be required by this Ordinance or any other Borough ordinance or regulations must be submitted prior to Preliminary Plan approval if requested by the Borough Council.

s.403 Feasibility Report on Sewer and Water Facilities

The developer shall submit a Feasibility Report in duplicate concerning the availability and/or adaptability of sewer and water facilities in or near a proposed land development. Said report shall be prepared by a Professional Engineer and be submitted in conjunction with the Preliminary Plan for review and recommendations by the Borough and the local office of the Pennsylvania Department of Environmental Resources.

The Feasibility Report shall consist of an examination of possible connection to an existing sewerage system and water supply system. The study shall include the distance from the nearest public sewer and public water and the capacity of the existing system to accommodate the proposed land development.

If the above method of sewerage disposal is found to be feasible, formal application shall be made to the Commonwealth of Pennsylvania, Department of Environmental Resources and necessary permits obtained prior to the construction of sewers or treatment facilities.

The Borough Council will approve on-site sewage disposal systems only when the Feasibility Study indicates:

- Justification of the project necessitates consideration of this method.
- The soil absorption is satisfactory for this type of system.
- Such systems will not endanger groundwater supplies below the level of the absorption system.
- The systems will not be installed in creviced rocks or limes tone formations.

The soil absorption tests called for above shall be performed in accordance with the regulations of the Pennsylvania Department of Environmental Resources and shall be observed by the Borough sewage enforcement officer and/or a sanitarian of the Pennsylvania Department of Environmental Resources.

The Borough Council will approve individual on-lot water supply systems only when the Feasibility Study indicates that:

- Justification of the project necessitates consideration of this method.
- The water supply yield is adequate for the type of development proposed.
- The installation of such systems will not endanger or decrease groundwater supplies of properties adjacent to the land development.

In the case of land development of five (5) or fewer dwellings existing or proposed the water supply feasibility study is not required. However, submission of the appropriate Pennsylvania Department of Environmental Resources Planning Nodules for Land Development is required regardless of the number of lots involved.

The Feasibility Report shall consist of an examination of possible connection to an existing sewerage system and water supply system. The study shall include the distance from the nearest public sewer and public water and the capacity of the existing system to accommodate the proposed land development.

If the above method of sewerage disposal is found to be feasible, formal application shall be made to the Commonwealth of Pennsylvania, Department of Environmental Resources and necessary permits obtained prior to the construction of sewers or treatment facilities.

The Borough Council will approve on-site sewage disposal systems only when the Feasibility Study indicates:

- Justification of the project necessitates consideration of this method.
- The soil absorption is satisfactory for this type of system.
- Such systems will not endanger groundwater supplies below the level of the absorption system.
- The systems will not be installed in creviced rocks or limes tone formations.

The soil absorption tests called for above shall be performed in accordance with the regulations of the Pennsylvania Department of Environmental Resources and shall be observed by the Borough sewage enforcement officer and/or a sanitarian of the Pennsylvania Department of Environmental Resources.

The Borough Council will approve individual on-lot water supply systems only when the Feasibility Study indicates that:

- Justification of the project necessitates consideration of this method.
- The water supply yield is adequate for the type of development proposed.
- The installation of such systems will not endanger or decrease groundwater supplies of properties adjacent to the land development.

In the case of land development of five (5) or fewer dwellings existing or proposed the water supply feasibility study is not required. However, submission of the appropriate Pennsylvania Department of Environmental Resources Planning Nodules for Land Development is required regardless of the number of lots involved.

s.404 Final Plan Requirements

- a. General Information - The Final Plan shall conform in all important details with Preliminary Plans as previously approved, and any conditions specified in the approval of Preliminary Plans shall be incorporated in the Final Plan.

The Final Plan shall be clearly and legibly drawn on linen or mylar material to a scale of 10 feet, 20 feet, 30 feet, 40 feet, 50 feet, 60 feet or 100 feet to the inch. Sheet size shall be 22" x 36".

If the Final Plan requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet and appropriately labeled with match lines.

- b. Specific Requirements - All Final Plans shall show the following:

- 1) Title block containing the name of the land development, name of the municipality, name and address of the record owner of the property or of his authorized agent, name of the person or firm responsible for preparing the plan, scale, the plan date and the date(s) of all plan revisions.
- 2) North point.
- 3) A location map, at a scale of not less than eight hundred (800) feet to the inch, showing the proposed development and adjoining areas. Such map shall show significant physical and natural features in the tract vicinity.
- 4) The entire existing tract boundaries with bearings to the nearest second and distances to the nearest one hundredth (.01) of a foot.
- 5) The names of owners of immediately adjacent land and the names of proposed or existing land developments immediately adjacent.
- 6) Existing significant natural or manmade features within or adjacent to the tract. Such features includes water-courses, flood hazard areas, tree masses, buildings, sewer mains, water mains, culverts, gas lines, petroleum lines, electric transmission lines, etc.
- 7) Location, width and purpose or name of all existing and proposed rights-of-way and easements.
- 8) For all street rights-of-way and property lines, dimensions, bearings or deflection angles of all straight lines. Dimensions shall be in feet and hundredths of a foot. Bearings shall be in degrees, minutes and seconds.

- 9) For all Street rights-of-way and property lines, radii, arcs and central angles of all curves.
 - 10) Size of each lot, building setback lines on all lots and number to identify each lot.
 - 11) Primary control points, or descriptions and ties to such control points to which all dimensions, angles, bearings, and similar data on the plan are referred.
 - 12) Location of permanent reference monuments.
 - 13) Certification, with seal, by a professional engineer or registered surveyor to the effect that the survey and plan are correct.
 - 14) A notarized statement to the effect that the applicant is the owner of the land proposed to be developed and that the Land Development shown on the Final Plan is made with his or their free consent and that it is desired to record the same.
 - 15) Provision for signature by the President of Borough Council indicating a majority of Council's approval of the plan (1 space for signature and 1 space for approval date).
 - 16) Provision for signature by the Chairman of the Borough Planning Commission and the Borough Engineer indicating their review of the plan (1 space for planning commission signature, 1 space for review date and 1 space for engineer's signature, 1 space for review date).
 - 17) Table of site and development data including statements of total acreage of the entire existing tract, proposed use of the property, existing zoning classification, number of proposed lots, proposed minimum lot size, and lineal feet of new streets proposed. If the property is proposed to be used for residential purposes, the number of proposed dwelling units shall also be listed.
- c. Additional Requirements for a Major Subdivision or a Mobile-home Park - In addition to the requirements of s.404(a, b), the Final Plan for a major subdivision or a mobilehome park shall show the following:
- 1) Typical cross-sections for proposed streets.
 - 2) Clear sight triangles at each street intersection.
 - 3) Location, dimensions, and purpose of areas to be dedicated or reserved for common use of all property owners and/or tenants in the land development.
 - 4) If streets, parks or other areas or portions of them are to be dedicated to the Borough, a note stipulating that the legal means of conveyance shall be by dedication.

d. Additional Requirements for a Minor Subdivision - In addition to the requirements of s.404(a, b), the Final Plan for a minor subdivision shall show the following:

- 1) Existing contours at vertical intervals of two (2) feet for land with average natural slope of three (3) percent or less and at vertical intervals of five (5) feet for land with average natural slope exceeding three (3) percent. Contours shall be accompanied by a notation indicating the datum to which contour elevations refer.
- 2) Offers of dedication of land for the widening of existing streets, and the location of the future right-of-way line for existing streets.
- 3) Location of perc tests for subsurface sewage disposal systems if proposed.

e. Additional Requirements for a Land Development Other Than a Subdivision or a Mobilehome Park - In addition to the requirements of s.404 (a, b), the Final Plan for a land development involving either multi-family dwellings, or commercial, industrial or other nonresidential uses shall show the following:

- 1) Location and general exterior dimensions of principal and accessory buildings.
- 2) Location and dimensions of vehicular drives, entrances and exits.
- 3) Location, arrangement and dimensions of automobile parking space, width of aisles, width of bays, angle of parking.
- 4) Location and dimensions of pedestrian entrances, exits, and walks.
- 5) Locations, arrangement and dimensions of truck loading and unloading spaces and docks.
- 6) Location, dimensions and materials of walls, fences, buffers, screen plantings and landscaped areas.
- 7) Location and dimensions of unenclosed storage areas.
- 8) Location, size, height and orientation of all signs other than signs flat on building facades.
- 9) Location and appropriate dimensions of all other significant proposed facilities and structures.

- 10) Finished grades, slopes and banks.
 - 11) Table of site and development data including statements of total acreage of the property, proposed use of the property, existing zoning classification, proposed building coverage, proposed impervious surface coverage, number of off-street parking spaces required and number of off-street parking spaces proposed. Such Table shall also list the criteria needed to calculate the number of off-street parking spaces required by the parking provisions of the Borough Zoning Ordinance (e.g. gross floor area, number of employees, number of seats, or number of dwelling units, etc.).
- f. Final Plans Accompanying Certificates and Data - The Final Plan shall be accompanied by the following:
- 1) Application for Subdivision or Land Development Approval.
 - 2) Filing Fees (s.804).
 - 3) If the developer proposes to impose restrictions on either merchants, tenants or future lot owners by means of lease provisions, deed restrictions, or covenants, the text of such provisions.
 - 4) Proof of any variances or special exceptions which may have been granted.
 - 5) Profiles for all proposed streets. Such profiles shall show the existing (natural) and proposed grades along the centerline of the proposed street and the length of all proposed vertical curves.
 - 6) Horizontal and vertical alignment for each proposed sanitary sewer, storm sewer and water distribution system. Information on manhole locations and size and type of material shall be provided. Drainage calculations for storm sewer design must also be submitted.
 - 7) Where the land included in the proposed development plan has an electric transmission line, a gas pipeline, or a petroleum or petroleum product transmission line located within the tract, the plan shall be accompanied by a letter from the owner or leasee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement which shall contain the above data.
 - 8) Whenever a land development plan proposes to dispose storm water runoff to an adjacent property within a manmade drainage improvement or within a natural watercourse but in a manner which exceeds the capability of the natural

watercourse, a letter from the affected property owners stating their approval of the proposal.

- 9) Certification from the Borough Engineer that the developer has installed all improvements to the specifications of this Ordinance and any conditions attached by Borough Council or certification from the Borough Solicitor that the developer has posted an improvement bond or other accepted security in amount sufficient to assure completion of all improvements.
- 10) If a minor subdivision, a feasibility study on sewer facilities for the tract as required by s.403 and planning module for land development as required by the Pennsylvania Department of Environmental Resources.
- 11) Where public sewage disposal is proposed, a copy of the fully executed agreement with the Springfield Township, York County, Sewer Authority reserving sufficient sewage disposal capacity for the land development.
- 12) Other certificates or data as may be required by this Ordinance or any other Borough ordinance or regulations must be submitted prior to final plan approval if requested by the Borough Council.

APPLICATION FOR SUBDIVISION OR LAND DEVELOPMENT APPROVAL

Name of Development_____

Sketch Plan_____ Preliminary Plan_____ Final Plan_____

General Information

Owner_____

Address_____ Telephone No._____

Applicant_____

Address_____ Telephone No._____

Engineer or Surveyor_____

Address_____ Telephone No._____

Development Data

Location_____

Total Acreage of Tract_____

Existing Zoning Classification_____

Proposed Use_____

Number of Lots Proposed_____

Number of Dwelling Units Proposed_____

Minimum Lot Size Proposed_____

Lineal Feet of New Streets Proposed_____

Proposed Water Supply: Public System_____ On Lot System_____

Proposed Sewerage System: Public System_____ On Lot System_____

DO NOT WRITE ON THIS SIDE - FOR BOROUGH USE ONLY

Exhibits Submitted

Date

_____ Filing Fee	_____
_____ Sketch Design Plan	_____
_____ Preliminary Plan	_____
_____ Final Plan	_____
_____ Street Profiles	_____
_____ Drainage Plan	_____
_____ Performance Bond	_____
_____ Deed Restrictions	_____
_____ Sewer and Water Feasibility Study	_____
_____ Other _____	_____

Distribution of Plan

Date
Sent

Reply
Received

Borough Planning Commission	_____	_____
Borough Engineer	_____	_____
York County Planning Commission	_____	_____
Pa. Dept. of Environmental Resources	_____	_____
Pa. Dept. of Transportation	_____	_____
Public Utility Company	_____	_____
Soil Conservation Service	_____	_____
Other _____	_____	_____

Action Taken

_____ Approved _____ Conditionally Approved _____ Disapproved

_____ Date of Action

Comments;

Plan Recorded With County _____

ARTICLE V

DESIGN STANDARDS

s.501 Application of Standards

The following land development principles, standards and requirements will be applied by the Borough in evaluating plans for proposed land developments. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, and general welfare.

s.502 Location of Site

All land development plans must reflect a location which has given consideration to the following factors:

- a. The location of the land development must conform to the Borough Comprehensive Plan with respect to streets, public sites and proposed utilities.
- b. The proposed use of the land in any development must conform to the Borough Zoning Ordinance.
- c. Land subject to hazards of life, health, or property as may arise from fire, floods, disease, excessive noise, falling aircraft, or considered uninhabitable for other reasons may not be developed unless the hazards have been removed or the plans show adequate safeguards against them.
- d. A land development must be coordinated with existing land development in the neighborhood so that the entire area may be developed harmoniously.

s.503 General Design Standards for Sites Subject to Flooding or Other Hazards

Land subject to flooding or other hazards to life, health, or property and land deemed to be topographically unsuitable shall not be platted for residential occupancy or for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the land development plans. Such land within the development shall be set aside on the plan for uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

Where flooding is known to have occurred within the area shown on the plan, such area shall be clearly marked "subject to periodic flooding".

Any building permitted by the Borough Zoning Ordinance to be erected in any area of the Borough which is identified as being flood-prone on the Flood Hazard Boundary Map as issued by the Federal Insurance Administration shall meet the flood-proofing specifications as outlined in the Borough Building Permit Ordinance.

s.504 Street Systems - General

All public and private streets proposed to be constructed within the Borough shall conform to the following general design requirements.

- a. Proposed streets shall be planned with regard to the existing street system, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future development extensions of the street system.
- b. Residential streets shall be so laid out as to discourage through traffic; however, the arrangement of streets shall provide for continuation of existing or platted streets and for proper access to adjoining undeveloped tracts suitable for future development.
- c. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.
- d. The streets must be properly located and built with regard to the proposed traffic functions, including the minimizing of through-traffic on minor streets and the protection of major street capacities from excessive marginal access.
- e. The arrangement, character, extent, width, grade and location of all streets and highways must conform to any applicable Borough Comprehensive Plan or official Map.

s.505 Street Design

- a. Width - Minimum street widths shall be as follows:

<u>Classification</u>	<u>Minimum Right-of-Way</u>	<u>Minimum Roadway Width</u>
Arterial or Limited Access Street	80-120 feet	As determined after consultation with the York County Planning Commission and the Pennsylvania Department of Transportation
Collector Street	60 feet	36 feet
Minor Street	50 feet	32 feet

<u>Classification</u>	<u>Minimum Right-of-Way</u>	<u>Minimum Roadway Width</u>
Permanent cul-de-sac Street	50 feet	32 feet
Service Street or Alley	24 feet	24 feet

- b. Exceptions to Width Requirements - Provisions for additional street width and right-of-way must be required when determined to be necessary as a part of the Comprehensive Plan.
- c. Existing Frontage along a Street of Improper Right-of-Way Width - In the case of a plan for a land development fronting on an existing public road of improper right-of-way width, the developer shall provide any required dedication of land for widening the existing right-of-way to meet the minimum right-of-way standard as specified in s.505(a). The right-of-way to be dedicated must be measured from the centerline of the existing roadway. Where uncertainty exists as to the road classification, it shall be as specified in the Borough Comprehensive Plan.
- d. Existing Frontage along a Street of Improper Roadway Width - In the case of a plan for a land development fronting on an existing public road of improper roadway width, the Borough may require the developer to improve the roadway to meet the minimum roadway standard as specified in s.505(a). Such improvement shall include the construction of a curb in accordance with s.603 and the paving of the area between the existing edge of road pavement and the curb line in accordance with s.602. The location of the curb line must be measured from the centerline of the existing roadway. In the case of a minor subdivision the Borough Council in lieu of requiring such improvements at the time of subdivision may require the payment of a fee to be placed in an escrow fund to finance their construction at a future date. Where uncertainty exists as to the road classification, it shall be as specified in the Borough Comprehensive Plan.
- e. Dead End Streets - Shall be prohibited, except when designed as temporary cul-de-sac streets by the developer on his own land in order to permit future street extensions into adjoining tracts. These temporary dead end streets must be approved by the Borough and indicated on the plans. Also, they must be constructed to the same standards as permanent cul-de-sac, the turnaround to be removed when the street is continued.
- f. Cul-de-sac Streets - Should in general not exceed five hundred (500) feet in length unless topographic conditions and/or tract shape warrant an increase that is approved by the Borough. They must be provided with a paved turnaround with a minimum

diameter of one hundred (100) feet to the outside curb and one hundred and twenty (120) feet to the legal right-of-way. The length of a cul-de-sac street shall be measured from the center of the turnaround to the point of intersection of the centerline of the cul-de-sac street and the right-of-way line of the intersection street.

- g. Half and Partial Streets - New half or partial streets will not be permitted, except where essential to provide reasonable access to a subdivision of a tract in conformance with the other requirements and standards of this Ordinance and where, in addition, satisfactory assurance for dedication the remaining part of the street can be obtained.

Whenever there is an existing half street adjacent to a tract to be developed, then the other half of the street shall be platted and dedicated with such tract unless otherwise determined by Borough Council.

- h. Horizontal Curves - Where connecting street lines deflect from each other at any one point, by more than five degrees the lines must be connected with a true, circular curve. The minimum radius of the centerline for the curve must be as follows:

<u>Type of Street</u>	<u>Minimum Radius</u>
Arterial	500 feet
Collector	300 feet
Minor	150 feet

Straight portions of the street must be tangent to the beginning or end of curves. Except for minor street there must be a tangent of at least 100 feet between reverse curves. For curves on arterial streets, proper super-elevation must be provided as required by the Borough and the Pennsylvania Department of Transportation.

- i. Vertical Curves - Changes in grade shall be accomplished by vertical curves. Vertical curves shall be provided to permit the following minimum sight distances.

<u>Type of Street</u>	<u>Sight Distance</u>
Arterial	400 feet
Collector	200 feet
Minor	200 feet
Cul-de-sac	100 feet

Sight distance shall be measured along the centerline, from height of eye (3.75 feet) to height of object on roadway (0.5 feet).

- j. Grades - the centerline grades of streets must meet the requirements below:

	<u>Minimum Grade</u>	<u>Maximum Grade</u>
All streets	1%	6%
Arterial		7%
Collector		10%
Minor Streets		10%
Cul-de-sacs		10%
Service Street or Alley		10%

In all grades exceeding one percent, vertical curves must be used and must be designed for proper sight distance.

- k. Crown - The slopes of the crown on residential service and neighborhood collector streets shall be at least one-quarter inch per foot but not more than three-eighths inch per foot, or as directed by the Borough Engineer.

- l. Banks - Measured perpendicular to the street center line may not exceed:

- 3 to 1 for fills.

- 2 to 1 for cuts.

Such slopes shall be suitably planted with perennial grasses or other vegetation to prevent erosion.

s.506 Intersection Design

- a. Angle of Intersections - Intersections shall be as nearly at right angles as possible. In no case shall a street intersect another street at an angle of less than seventy-five (75) degrees or more than one hundred and five (105) degrees.
- b. Intersection Grades - Intersections must be approached on all sides by level areas. Where the grade exceeds seven percent, these level areas must have a minimum length of 50 feet (measured from the intersection of the centerline) within which no grade may exceed a maximum of four percent.
- c. Intersection Curve Radii - Design of curb or edge of pavement must take into account such conditions as types of turning vehicles, likely speeds of traffic, angles of turn, number of lanes, and whether parking is permitted; but curb or edge of pavement radii must not be less than the following:

<u>Type of Intersection</u>	<u>Minimum Simple Curve Radii of Curb or Edge of Pavement</u>
Arterial with Arterial	40' or more, as determined after consultation with Pennsylvania Department of Transportation.

Type of Intersection	Minimum Simple Curve Radii of Curb or Edge of Pavement
Arterial with Collector and Minor	35'
Collector with Collector	30'
Collector with Minor	25'
Minor Street with Minor	20'

Three-centered compound curves equivalent to the above minimum simple curves are permitted and encouraged where applicable.

- d. Intersection Sight Distances - Proper sight clearance must be maintained at all street intersections. Measured along the centerline of the street, there shall be a clear sight triangle with sides as follows:

Type of Street	Clear Sight Triangle Side
Arterial Street	150 feet
Collector Street	75 feet
Minor Street	75 feet

No building or construction is permitted within such triangles. However, obstructions or plantings less than three (3) feet in height shall be permitted. If not obstructing the view of traffic, post columns and trees not exceeding one (1) foot in diameter shall be permitted.

- e. Distance between Intersections - Streets intersecting another street shall either intersect directly opposite to each other or shall be separated by at least one hundred and fifty (150) feet between centerlines measured along the centerline of the street being intersected. However, all street intersections with arterial streets shall be located not less than eight hundred (800) feet apart, measured from centerline to centerline along the centerline of the arterial street.
- f. Multiple Intersections - Involving junction of more than two streets shall be avoided. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.

s.507 Other Street Provisions

- a. Service Streets or Alleys - Service streets or alleys are prohibited in land developments unless the developer shows the need for such streets and provided they are not the primary means of access to abutting properties.

- b. Access - Streets shall be laid out to provide access to all lots and to adjacent undeveloped areas, and the developer shall improve these streets to the limits of the development.
- c. Driveways - Driveways must conform to the driveway provisions of the Borough Zoning Ordinance.
- d. Private Vehicular Drives Within Land Developments - Private vehicular drives serving as principal traffic ways and providing access to parking or loading areas within a land development involving such land uses as multi-family dwellings, or commercial, industrial and other nonresidential uses shall have a minimum pavement width of 24 feet (two 12 foot traffic lanes). Such drives shall not require a specific right-of-way but their alignment and construction shall conform to all other standards for minor streets as specified in this Ordinance.
- e. Reserve Strips - Controlling access to the development or to adjacent areas by means of reserve strips is prohibited except when their control is definitely placed in the jurisdiction of the Borough under conditions approved by the Borough Council.
- f. Street Names - Shall not duplicate existing or platted street names, or approximate such names by the use of suffixes such as "land," "Street," "way," "drive," "court," "avenue," etc. In approving names of streets, cognizance may be given to existing or platted street names within the Borough and the remainder of York County. Proposed streets shall bear the same name of the existing or platted street of which they are a continuation or with which they are in alignment. Street names must be approved by the Borough Council.

s.508 Blocks

The length, width and shape of blocks shall be determined with due regard to the following:

- Provision of adequate sites for type of buildings proposed.
- Zoning requirements.
- Topography.
- Requirements for safe and convenient vehicular and pedestrian circulation.

Blocks shall have a maximum length of sixteen hundred (1,600) feet. In the design of blocks longer than eleven hundred (1,100) feet, special consideration shall be given to the requirements of satisfactory fire protection.

Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering a major traffic street are used.

Pedestrian interior walks may be required where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a right-of-way width of not less than ten (10) feet and a paved walk of not less than four (4) feet.

In commercial and industrial areas, the block layout shall be designed with reference to service of the public and with provisions for adequate off-street parking and loading facilities.

s.509 Lots and Lot Sizes

a. Lot Layout in a Development - All lots within a development shall conform to the following requirements:

- Corner lots shall provide for equal setbacks on both streets.
- The size, shape, and orientation of lots shall be appropriate for the type of development and use contemplated.
- Depth and width of parcels intended for multi-family residential and all nonresidential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.
- Lot depths should be not less than one nor more than two and one-half times the average width.
- Residential lots shall front on a dedicated public street, existing or proposed. Nonresidential lots shall front on either a public street or a private street which conforms to the design standards for public streets.
- Lots with areas that are two or more times the minimum requirements shall, wherever feasible, be designed with configurations which allow further subdivision.
- Double frontage lots are prohibited, except where employed to prevent direct vehicular access to collector or arterial streets.
- Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines.

b. Lot Dimensions - The dimensions and areas of the lots must conform to the Borough Zoning Ordinance.

Where sanitary sewage disposal is to be provided by individual on-site facilities, the Borough Council, in conjunction with either the Pennsylvania Department of

Environmental Resources or the Borough Sewage Enforcement Officer, may increase the minimum lot sizes and widths specified in the Borough Zoning Ordinance. In no case shall lots be less than the size necessary for proper installation of on-site sewage disposal systems.

- c. Setback Lines - The setback lines for buildings must conform to the Borough Zoning Ordinance.
- d. Grading - Lots shall be graded to sufficient elevation to secure drainage away from buildings and to prevent the collection of storm water in pools. Top soil shall be preserved and redistributed as cover and shall be suitably planted with perennial grasses or ground cover.

s.510 Sewage Disposal and Water Supply

- a. Sewage Disposal Requirements - Based upon the results of the feasibility report required in s.403 the development must be provided with sanitary sewage disposal facilities as follows:
 - Where there is an existing public sanitary sewer system on or within 1,000 feet of the proposed development a complete sanitary sewage collection system must be installed and connected to the existing public sanitary sewer system.
 - Where there is no existing public sanitary sewer system, but a public sanitary sewer system is to be installed on or within, 1,000 feet of the proposed development within four (4) years, a complete sanitary sewage collection system must be installed and
 - connected to a temporary package treatment plant until connection to a public sanitary sewer system is made , or
 - capped, and on-site sewage disposal systems provided until such time that connection to a public sanitary sewer system can be made.
 - Sanitary sewers shall not be used to carry storm water.
 - Where there is no existing public sanitary sewer system and the developer's feasibility report indicates that a public sanitary sewer system and treatment plant is not feasible, the adequate provision of on-site subsurface or alternate sewage disposal systems approved by the Pennsylvania Department of Environmental Resources must be investigated.
 - If on-site subsurface or alternate sewage disposal systems approved by the Pennsylvania Department of Environmental Resources or connection to a public sanitary sewer system or installation of a public sanitary sewer system are not feasible the development shall not be approved.

b. Water Supply Requirements - Based upon the results of the feasibility report required in s.403, the development must be provided with water supply facilities as follows:

- Where there is an existing public water supply system or within one thousand (1,000) feet of the proposed development a complete water supply system connected to the existing public water supply system must be provided.
- Where plans approved by a public water supplier provide for the installation of such public water facilities within four (4) years the developer shall provide a complete water supply system ready to be connected to the proposed water main supply system.
- Where there is no existing public water supply and the feasibility report indicates that connection to a public water supply system is not feasible, each lot in the development must be provided with an individual water supply system in accordance with minimum standards approved by the Pennsylvania Department of Environmental Resources.

s.511 Storm Drainage

a. General Requirements - Adequate storm sewers, culverts, retention basins and related facilities must be provided, as necessary to:

- Assure that the maximum rate of storm water runoff is no greater after development than prior to development activities; or
- Manage the quantity, velocity and direction of remitting runoff in a manner which adequately protects persons and property from injury.
- Permit the unimpeded flow of natural watercourses.
- Ensure the drainage of all low points along streets and to intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.

Innovative on-site retention facilities are encouraged and may be required by the Borough if it is felt that off-site disposal would aggravate existing storm water problems or if off-site disposal would create new storm water problems.

Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being developed, but also the anticipated increase in runoff that will occur when all the property at a higher elevation in the same drainage basin is fully developed. Storm drainage facilities should be designed in accordance with Pennsylvania Department of Transportation Design Manual Chapter 12. Drainage calculations will be reviewed by the Borough Engineer.

ARTICLE IV

PLAN REQUIREMENTS

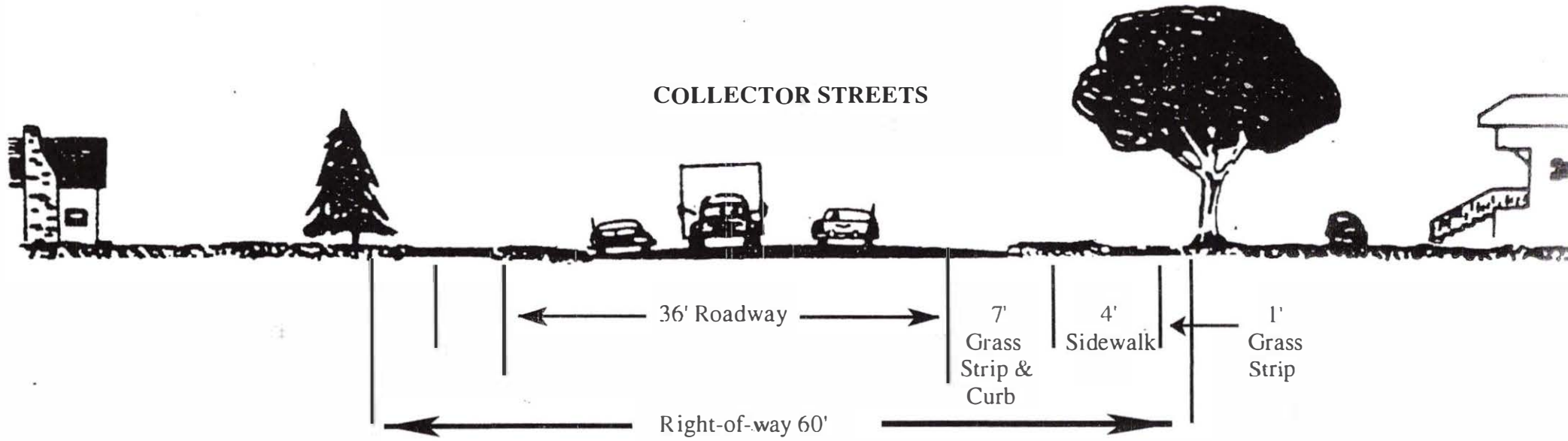
s.401 Sketch Plan Requirements

- a. General Requirements for Sketch Plans - The Sketch Plan may be a free-hand drawing and should be accompanied by an Application for Subdivision and Land Development Approval. A Sketch Plan need not be drawn to exact scale nor are precise dimensions required.
- b. Sketch Plan Requirements for Subdivisions, Land Developments and Mobilehome Parks - The Sketch Plan for either a Subdivision, Land Development or a Mobilehome Park should show the following:
 - 1) Name and address of developer, name of municipality, title, north arrow, date and approximate scale.
 - 2) Existing tract boundaries.
 - 3) Location map showing relation of the land development to the surrounding area and community.
 - 4) Existing and proposed streets, easements and rights-of-way.
 - 5) Proposed general lot layout showing buildings, vehicular entrances and exits, parking areas, loading areas, storage areas.
 - 6) Number of acres in tract, average lot size, approximate number of lots, anticipated type of development.
 - 7) All public reservations such as schools, parks, etc.
 - 8) Topography of tract or sketch showing existing drainage patterns and slope directions.

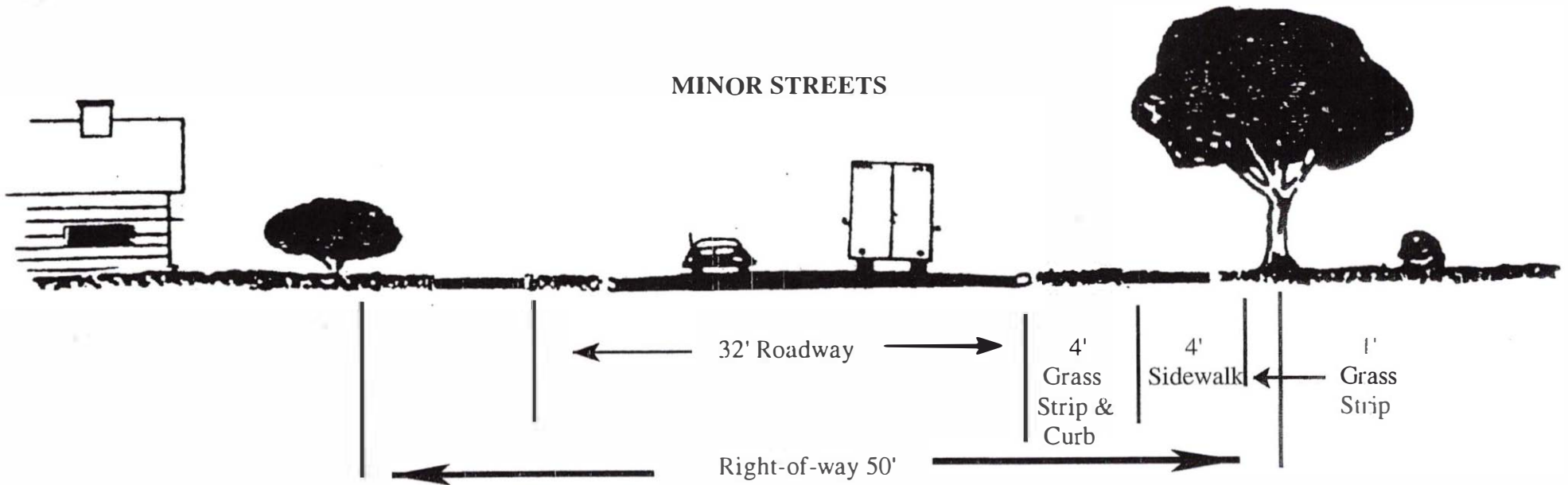
s.402 Preliminary Plan Requirements

- a. General Information - The Preliminary Plan shall be clearly and legibly drawn on a single sheet of either linen or mylar material to a scale of ten feet, 20 feet, 30 feet, 40 feet, 50 feet, 60 feet or 100 feet to the inch. Sheet size should be 22" x 36". However, if this sheet size is found to be insufficient, a larger sheet size may be used.
- b. Specific Requirements - All Preliminary Plans shall show the following:
 - 1) Title block containing the name of the land development, name of the municipality, name and address of the record owner of the property or of his

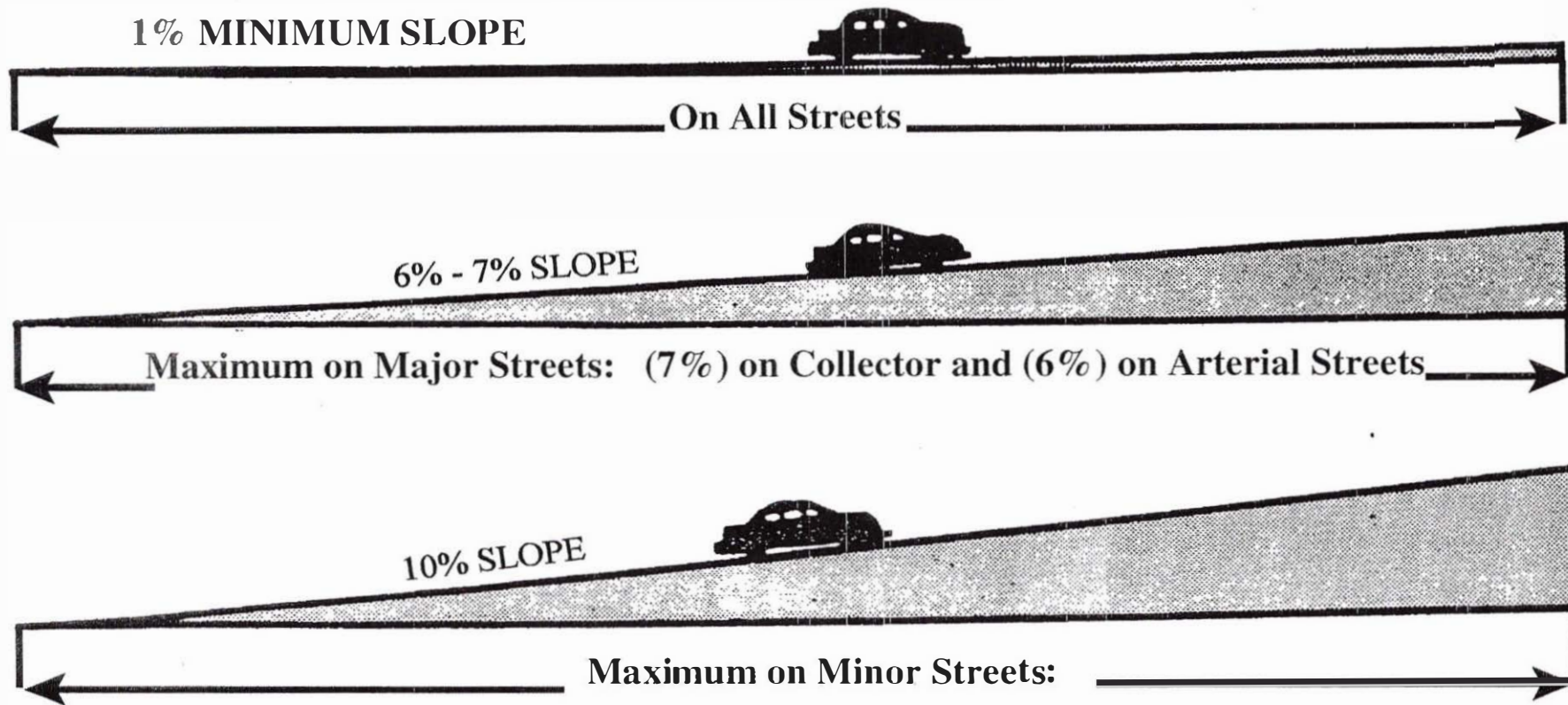
COLLECTOR STREETS



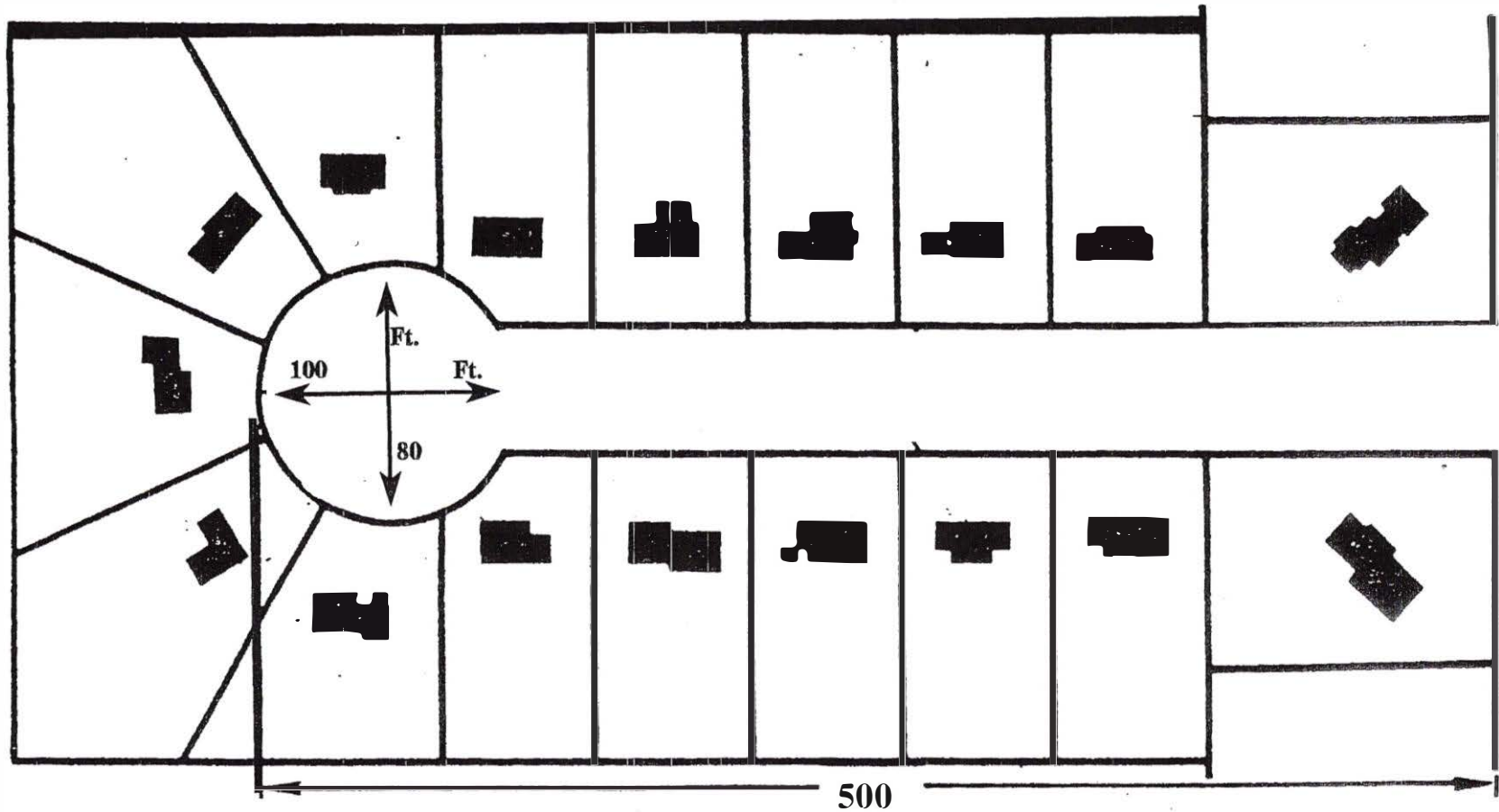
MINOR STREETS



GRADES OF STREETS -- MINIMUM AND MAXIMUM SLOPES

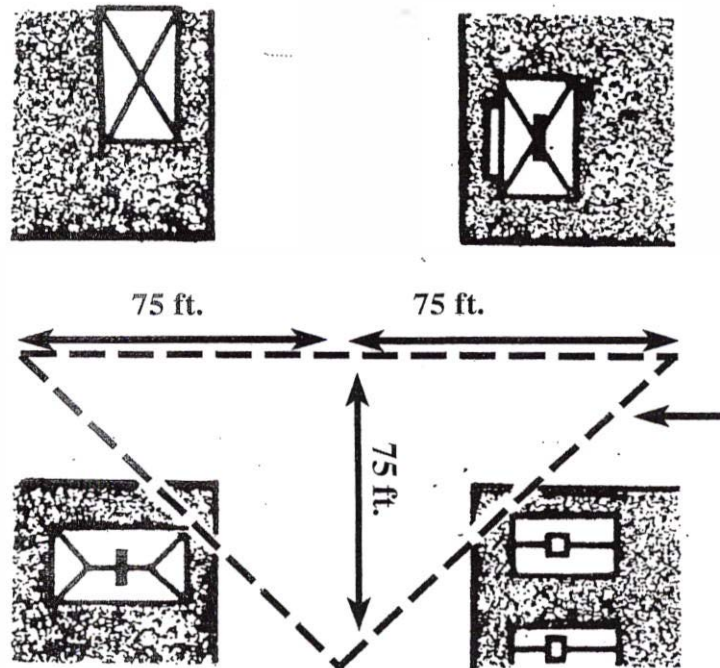


GRADES OF STREETS -- MINIMUM AND MAXIMUM SLOPES There should be a minimum grade of at least one (1) percent on all streets; a maximum grade of six (6) percent on Arterial and seven (7) percent on Collector Streets, and ten (10) percent on Minor Streets.



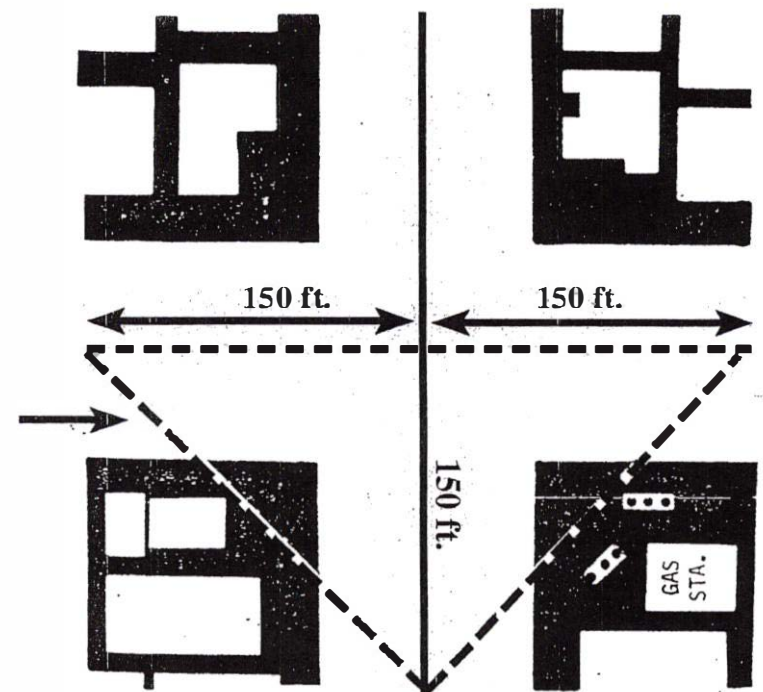
CUL-DE-SACS

Dead-end or cul-de-sac Streets, in general, shall not exceed five hundred (500) feet in length and must be provided with a paved turnaround with a minimum diameter of one hundred (100) feet to the outside curb and one hundred and twenty (120) feet to the legal right-of-way.



MINOR AND COLLECTOR STREETS

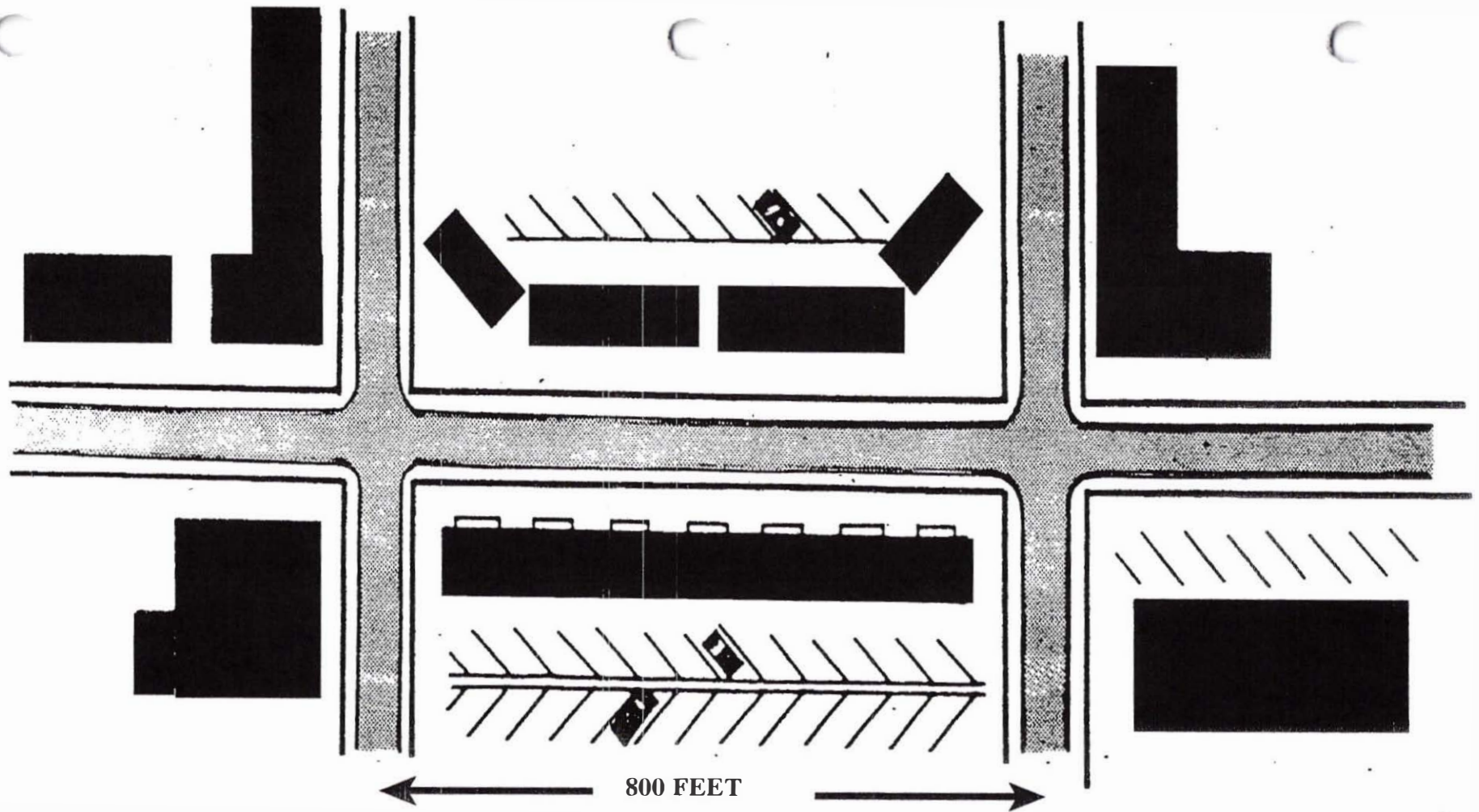
No Obstruction
Within Sight
Triangle



ARTERIAL STREETS

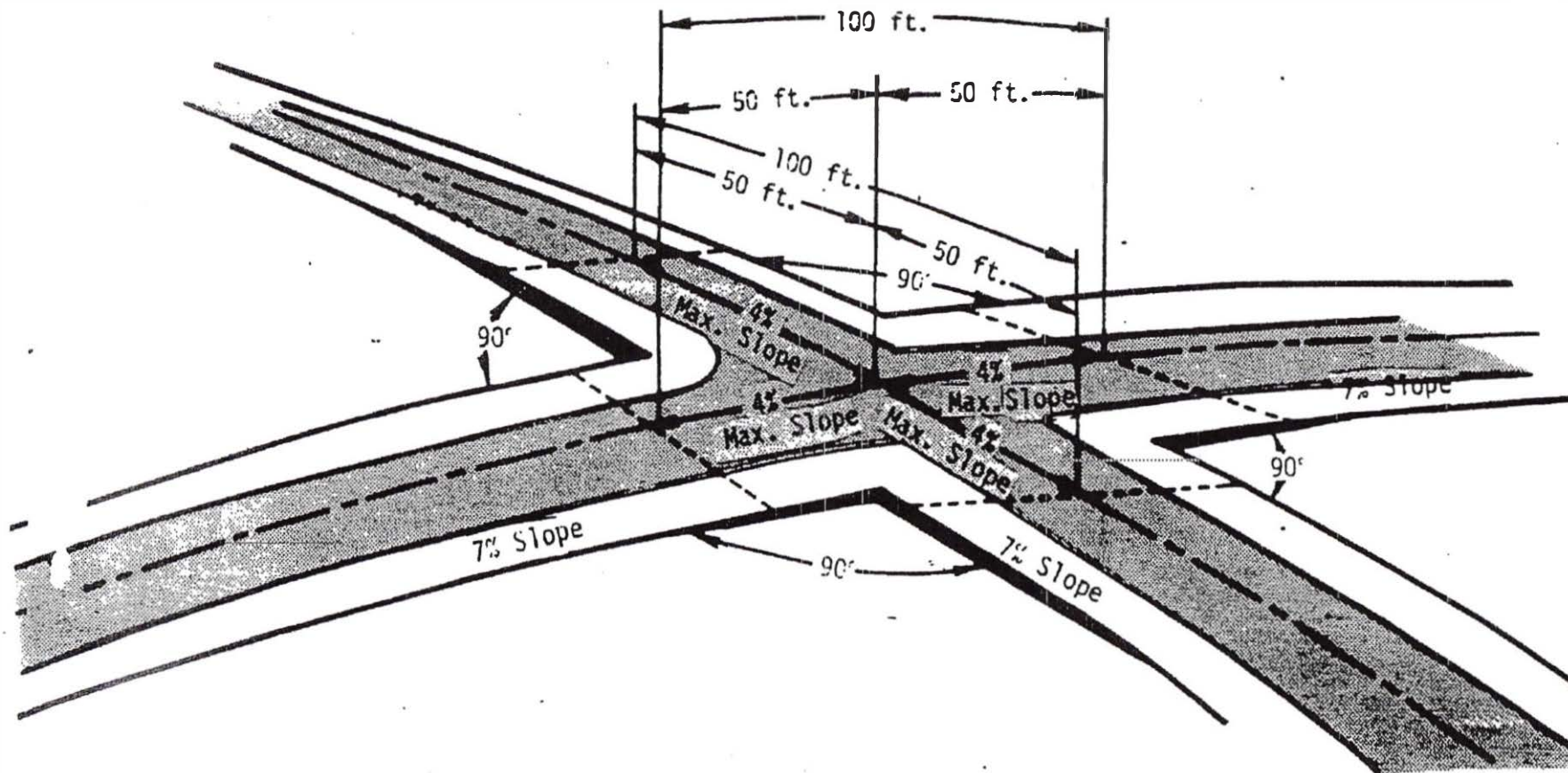
INTERSECTION SIGHT DISTANCES

Proper sight lines must be maintained at all Street intersections. Measured along the center line, there must be a clear sight triangle of seventy-five (75) feet (150 feet for Arterial Streets) from the point of intersection; no building or obstruction is permitted in this area.



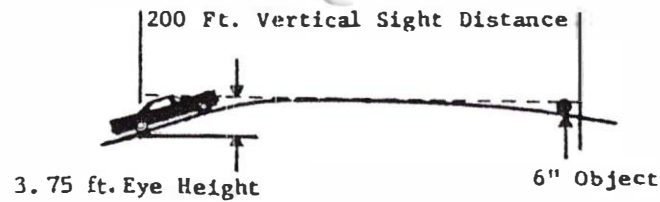
DISTANCE BETWEEN INTERSECTIONS - - MINIMUM

In general, Minor and Collector Streets shall not empty into Arterial Streets at intervals of less than eight hundred (800) feet.

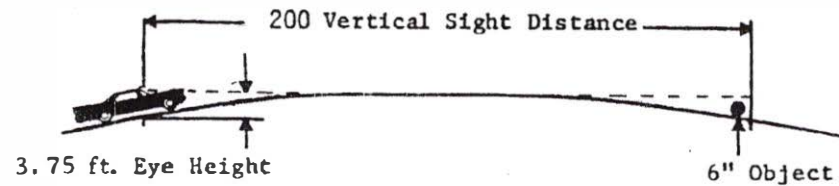


INTERSECTION GRADES

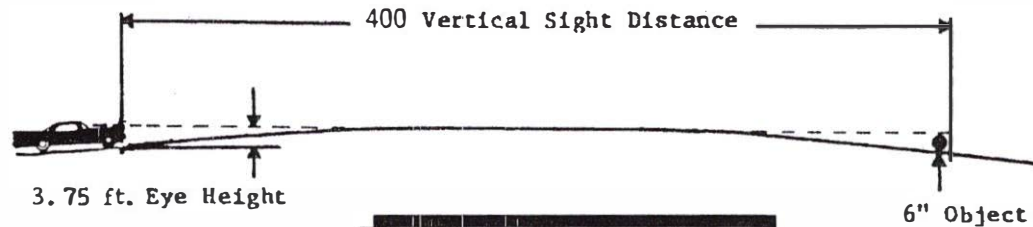
Intersections must be approached on all sides by level areas. Where the grade exceeds seven (7) percent, such level areas must have a minimum length of fifty (50) feet (measured from the intersection of the center lines) within which no grade shall exceed a maximum of four (4) percent.



MINOR STREETS



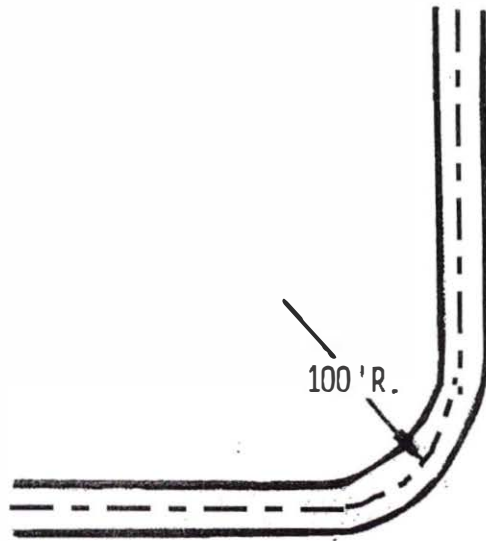
COLLECTOR STREETS



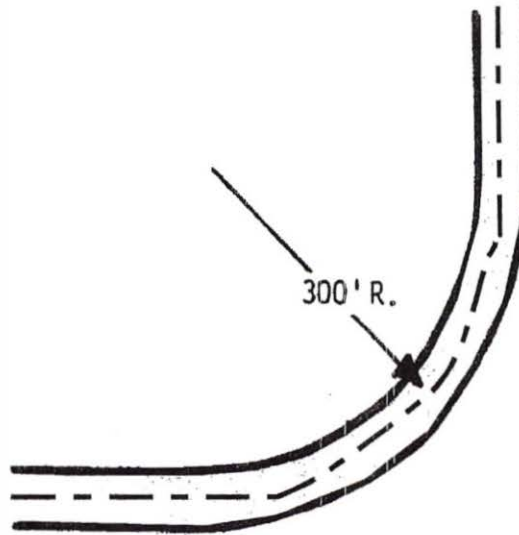
ARTERIAL STREETS

SIGHT DISTANCES - - VERTICAL ALIGNMENT

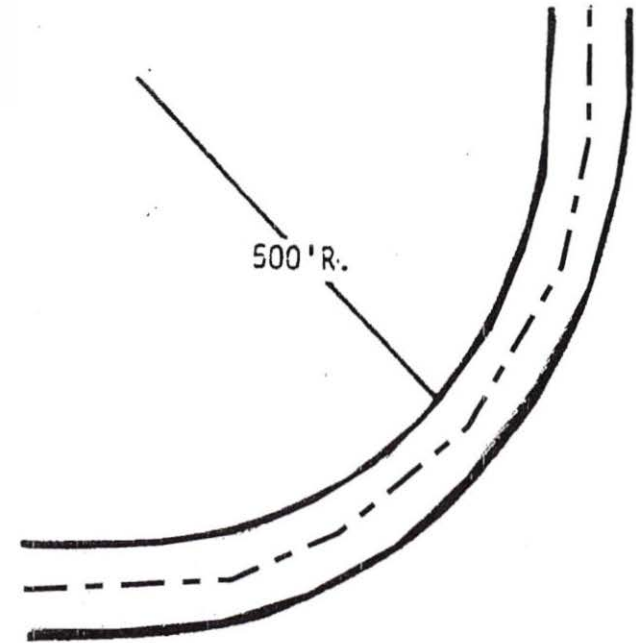
Proper sight distance must be provided with respect to vertical alignment. Measured along the center line, 3.75 feet above grade, this sight distance must be four hundred (400) feet for Arterial Streets, two hundred (200) feet for Collector Streets and two hundred (200) feet for Minor Streets.



MINOR STREETS



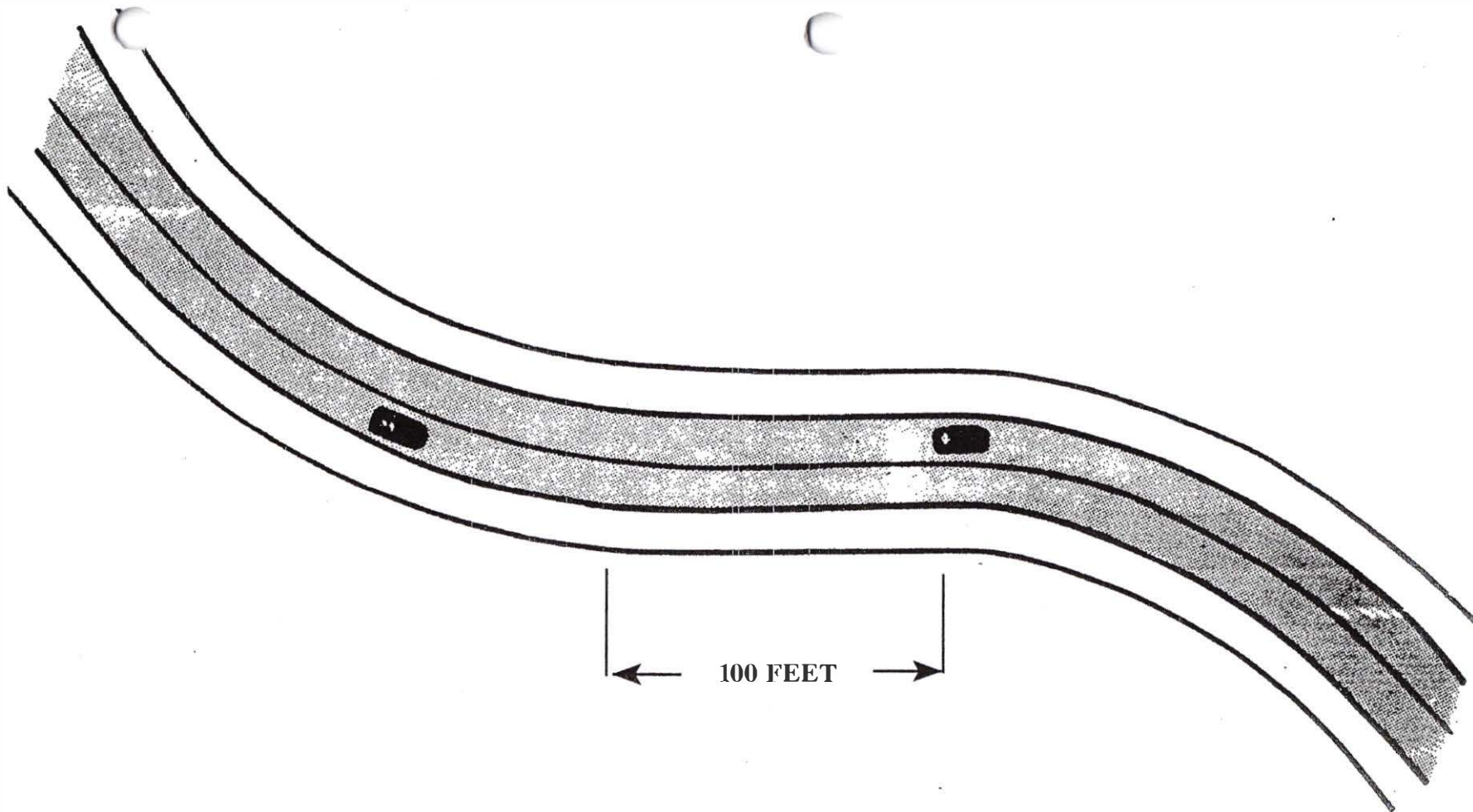
COLLECTOR STREETS



ARTERIAL STREETS

CURVES -- MINIMUM RADII

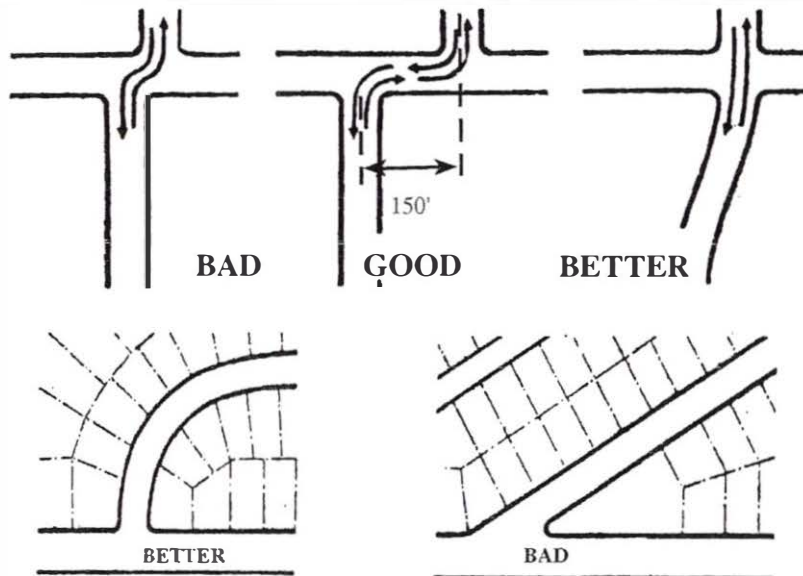
The minimum radius at the center line for curves on Arterial Streets must be five hundred (500) feet, for Collector Streets, three hundred (300) feet, and for Minor Streets, one hundred (100) feet.



REVERSE CURVES -- MINIMUM TANGENT BETWEEN

Except for Minor Streets, there shall be a tangent of at least one hundred (100) feet between Reverse Curves.

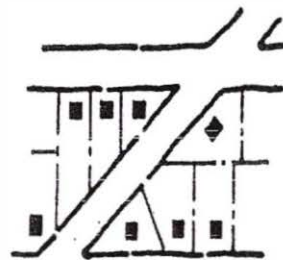
INTERSECTIONS



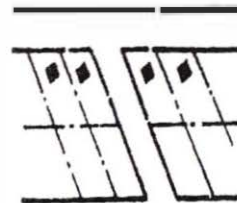
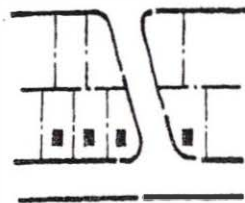
LOTTING

LOT THIS WAY...

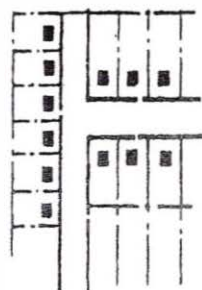
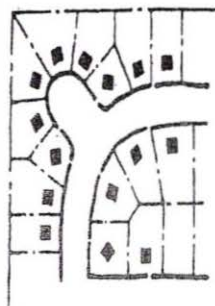
NOT THIS WAY...



... when existing intersecting streets form acute-angled intersections.

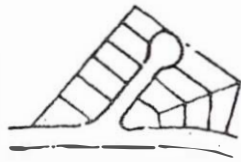


... when diagonal streets cannot be avoided.



... where future street extensions are not required in corners of the property.

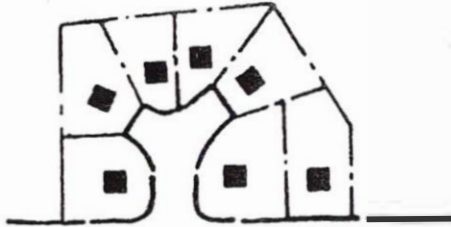
LOTTING ON A CUL-DE-SAC



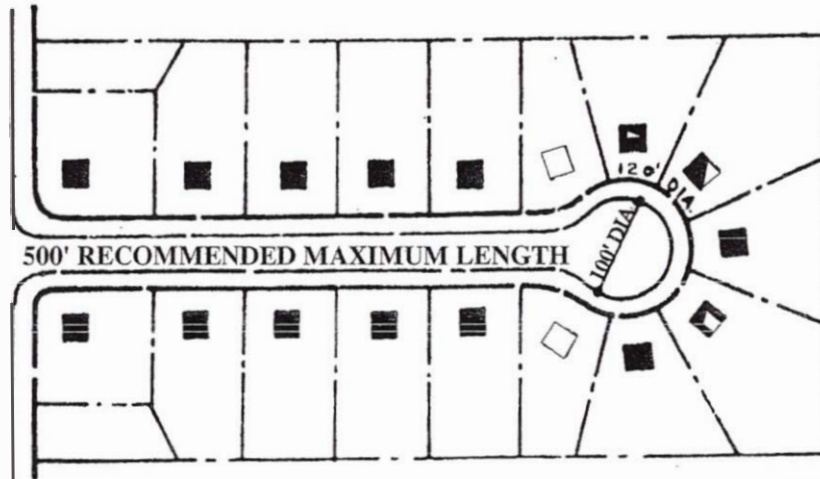
NOT LIKE THIS



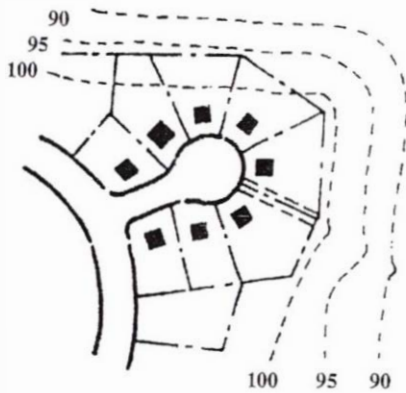
LOT LIKE THIS



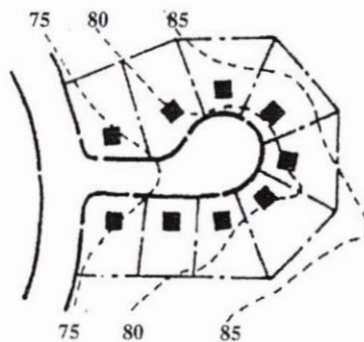
"Y" TERMINAL FOR A SHORT CUL-DE-SAC



CUL-DE-SAC STREETS



DOWN-HILL CUL-DE-SAC



UP-HILL CUL-DE-SAC

ARTICLE VI

IMPROVEMENTS, DEDICATION AND RESERVATION, GUARANTEES

s.601 Monuments and Markers

- a. Specifications - Monuments and markers must be constructed as follows:

	<u>Material</u>	<u>Minimum Size</u>
Monument	concrete or stone	6" x 6" x 30'
Marker	iron pipes or iron or steel bars	1 5" x 3/4" dia.

- b. Placement and Marking - Monuments and markers must be placed by a Professional Engineer or Registered Surveyor so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.

- c. Location of Monuments - Monuments must be set:

- At the intersection of lines forming angles in the boundaries of the major land subdivision.
- At the intersection of street lines.

- d. Location of Markers - Markers must be set:

- At the beginning and ending of curves along street property lines.
- At points where lot lines intersect curves either front or rear.
- At angles in property lines of lots.
- At all other lot corners.

- e. Removal - Any monuments or markers that are removed must be replaced by a Professional Engineer or Registered Surveyor at the expense of the person removing them.

s.602 Streets

Streets must be surfaced to the grades and dimensions drawn on plans, profiles, and cross-sections submitted by the developer and approved by the Borough. Before paving the street surface, the developer must install required utilities and provide, where necessary, adequate subsurface drainage for the streets, as acceptable to the Borough.

The construction of all streets for acceptance by Loganville Borough shall comply with current Borough specifications. The specifications shall insure that the streets be improved to such a condition that the streets are passable for vehicles which are intended to use that street. The Borough will not accept streets for public dedication until Borough specifications are met.

The Borough shall decide if a collector or arterial street is required as a direct result of the construction of the development in which case the developer is responsible for paving the additional width required.

s.603 Curbs and Sidewalks

Curbs and sidewalks shall be required and shall be installed in accordance with current Borough specifications.

The Borough may waive requirements for sidewalks on one or both sides of the street where interior walkways, in the judgement of the Borough, better serve the needs of the subdivision or land development.

s.604 Street Name Signs

The land development shall be provided with street name signs at all intersections. Such signs shall conform to current Borough specifications and shall be installed by the developer in a manner specified by the Borough Engineer.

s.605 Street Trees

In developments of six or more lots, the developer shall provide street trees. The trees should be:

- Of a minimum caliper of 1½ inches.
- Planted between the sidewalk and setback line at least 5 feet from the sidewalk.
- Uniformly spaced not less than 50 feet nor more than 100 feet apart along the entire length of each street within the development.
- Varieties acceptable to the Borough. These varieties include:

Pyramidal European Hornbeam
Norway Maple
Marshall's Seedless Ash
Sugar Maple
Red Oak
Little Leaf European Linden

Columnar Norway Maple
Bradford Pear
Greenspire Linden
Ginkgo (Male)
Pin Oak
Tulip Poplar

s.606 Street Lights

For the safety, convenience, and attractiveness of the development, on-site or public street lights shall be installed unless conditions require otherwise.

Where electric service is supplied by underground methods, and prior to the installation of streets, curbs, sidewalks and driveways, the subdivider shall provide and install conduits where necessary to accommodate the installation of a street lighting system. Installation and location of conduits will comply with the specifications of the appropriate public utility.

s.607 Sewage Disposal

Where a public sanitary sewer system is accessible to or plans approved by the Borough Council & the South Central York County Sewer Authority provide for the installation of such public sanitary sewer facilities within four (4) years, the developer shall provide the development with a complete sanitary sewer system ready to be connected to the existing or proposed sanitary sewer system.

- The plan for the installation of a sanitary sewer system must be prepared for the development and approved by the Borough Engineer and the Pennsylvania Department of Environmental Resources. The Borough Engineer must inspect the sewer line before it is covered over. Upon completion of the sanitary sewer installation, a reproducible as-built plan of the system must be filed with the Borough.
- Pipe sizes for sanitary sewer mains and sewer laterals and locations for manholes shall meet current Borough specifications.
- Storm sewers may not be connected with sanitary sewers.

Where installation of a public sanitary sewer system is not required the developer or owner of the lot shall provide for each lot, at the time improvements are erected thereon, a private sewerage disposal system consisting of a septic tank and tile absorption field or other sewerage disposal system approved by the Pennsylvania Department of Environmental Resources and the Borough Sewage Enforcement Officer.

If on-site subsurface or alternate sewage disposal systems are feasible, they must be laid out in accordance with minimum standards of the Sewage Facilities Act (Act 537) of the Pennsylvania Department of Environmental Resources. The Borough must inspect and approve each on-site sewage disposal system.

s.608 Water Supply

The plan for the installation of a water supply system must be prepared for the development with cooperation of the York Water Company and reviewed by the Borough Engineer.

Upon the completion of the water supply system, a reproducible as-built plan of the system must be filed with the Borough.

Where the connection to a public water supply system is not possible or feasible, each lot must be provided with an individual water supply system prior to the issuance of a building permit. All such individual systems shall meet all applicable regulations of the Pennsylvania Department of Environmental Resources.

s.609 Storm Drainage

Whenever the evidence available to the Borough Council indicates that natural surface drainage is inadequate, the developer shall install a storm water sewer system in accordance with approved plans and profiles. The system shall be designed by a Professional Engineer and be approved by the Borough Engineer.

s.610 Fire Hydrants

Fire hydrants shall be installed if their water supply source is capable to serve them in accordance with the requirements of the local fire company and York Water Company.

Fire hydrants, if provided, shall be located within six hundred (600) feet of any dwelling unit or structure open to the public. Fire hydrants shall be installed in accordance with all applicable regulations.

s.611 Completion of Improvements or Guarantee Thereof Prerequisite to Final Plan Approval

No plan shall be finally approved unless the streets shown on such plan have been improved to a mud-free or otherwise permanently passable condition or improved as may be required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and other improvements as may be required by this Ordinance have been installed in accordance with such Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plan, the developer shall deposit with the Borough a corporate bond, or other financial security acceptable to the Borough Council in an amount sufficient to cover the costs of any improvements which may be required. Such financial security may include among others, a lending institution letter of credit or a restrictive or escrow account in a lending institution. The bond or other security shall provide for, and secure to the public, the completion of any improvements which may be required within one year of the date fixed by the subdivision plan for completion of such improvements. In the case where development is projected over a period of years, the Borough Council may authorize submission of Final Plans by section or stages of development subject to such requirements or guarantees as to improvements in future section or stages of development as it finds essential for the protection of any finally approved section of the development.

s.612 Release From Improvement Bond

When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Borough Council, in writing by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer. The Borough Council shall, within ten days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid

improvements. The Borough Engineer shall thereupon, file a report, in writing, with the Borough Council, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty days after receipt by the Borough Engineer of the aforesaid authorization from the Borough Council, said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements or any portion thereof, shall not be approved or shall be rejected by the Borough Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

The Borough Council shall notify the developer, in writing by certified or registered mail of their action with relation thereto. If the Borough Council or the Borough Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guarantee bond.

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

Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise any determination of the Borough Council or the Borough Engineer.

To cover inspection costs, the developer must pay a fee to be established by the Borough Council. Any unused portion of this fee will be refunded to the developer upon completion of the inspections.

s.613 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 accord with the approved Final Plan the Borough Council may enforce any corporate bond, or other financial 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 Borough Council may, at its option install part of such improvements install or part of the subdivision or land 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 Borough purpose.

s.614 Offers of Dedication

The offer to dedicate streets, parks, or other areas or portions of them, does not impose any duty upon the Borough concerning maintenance or improvement until the proper authorities of the Borough have made actual appropriation by ordinance or resolution or by entry or improvement. If land is dedicated for a public site and its use for this purpose is not imminent, the developer may be permitted to dedicate the land with the privilege of using the surface rights until the Borough is read to use the land. Such dedication with the temporary privilege of use must be noted on the Final Plan.

s.615 Land Reservation

On sites reserved for eventual public acquisition, no building development is permitted during the period of reservation, said period of time not to extend more than 18 months without consent of the developer. Such land reservations shall be noted on the Final Plan.

s.616 Effect of Plan Recording on Dedication and Reservation

Recording the Final Plan after approval of the Borough Council has the effect of an irrevocable offer to:

- Dedicate all streets and other public ways to public use.
- Dedicate all neighborhood parks and other public areas to public use.
- Reserve for possible future public acquisition such additional areas as may be required by the Borough.

s.617 Maintenance Guarantee

When all required improvements installed by the developer have been found satisfactory to the Borough, the developer shall furnish a maintenance guarantee covering 20 percent of the value of the installed improvements in form satisfactory to the Borough. The maintenance guarantee shall provide that the developer will repair and/or replace to the satisfaction of the Borough any defective improvements during a two year period after the effective date of the adoption of same. Defective improvements include any defect in material or workmanship that was latent in character and not discernible at the time of final inspection or acceptance by the Borough and/or any damage to improvements by reason of the settling of ground, base or foundation thereof. However, any damage to the street surface caused by tire chains, snow removal equipment or utility cuts by others are not the responsibility of the developer.

ARTICLE VII

MOBILEHOME PARK PROVISIONS

s.701 Approval Required

It shall be unlawful for any person to construct, alter or extend any mobilehome park within the limits of the Borough until plans have been approved by the Borough and permits have been issued as provided in this Ordinance and the Loganville Borough Mobilehome Ordinance.

s.702 Application for Mobilehome Park Approval

Applications for mobilehome park approval shall conform to the requirements and procedures as established in Articles III and IV of this Ordinance and the provisions of the Loganville Borough Mobilehome Ordinance.

s.703 Site Location and Dimensions

The location, minimum park area, lot sizes and maximum density within all mobilehome parks shall be in accordance with the Loganville Borough Zoning Ordinance and Loganville Borough Mobilehome Ordinance and the location of the mobilehome park must also conform to the Borough Comprehensive Plan with respect to streets, public sites and proposed utilities.

s.704 Improvements in Mobilehome Parks

Improvements such as sewer, water, electrical, fire protection and other utility systems; storm drainage systems; off-street parking areas; walks; recreation areas and service buildings shall conform to the requirements in the Loganville Borough Mobilehome Ordinance.

s.705 Street System

All streets within mobilehome parks shall conform to current Borough specifications and standards of the Loganville Borough Mobilehome Ordinance.

s.706 Easements

- a. Use - Easements shall be provided for all utilities not located in street and for well-defined watercourses.
- b. Width - Utility easements shall have a minimum width of 15 feet. Easements for natural watercourses shall be of sufficient width to permit maintenance and provide for future flow.
- c. Location - Easements shall be centered on or adjacent to side and rear lot lines whenever possible.

ARTICLE VIII

ADMINISTRATION AND ENACTMENT

s.801 Enforcement

It shall be the duty of the Building Permit Officer, Zoning Officer or other such duly authorized representative of the Borough Council to enforce the provisions of this Ordinance. The Enforcement Officer shall require that the application for a building permit contain all information necessary to enable him to ascertain whether the proposed building, alteration, or use is located in an approved land development. No building permit shall be issued until the Enforcement Officer has certified that the site for the proposed building, alteration, or use complies with all the provisions of this Ordinance and conforms to the site description as indicated on the approved and recorded Final Plan.

s.802 Modifications

The regulations embodied in this Ordinance are the minimum standards for the protection of the public welfare. When special circumstances warrant, the Borough may impose stricter standards.

Where a provision of this Ordinance would cause unique and undue hardship as it applies to a particular property, or if a developer shows that an alternative proposal will allow for equal or better results, Borough Council may grant a modification from the strict application of the terms of this Ordinance if the variation will not be detrimental to the general welfare, nullify the objectives of these regulations or conflict with the Comprehensive Plan. In granting the modification the Borough Council may impose conditions, which will substantially secure compliance with the purposes of this Ordinance.

The Borough Planning Commission shall have the right to recommend to the Borough Council modifications to the regulations in individual cases as may be necessary in the public interest, provided, however, that such modifications shall not have the effect of nullifying the intent and purpose of these regulations. The list of suggested modifications and the specific reasons for such change shall be entered in the minutes of the Planning Commission and a copy of this entry shall be transmitted to the Borough Council. The Borough Council may then alter the land development plans and specify changes or modifications therein, which it deems necessary and make its approval subject to such alterations, changes or modifications. Upon approval by the Borough Council, said modifications shall be clearly defined and entered on the final plan and signed by the Borough Council.

s.803 Amendments

The Borough Council may on its own motion, or upon recommendation of the Planning Commission amend, supplement or repeal any portion of this Ordinance. Amendments to this Ordinance shall become effective only after a public hearing held pursuant to public notice. In addition in case of an amendment other than that prepared by the

Borough Planning Commission, the Borough Council shall submit each such amendment to the Planning Commission for recommendations at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendment.

s.804 Fees

The Borough Council shall by resolution create a schedule of fees to be paid by the applicant at the time of Plan submission, to defray the cost of administering and processing of plans and the inspection of public improvements.

s.805 Penalties

No lot in a land development shall be sold, rented, leased or conveyed in any manner; no permit to erect, alter or repair any building upon land in a land development shall be issued; and no building shall be erected in a land development until a Final Plan of such land development has been approved and properly recorded and until improvements have been either constructed or guaranteed.

Any person, co-partnership or corporation who shall develop any lot, tract or parcel of land, layout, construct, open or dedicate any street, sanitary sewer, storm sewer or water mains, for public use or travel, or for the common use of occupants of buildings abutting thereon, sell, rent, lease, or convey in any manner any lot or erect any building in a land development without first having complied with the provisions of this Ordinance shall be guilty of a misdemeanor.

Upon conviction of such misdemeanor, such person, or the members of such co-partnership or the officers of such corporation, responsible for such violation, shall be sentenced to pay a penalty of not exceeding one thousand (\$1,000) dollars per lot or parcel or per dwelling within each lot or parcel.

The Borough Council may initiate and maintain civil action to obtain a writ of injunction against the owner or agency who is in violation of any provision of this Ordinance, or who attempts the improper sale or conveyances of land; and in proper cases to set aside and invalidate any conveyances or agreements to convey land made prior to final plan approval of any subdivision or land development.

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

s.806 Appeals

The procedures for securing review of any ordinance, decision, or determination is set forth in Article X of the Pennsylvania Municipalities Planning Code. Act of July 31, 1968, P.L. 805, as amended.

s.807 Repealer

The existing Land Subdivision Regulations, adopted March 21, 1952 and all supplements and amendments thereto, are hereby repealed. Provided, however, if the present Ordinance is held to be ineffective or invalid by reason of some irregularity in or impediment to its passage, this repealer shall also be ineffective as aforesaid. Then and in that event, the Land Subdivision Regulations of 1952, together with its supplements and amendments, would necessarily remain in full force and effect.

s. 808 Interpretation

The provisions of this Ordinance shall be held to be minimum requirements to meet the purposes of this Ordinance. When provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulations, the provisions of this Ordinance shall prevail. When provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance or regulation shall prevail.

s.809 Severability Clause

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by a court of the Commonwealth, such decision shall not affect the legality of the remaining sections, clauses, provisions or portions of this Ordinance.

s.810 Effective Date

This Ordinance shall take effect after publication of adoption according to law.

Adopted by the Borough Council of Loganville Borough, York County Pennsylvania into an ordinance the 1st day of October 1979.

Borough Council
Loganville Borough
York County, Pennsylvania .

By: /s/ Wayne H. Brenneman
President

Attest:

/s/ S. C. Adams
Secretary

Approved this 1st day of October 1979.

By: /s/ Nelson Ahrens
Mayor