

CHAPTER 22

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Part 1

General Provisions

§22-101. Title.

A Chapter providing for the regulation and control of the subdivision of lots and the development of land; the approval of plans, plots or replots of land laid out in building lots; standards for the design of streets, lots, easements, blocks and other improvements; certain minimum improvements and construction standards on all streets and required dedications; the administration of this Chapter by the Gettysburg Borough Planning Commission and penalties for the violation of this Chapter. (Ord. 1223-99, 4/10/1999, §101)

§22-102. Short Title.

This Chapter shall be known and may be cited as the “Gettysburg Borough Subdivision and Land Development Ordinance of 1999.” (Ord. 1223-99, 4/10/1999, §102)

§22-103. Purpose.

The purpose of these regulations is to create conditions favorable to the health, safety, morals and general welfare of the citizens by:

- A. Assisting in the orderly and efficient integration of subdivisions.
- B. Ensuring conformance of subdivision plans with the public improvements plans of the Borough.
- C. Ensuring sites suitable for building purposes and human habitation.
- D. Facilitating the efficient movement of traffic and avoiding traffic hazards and congestion.
- E. Securing equitable handling of all subdivision plans by providing uniform procedures and standards.
- F. Improving land records by establishing standards for surveys and plans.
- F. Safeguarding the interests of the public, the homeowner, the subdivider and all municipalities.
- G. Preserving natural and historic features.
- H. Carrying out the goals and objectives of the comprehensive plan.

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(Ord. 1223-99, 4/10/1999, §103)

§22-104. Applicability.

1. No subdivision or land development of any lot, tract or parcel of land shall be made and no street, sanitary sewer main, water main or other improvements required in connection with a proposed subdivision or land development shall be laid out, constructed, opened or dedicated for use of the public or the occupants of the proposed subdivision or land development, except in accordance with this Chapter.
2. A lot or parcel that was not a legal lot of record prior to adoption of this Chapter shall not be created, sold or transferred, and no land development may occur on a lot unless and until (i) the subdivision of the lot and/or the approval of the land development, as applicable, has been granted final plan approval and been recorded; and (ii) either of the following occurs:
 - A. The Borough has been assured by means of a development agreement and guarantees acceptable to Borough Council that the improvements will subsequently be installed.
 - B. The required improvements in connection therewith have been entirely completed.
3. Landowner. No subdivision or land development shall be submitted to the Borough for review, except by the landowner of such land or his/her specifically authorized agent (see definition of "landowner" in Part 2) .

(Ord. 1223-99, 4/10/1999, §104)

§22-105. Exemptions.

1. Agriculture. The subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or residential dwelling shall be exempted from the regulations of this Chapter.
2. Revisions to Borough Regulations After Approval of a Development.
 - A. From the time an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to adversely affect 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 five years from such approval.

- B. If final plan approval is preceded by preliminary plan approval, the five year period shall be counted from the date of the preliminary plan approval.

(Ord. 1223-99, 4/10/1999, §105)

§22-106. Interpretation.

- 1. Standards.
 - A. The provisions of this Chapter shall be interpreted and applied as minimum requirements for the promotion of the public health, safety, convenience and general welfare.
 - B. Where provisions, standards and specifications of this Chapter conflict with those of any State statute, other ordinance or regulations, the more restrictive requirement shall apply, regardless of its source, unless specified to the contrary.
- 2. Illustrations. The illustrations in this Chapter are for general illustrative purposes, are not part of the regulations of this Chapter.

(Ord. 1223-99, 4/10/1999, §106)

§22-107. Modifications and Exceptions.

- 1. An applicant seeking a modification or exception to this Chapter shall submit to the Borough staff a request in writing that states (i) the specific Chapter section(s) involved and (ii) the reasons for the request. The staff shall provide the request to the Planning Commission. After the Planning Commission has had an opportunity for review at a meeting, the Planning Commission may, by written resolution, grant a waiver or modifications to the specific requirements of this Chapter.
- 2. The applicant must prove that the request will meet one or more of the following conditions:
 - A. Avoid an undue hardship that was not self-created and that results from the peculiar and uncommon conditions of the property.
 - B. Avoid a clearly unreasonable requirement that would not serve any valid public purpose.
 - C. Allow an alternative standard that is clearly proven by the applicant to provide equal or better results.

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- D. Allow a layout or improvements that would clearly be more in the public interest than what would occur if the modification were not granted.
- E. Remove a requirement that is not applicable, especially because of the small size of the proposed subdivision or land development.

(Ord. 1223-99, 4/10/1999, §107)

§22-108. Fees.

1. The Borough Council has established, by resolution, a schedule of fees and a collection procedure for all applications and other matters pertaining to this Chapter.
2. The applicant must also pay any review fees required by the County Planning Office and the County Conservation District and any other applicable agencies. The applicant shall also reimburse the Borough of Gettysburg for the reasonable and necessary charges billed by the Borough's professional consultants, as defined in Section 107(a) of the Pennsylvania Municipalities Planning Code, and as amended from time to time, for the review and the report to the Borough on any sketch plans, preliminary plans, or final plans submitted to the Borough by the applicant or for any other informal reviews requested by the applicant. Such review fees shall be based upon a schedule established by ordinance or resolution of the Borough Council. Such review fees shall be reasonable and in accordance with the ordinary and customary charges for similar service in the community, but in no event shall the fees exceed the rates or costs charged by the Borough's professional consultants for comparable services to the Borough for services which are not reimbursed or otherwise imposed on applicants. Fees charged to the Borough relating to any appeal of a decision on an application shall not be considered review fees and may not be charged to an applicant.
3. Plans shall not be considered filed until all fees are paid and the applications are properly signed as required.
4. The applicant shall pay all review fees and expenses to the Borough prior to the release of the final plans to the applicant by the Borough for recording.
5. If the applicant disputes the fees, the applicant can appeal in accordance with §§503 and 510 of the Pennsylvania Municipalities Planning Code, as amended.

(Ord. 1223-99, 4/10/1999, §108; as amended by Ord. 1325-06, 11/13/2006, §1)

§22-109. Revisions, Alternate Plans and Resubdivisions.

1. Alternate Plans. Only one plan concerning any one area of land shall be actively before the Borough for review at any one moment in time, unless the Planning Commission specifically permits simultaneous review of alternative plans.
2. Revisions and Resubdivisions.
 - A. Revised Plans.
 - (1) Until a submission is approved or rejected by the Commission, the applicant may withdraw the submission and submit a revised plan following the submission and review procedures which apply to that plan. For any submittal of a revision of a previously submitted plan, the Commission may require the applicant to submit additional fees if needed based upon the Borough's expenditures on the review up to that time.
 - (a) If any revision is submitted to an active subdivision or land development plan, then such revision shall be considered a new submittal, and the 90 day maximum time period for Commission approval shall re-start after the first regular Planning Commission meeting after such submittal of the revised plan.
 - (2) Alternate Plan. If, before a submission is approved or rejected by the Commission, the applicant submits a new plan for the subdivision or development of including any of the same lands as an earlier active subdivision or land development submission and does not withdraw the earlier submission, the new plan shall be considered an alternate plan, for which a new submission fee shall be required.
 - B. A revision or resubdivision of a recorded plan or a final plan approved by the Commission shall be considered as a new subdivision and shall comply with all of the regulations of this Chapter.
 - C. If the Borough staff determines that a revision is only for a "lot line adjustment" (which may include an annexation) or to correct erroneous data or minor omissions or revise engineering details or supporting documentation, the plan may be submitted under the simplified requirements and procedures of §704.

(Ord. 1223-99, 4/10/1999, §109)

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§22-110. Borough Records.

The Borough shall maintain records of the findings and decisions of the Planning Commission regarding all subdivision and land development plans. Such records shall be available to the public for review. (Ord. 1223-99, 4/10/1999, §110)

§22-111. Amendments.

1. The regulations set forth in this Chapter may, from time to time, be amended by Borough Council, following the procedures of the Pennsylvania Municipalities Planning Code, as amended, including a Borough Council public hearing (with public notice required by the Municipalities Planning Code).
2. Commission Review. The Borough staff shall submit each proposed amendment (other than an amendment prepared by or under the direction of the Planning Commission) to the Planning Commission for recommendations at least 30 days prior to the date set for the Borough Council public hearing.
3. County Planning Commission Review. Borough Council shall submit any proposed amendment to the County Planning Commission at least 30 days before the public hearing on such amendments.
4. If, after any public hearing held upon an amendment, the proposed amendment is revised, or further revised, to include land not affected previously by it, another public hearing shall be held, pursuant to public notice.
5. Public Notice. The Borough Council shall publish the proposed amendment once in a newspaper of general circulation in the Borough not more than 60 days nor less than seven days prior to passage. Publication of the proposed amendment shall include either the full text thereof or the title and a brief summary. If the full text is not included:
 - A. A copy thereof shall be supplied to a newspaper of general circulation in the Borough at the time the public notice is published.
 - B. An attested copy of the proposed amendment shall be filed in the County Law Library.
6. Changes. In the event substantial amendments are made in the proposed amendment, before voting upon enactment, the Borough Council shall, at least 10 days prior to enactment, re-advertise, in one newspaper of general circulation in the Borough, a brief summary setting forth all the provisions in reasonable detail, together with a summary of the amendments.
7. Ordinance Books. Subdivision and land development amendments may be incorporated into official ordinance books by reference with the same force and effect as if duly recorded therein.

(Ord. 1223-99, 4/10/1999, §111)

§22-112. Appeals to Courts.

Decisions of the Commission may be appealed in accordance with the Pennsylvania Municipalities Planning Code, as amended. (Ord. 1223-99, 4/10/1999, §112)

§22-113. Enforcement.

1. Inspectors. Borough Council shall authorize one or more persons, which may include the Code Enforcement Officer and the Borough Engineer and his/her representatives, to enforce the provisions of this Chapter and the accompanying design standards and improvement specifications.
2. Inspection. Any action under this Chapter is subject to onsite inspection by the Borough or its authorized representatives to ensure compliance with this Chapter, other Borough ordinances and the approved plans.
3. Remedies Any action inconsistent with the provisions of this Chapter shall be subject to a cease and desist order and other appropriate measures by the Borough Council or their authorized representatives.

(Ord. 1223-99, 4/10/1999, §113)

§22-114. Penalties.

1. Any person, partnership or corporation who or which has violated any provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough Council or their authorized representatives, pay a judgment of not more than \$500 plus all court costs, including reasonable attorneys fees incurred by the Borough as a result thereof, unless a higher penalty is established under State law. This shall include, but not be limited to, any person, partnership or corporation that accomplishes any act listed under §104, "Applicability," without following the applicable procedures of this Chapter.
2. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
3. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the or-

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dinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

4. See also the “Remedies” provisions of §22-113C of this Chapter. All fines collected for such violations shall be paid over to the Borough.

(Ord. 1223-99, 4/10/1999, §114)

§22-115. Liability.

Neither the approval nor the granting of any building permit, floodplain permit, site plan review, subdivision approval, land development approval, zoning permit, erosion review, stormwater runoff review, wetland delineation or wetland review, steep slope review or any other review or permit of this Chapter, involving any land governed by the provisions of this Chapter, by an officer, employee, consultant or agency of the Borough, shall constitute a representation, guarantee or warranty of any kind by the Borough or its employees, consultants, officials or agencies of the practicality or safety of any structure, use or subdivision and shall create no liability upon, nor a cause of action against any Borough body, consultant, official or employee for any damage that may result pursuant thereto. (Ord. 1223-99, 4/10/1999, §115)

§22-116. Severability.

It is hereby declared to be the legislative intent that:

- A. If a court of competent jurisdiction declares any provisions of this Chapter to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Chapter shall continue to be separately and fully effective.
- B. Borough Council hereby declares that it would have passed this Chapter and each Section or part thereof irrespective of the fact that any one or more Sections or parts thereof be declared invalid.

(Ord. 1223-99, 4/10/1999, §116)

§22-117. Pennsylvania Planning Code Amendments.

The provisions of this Chapter that only repeat, summarize or reference provisions of the Pennsylvania Municipalities Planning Code shall be deemed to be automatically superseded and replaced by any applicable amendments to the Pennsylvania Municipali-

ties Planning Code at the date such amendments become effective as State law. (Ord. 1223-99, 4/10/1999, §118)

§22-118. Land Development Requirements.

See §22-502 regarding the requirements for a “land development.” (Ord. 1223-99, 4/10/1999, §119)

Part 2
Definitions

§22-201. General Interpretation.

1. For the purposes of this Chapter, words and terms used herein shall be interpreted as listed in §22-202 of this Chapter.
2. If a word is not defined by this Chapter, but is defined by the Zoning Ordinance [Chapter 27] as amended, the Zoning Ordinance [Chapter 27] definition shall apply.
3. The word “includes” shall mean to specifically include an item, but not necessarily limited to such items.
4. Any word or term not defined in this Part or the Zoning Ordinance [Chapter 27] have a meaning of standard usage as determined by the Code Enforcement Officer, within the context of the word’s use within the applicable Section of this Chapter.

(Ord. 1223-99, 4/10/1999, §201)

§22-202. Definitions.

When used in this Chapter, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise:

ALLEY — a minor way, whether or not legally dedicated, intended and used primarily for vehicular service access to the rear of properties which abut on a street, and not intended for the purpose of general vehicular traffic circulation.

APPLICANT — a landowner or developer who has filed an application for a subdivision or land development, including his/her heirs, successors and assignees.

BLOCK — a tract of land or a lot or group of lots, bounded by streets, public parks, railroad rights-of-way, watercourses or bodies of water, boundary lines of the Borough or by any combination of the above.

BOROUGH — the Borough of Gettysburg, Adams County, Pennsylvania. Unless otherwise stated, this shall mean Borough Council and their authorized agents.

BOROUGH COUNCIL — the Borough Council of the Borough of Gettysburg.

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BOUNDARY LINE ADJUSTMENT — shall have the same meaning as “lot line adjustment.”

BUILDING — a combination of materials to form a permanent structure having walls and a roof. This shall include all mobile homes and trailers used for human habitation.

CARTWAY — the paved portion of a street or highway designed for vehicular traffic and paved areas intended for on-street parking.

COMMISSION — the Planning Commission of Borough of Gettysburg.

CONDOMINIUM — ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices and other types of space in commercial and industrial buildings or on real property.

DAYS — calendar days.

DEP — the Pennsylvania Department of Environmental Protection, and its successor agencies.

DEVELOPER (SUBDIVIDER) — any landowner, agent of such landowner or tenant with permission from a landowner, who makes or causes to be made a subdivision of land or land development.

DEVELOPMENT — any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, the placement of mobile homes, streets and other paving, utilities, mining, dredging, filling, grading, excavation or drilling operations and the subdivision of land, as well as sewage disposal systems and water supply systems.

DWELLING TYPES — see definitions in the Borough Zoning Ordinance [Chapter 27].

EASEMENT — a grant by the property owner to the public, a corporation, a person or group of persons, or another tract of land of a use of land for specified purposes.

ENGINEER, PROFESSIONAL — a person licensed to practice as a professional engineer in the Commonwealth of Pennsylvania.

ENGINEER, BOROUGH — the registered professional engineer designated by Borough Council to perform all duties required of the Engineer by the provisions of this Chapter.

FLOODPLAIN — see the Borough Zoning Ordinance [Chapter 27].

GRADE — the elevation of ground or paving.

IMPROVEMENT AGREEMENT — an agreement in a form and manner acceptable to Borough requiring a developer to install the improvements required by this Chapter or which appear on the official approved plans.

LAND DEVELOPMENT — as defined by the State Municipalities Planning Code, as amended¹. For the purposes of this Chapter, the following shall specifically not be considered a “land development”:

- (1) The construction of only one accessory agricultural building that is not intended for the storage of animal wastes or the storage or feeding of animals.

LANDOWNER — the owner of a legal or equitable interest in land, including the holder of a formal 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 right of the landowner, or other person having a proprietary interest in land.

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

LOT LINE ADJUSTMENT — the revision or deletion of one or more lot lines in such a way that all of the following are true:

- (1) No new lots will be created beyond what was previously approved.
- (2) No additional street segments or significant changes in alignment are proposed other than what was previously approved.
- (3) No additional nonconformities will be created under the Borough Zoning Ordinance [Chapter 27].
- (4) No new land development will occur other than a land development that was previously approved or buildings to support “crop farming.”

LOT, REVERSE FRONTAGE — a lot that abuts a public street on one side of the lot, but has vehicular access only from a public street on the opposite side of the lot.

¹ As of 1999, this definition included the following: The improvement of one or more contiguous lots, tracts or parcels of land for any purpose involving either or both of the following:

- A. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.
- B. The division or allocation of land or space, whether initially or cumulatively, 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.

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MAINTENANCE AGREEMENT — an agreement in a form and manner acceptable to the Borough requiring the developer of required improvements to make any repairs or reconstructions and to maintain such improvements for a certain period.

MAINTENANCE GUARANTEE — financial security which is acceptable to the Borough to secure the promise made by a developer in the maintenance agreement that required improvements shall be maintained by the developer. (Note: These guarantees typically include acceptable letters of credit, performance bonds, escrow agreements and other similar collateral or surety agreements.)

MAJOR SUBDIVISION — see “subdivision, major.”

MOBILE HOME SPACE — an area of land in a mobile home park improved with the utilities and other improvements needed for the placement of a single mobile home, with the land leased or rented by the park owner to the occupants of the mobile home.

ONE HUNDRED YEAR FLOOD — a flood that, on the average, is likely to occur every 100 years, such as that has a 1% chance of occurring each year, although the flood may occur in any year.

OPEN SPACE — the area of a lot unoccupied by principal or accessory structures, streets, driveways, parking areas, but may include areas occupied by walkways, picnic pavilions, play equipment and other areas occupied by noncommercial outdoor recreation facilities.

OPEN SPACE, PUBLIC — common open space owned by a government agency or the Borough for public recreation.

ORDINANCE, THIS — the Borough of Gettysburg Subdivision and Land Development Ordinance, as amended, and any provisions thereof, enacted by Borough Council.

PARCEL — a tract, lot or area of land.

PARKING — outdoor areas or specially designed buildings or garages used for the storage of vehicles. Unless otherwise stated, shall mean off-street parking.

PATHWAY — a pedestrian access way which is not adjacent to a street or access drive and conforms with this Chapter.

PENNDOT — the Pennsylvania Department of Transportation.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE — the Pennsylvania Municipalities Planning Code, as may be amended, or its successor legislation.

PERFORMANCE GUARANTEE — financial security which is acceptable to the Borough to ensure that the developer will install required improvements. (Note: This typically includes acceptable letters of credit, performance bonds, escrow agreements and other similar collateral or surety agreements).

PLAN — a map of a land development or subdivision and accompanying notations.

- (1) SKETCH PLAN — an informal plan, identified with the title “sketch plan” on the map, indicating the general layout of the proposed subdivision or land development.
- (2) PRELIMINARY PLAN — a complete plan identified with the title “preliminary plan” accurately showing proposed streets and lot layout and such other information as required by this Chapter.
- (3) FINAL PLAN — a complete and exact plan identified with the title “final plan,” including the plan prepared for official recording as required by this Chapter to define property rights and proposed streets and other improvements.

PLANNING COMMISSION — see “Commission.”

PLANS ADMINISTRATOR — the person or persons charged by the Borough Council with the responsibility of administering the subdivision application submission procedure. Said person shall be the Code Enforcement Officer of the Borough of Gettysburg to and until the Borough Council, by resolution, shall designate his successor.

PUBLIC MEETING, REGULAR PLANNING COMMISSION — a regular meeting of the Planning Commission at which the Commission is authorized to conduct official action and which has been scheduled based upon an annual meeting schedule (as may be adjusted by the Chairperson) and which is not a workshop meeting or the official public meeting on an ordinance amendment.

PUBLIC NOTICE — as defined by the Pennsylvania Municipalities Planning Code².

REGULATORY FLOOD ELEVATION — the 100 year flood elevation, plus a free-board safety factor of 1 1/2 feet.

² As of 1999, this included the following definition: “Notice published once each week for two successive weeks in a newspaper of general circulation in the Borough. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.”

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SEWAGE DISPOSAL SYSTEM — a system designed to collect, treat and dispose of sewage from users in compliance with regulations of Pennsylvania DER and the Borough.

- (1) **CENTRAL SEWAGE SERVICE** — service by a sewage disposal system which collects, treats and disposes sewage from more than one dwelling, principal use or lot.
 - (a) **Public Sewage Service.** Central sewage service with the mains and the treatment facility owned by a municipality, a public authority or the County.
 - (b) **Private Central Sewage Service.** Central sewage service that does not meet the definition of “public sewage service.”
- (2) **ONLOT SEWAGE SYSTEM** — a sewage disposal system which collects, treats and disposes of sewage or holds sewage from only one dwelling unit, principal use or lot.

SIDEWALK — a pedestrian access way which is adjacent to a street or access drive and conforms to the regulations of this Chapter.

SOIL CONSERVATION DISTRICT — the Adams County Conservation District.

SOIL SURVEY — the latest version of the official Soil Survey of Adams County, published by the U.S. Soil Conservation Service, or its successor reference.

STATE — the government of the Commonwealth of Pennsylvania and its relevant subparts.

STATE PLANNING CODE — see “Pennsylvania Municipalities Planning Code.”

STEEP SLOPE — an area of 15% or greater slope.

STREET — a public or private thoroughfare which affords the principal means of access to abutting property or that is an expressway, but not including an alley or a driveway.

STREET CLASSIFICATION — see the official street classification map, which classifies streets as arterial, collector or local streets.

STREET, CUL-DE-SAC — a type of street which is terminated at one end by a permitted turn-around and which intersects another street at the other end.

STREET, MARGINAL ACCESS — a type of local street which is parallel and adjacent to collector or arterial streets and provides access to abutting properties.

SUBDIVIDER — see “developer.”

SUBDIVISION — as defined by the Pennsylvania Municipalities Planning Code, as amended³.

SUBDIVISION, MAJOR — any subdivision of land which does not qualify as a “minor subdivision.”

SUBDIVISION, MINOR — a proposal involving land, other than a land development, which is either:

- (1) A lot line adjustment.
- (2) A subdivision:
 - (a) That results in only one new additional residential lot, or only one new additional clearly agricultural lot of more than 10 acres each, in addition to the one pre-existing “parent” lot.
 - (b) Which does not involve an extension or new segment of a street (other than what was previously approved).

SUBDIVISION ORDINANCE — the “Borough of Gettysburg Subdivision and Land Development Ordinance,” as amended [this Chapter].

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

USGS — United States Geological Survey, or its successor agency.

WALKWAY — a strip of land including a right-of-way dedicated to public use in order to facilitate pedestrian access through or into a block.

³ As of 1999, this definition was as follows:

- A. The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development.
- B. The subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or residential dwellings is not a subdivision.

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WATERCOURSE — any natural or artificial waterway, stream, river, creek, ditch, channel, millrace, canal, conduit, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and which has a definite channel and bed and shall include any area adjacent thereto subject to inundation by reason of overflow of flood waters.

WATER, CENTRAL SYSTEM OR SERVICE — service by a water system which transmit water from a common source to more than one dwelling, principal use or lot.

WATER, PUBLIC SYSTEM OR SERVICE — central water service that is owned and/or operated by a municipal authority or a Pennsylvania PUC regulated water company and that serves more than 50 dwelling units or principal uses.

WATER, ON-LOT SYSTEM OR SERVICE — service by a water system which transmits water from a source on the lot to only one dwelling, principal use or lot.

(Ord. 1223-99, 4/10/1999, §202)

Part 3

Overview of General Procedures

§22-301. Purpose.

This Part summarizes the general procedures for the submission and review of proposed subdivisions and land developments. This Part is only a general explanation and is not binding on the Borough or an applicant. See the actual provisions of the other Parts of this Chapter. Two flowcharts are included at the end of this Part to show the general process for major and minor subdivisions. (Ord. 1223-99, 4/10/1999, §301)

§22-302. General Procedure for Subdivisions and Land Developments.

1. Review and Approval Stages. Three types of plan submissions are established: sketch, preliminary and final, as outlined below.

Stage	Part of this Chapter	Type of Proposed Subdivision or Land Development		
		Land Development	Major Subdivision	Minor Subdivision or Lot Line Adjustment
Sketch Plan	4	Recommended	Recommended	Recommended
Preliminary Plan	5	Required****	Required	Not Required
Final Plan***	6	Required	Required	Required**
Guarantee of Improvements Installation	8	Required	Required	Required
Recording of Final Plan	9	Required	Required	Required

* See definitions in Part 2.

** See Part 7 for minor subdivision final plan submission and review requirements. See §22-705 for submission requirements for a lot line adjustment.

*** At their option, the Commission may grant combined preliminary/final plan approval if the preliminary plan submission meets the requirements of a final plan submission and if the Commission determines that there are no outstanding matters.

**** Except where exempted by §22-502.

2. Sketch Plan. While a sketch plan is not required, it is strongly recommended that it be filed to allow the applicant to consult early and informally with the Planning

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Commission before preparing a preliminary plan. This will often avoid expensive redesign and delay to the applicant.

3. Preliminary Plan. Preliminary plans are required to be submitted for any major subdivision and for certain land developments, as described above.
4. Final Plan. After approval of the preliminary plan of a major subdivision or certain land developments, the applicant files a final plan. A final plan must be approved prior to recording of the plans by the County and prior to the sale of any lots or the construction of any buildings (see Part 9).
5. Guarantee of Improvements Installation. Where improvements are required by this Chapter, in most cases, the Borough will require that the applicant enter into a development agreement, including the posting of financial security sufficient to guarantee the costs of any improvements which may be required. See Part 8.

(Ord. 1223-99, 4/10/1999, §302)

§22-303. General Plan Submission Procedures.

1. Submission. Sketch, preliminary and final plans and all required accompanying information are required to be submitted to the plans administrator by delivery by person.
2. Completeness. The Planning Commission shall have the authority to reject or to table an application that it determines is significantly incomplete.
3. Attendance. The applicant or his/her duly authorized representative should endeavor to attend the Commission meeting to discuss the filed plans. The Commission may request such attendance. If the applicant fails to appear when so requested at a meeting where the plans will be considered it may result in plan disapproval if the Borough determines that it resulted in insufficient information to render a decision.
4. Action by the Commission. The Commission is required to act upon a preliminary or final plan within 90 days after the first regular meeting of the Commission that follows an acceptable submission by the applicant, unless the applicant grants a time extension.

(Ord. 1223-99, 4/10/1999, §303)

Part 4

Sketch Plan

§22-401. Preplan Consultation.

Prior to submitting a sketch plan, applicants for larger developments are encouraged to informally discuss their proposal with the plans administrator and/or other appropriate Borough staff and the Adams County Office of Planning and Development (ACOPD) staff. (Ord. 1223-99, 4/10/1999, §401)

§22-402. Sketch Plan Submission Requirements.

Prior to the submission of a preliminary plan, applicants are very strongly encouraged to submit a sketch plan. A sketch plan review often allows an applicant to save substantial time and engineering costs because many concerns about layout and issues concerning Borough ordinances can be resolved prior to detailed engineering. This can often reduce the need for future redesign at a more detailed stage, thereby saving the applicant significant money and time. When submitted, sketch plans shall include the following information:

- A. Submission Requirement. If submitted, seven print copies of the sketch plan and the accompanying application shall be submitted to the plans administrator at least seven days prior to a regular Borough Planning Commission meeting.
- B. Drawing Requirements. The sketch plan shall be drafted to approximate scale and is recommended to include the following as applicable:
 - (1) Boundary line of the development.
 - (2) Significant physical features (such as areas of steep slopes 15% and greater, quarries, creeks and major drainage channels).
 - (3) Proposed lot and street layout with approximate areas of lots (such as 8,000 square feet), including all alleys, driveways and pedestrian walkways.
 - (4) Site data including:
 - (a) Acreage of the entire tract.
 - (b) Number of lots and types of dwelling units (if residential).
 - (c) Zoning district and major applicable lot area and setback requirements

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- (5) North point and scale and a tentative name of the project (may be the developer's name).
- (6) Approximate proposed locations of any nonresidential buildings (if known) and statement of the general proposed types of any nonresidential uses.
- (7) A map showing the general location of the project in relation to nearby streets (may be a photocopy of USGS or Borough base map or a commercial map).
- (8) Approximate location of any area within the 100 year floodplain (from Federal Insurance Administration map).
- (9) Tentative approximate locations of any stormwater detention basins and any major stormwater drainage channels.
- (10) For residential developments, whether the applicant proposes to dedicate common open space or fees in lieu of land, if required.
- (11) Note stating the general methods of providing water and sewer service, including sufficient information to show the general feasibility of any proposed nonpublic central sewer service.
- (12) Names of any adjacent nonresidential uses and any zoning district boundaries in the area.
- (13) Name and address of person responsible for the preparation of the plan and the date of preparation.
- (14) Approximate general locations of possible wetlands (may be "hydric soil" locations from the County Soil Survey).
- (15) Statement of the proposed uses of the land (if known).
- (16) Plans should be of a standard size, such as 18 inches x 24 inches or 24 inches x 36 inches.

(Ord. 1223-99, 4/12/1999, §402)

§22-403. Sketch Plan Review Procedures.

1. No official action shall be taken on a sketch plan. The Borough shall not be bound by comments made or not made as part of a sketch plan review.

2. The Borough shall distribute copies of the sketch plan to the Borough Engineer, the relevant Borough staff person and the Planning Commission for advisory reviews.
3. The sketch plan shall be reviewed by the Planning Commission, with any comments reported to the applicant or his/her representative.
4. County Planning Commission Review. If the Planning Commission determines that a subdivision or land development would be expected to have significant regional impact, the Borough shall submit one copy of the sketch plan to the County Planning Commission to request an informal review.
5. If the sketch plan would involve land along a creek or river or more than five dwelling units, or be adjacent to an existing Borough park, then a copy of the plan should be provided to any Borough Park and Recreation Commission that may exist for a review of whether open space or recreation fees should be required.

(Ord. 1223-99, 4/12/1999, §403)

Part 5

Preliminary Plan

§22-501. Purpose.

A preliminary plan is intended to establish the overall development scheme to minimize the need for revisions of final plans. (Ord. 1223-99, 4/12/1999, §501)

§22-502. Submission and Review Procedure.

1. Preliminary Plan Submission Required.

- A. A preliminary plan submission for a major subdivision or land development (except as provided in subsection (1)(B), below) meeting all of the requirements of this Part shall be filed by the applicant and reviewed in accordance with the provisions of this Part.
- B. A preliminary plan submission is not required for:
 - (1) A minor subdivision (as defined in Part 2).
 - (2) A submission that only involves a lot line adjustment (as defined in Part 2) or minor adjustments to a previously approved plan as specified in §22-704.
 - (3) A land development that involves only one principal nonresidential building.

2. Required Submission.

- A. The applicant shall file with the plans administrator at least 14 calendar days prior to a regular Planning Commission meeting (not including a workshop meeting): (i) the required fees; and (ii) the information and plans required under §22-503.
- B. The plans administrator shall forward applicable plans to the following agencies to seek their comments prior to preliminary plan approval:
 - (1) Gettysburg Municipal Authority.
 - (2) Borough Fire Chief (layout and utility plan if deemed appropriate by the Planning Commission or plans administrator).
 - (3) The appropriate Borough staff (including one complete “file” copy of all materials submitted by the applicant).

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- (4) Borough Engineer, with the plans provided prior to the next regular Planning Commission meeting.
 - (5) The Borough Planning Commission (including copies of the application form, at least one copy of the preliminary plan checklist, seven copies of the preliminary plan and at least one copy of the supporting documents), with such information provided prior to or at the first regularly scheduled Planning Commission meeting after a proper submission.
- C. Applicant's Distribution. The applicant is fully responsible for the following:
- (1) Contacting the appropriate utility companies, as appropriate, including the water supplier.
 - (2) Encouraged to seek at least an informal review by PennDOT of any proposed access onto a State road and providing PennDOT with sufficient information for such a review.
 - (3) Determining whether any permits or approvals are needed from any agency outside of the Borough, including DEP (including any obstruction to a waterway) and the Army Corps of Engineers (including determining whether any "wetland" will be disturbed).
 - (4) Providing a copy of the sedimentation and erosion control plans to the County Conservation District, together with their required review fees, if any earth disturbance is proposed, unless the applicant states in writing in a signed letter to the Borough that earth disturbance will not occur until approval of the final plan (in which case the erosion control plan may be submitted at final plan stage).
 - (5) Adjacent Municipalities. If any portion of a major subdivision or land development: (i) is proposed within 200 feet of the boundary of another municipality; or (ii) would clearly have a regional impact upon another municipality as determined by the Planning Commission, then the applicant shall provide a copy of the layout plan to that municipality for an advisory review.
 - (6) Providing a copy of the plans to the County Planning Commission after authorization by the Borough and the appropriate application review form is completed with signature of the plans administrator.
- D. Each preliminary plan and supporting documents should seek to incorporate any revisions recommended by the Planning Commission, the Borough Engineer and other appropriate Borough Officials during any sketch plan review.

- E. Colored Layout Plan. It is recommended that the applicant provide one copy of the layout plan that is lightly colored to highlight major features (such as paving, trees, waterways, streets, wetlands, pedestrian walkways and sidewalks, building footprints, proposed landscaping or hedges, fencing or privacy walls and building locations, if known) to allow clear understanding by the general public at public meetings.
 - F. Revisions. A detailed list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted. The developer's plan preparer shall certify that the list of revisions is complete.
3. Determination of Completeness of the Submission.
- A. Based upon the initial review of the plans administrator and/or the Borough Engineer, the Commission shall have authority, at its first regularly scheduled meeting after the submission is filed in a timely fashion, to determine that a submission is significantly incomplete and therefore to refuse to review the submission further and to do one of the following:
 - (1) Not accept the submission, indicating deficiencies in writing, and return the fee (minus the costs of any Borough review) to the applicant.
 - (2) Accept the submission as being filed for review on the condition that the applicant shall file such additional required materials and information to the staff or appropriate agency or person by a specific deadline.
 - (3) Table the acceptance of the submission until the next Planning Commission meeting after the applicant has met all of the submittal requirements within the required time period prior to the meeting. The 90 day time limit for action shall not begin until the plan is accepted as complete.
 - (4) Reject the submission for just cause, such as the submission being significantly incomplete.
 - B. If the Commission determines that the submission is significantly complete, as filed and as required, the Commission shall accept the plans and may begin its review.
 - C. Zoning Variances.
 - (1) An application under this Chapter shall not be considered to be complete for the purposes of the ninety-day time limit if one or more zoning variances will be required for the subdivision or land development to legally occur as submitted, until such time as the needed zoning variances have been granted.

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- (2) A subdivision or land development review shall not be delayed because of a court appeal of a zoning variance that was granted by the Board to the developer. Instead, satisfactory resolution of such appeal may be made a condition for approval under this Chapter. If a developer appeals a zoning variance that was not granted to him/her, then subsection (3)(C)(3), above, shall still apply.
 - (3) When a lot which is improved with existing single-family semidetached dwellings is the subject of a subdivision application for the purpose of enabling single-family residential development and usage on the subdivided lot or lots, the applicant shall not be required to meet the requirements of the Zoning Ordinance relative to dimensional lot requirements. All other requirements of this Part shall apply to the development of the subdivided lot or lots and shall be enforced.
 - (4) When a lot which is improved with existing single-family attached dwellings is the subject of a subdivision application for the purpose of enabling single-family residential development and usage on the subdivided lot or lots, the applicant shall not be required to meet the requirements of the Zoning Ordinance relative to dimensional lot requirements. All other requirements of this Part shall apply to the development of the subdivided lot or lots and shall be enforced.
4. Review by Borough Engineer.
 - A. Within 30 days from the date the plans are duly submitted for review (unless granted an extension by the Commission or unless the plans are significantly incomplete), the Borough Engineer should review the engineering considerations of the preliminary plan and prepare an initial report on such considerations to the Commission.
 - B. The Borough Engineer may make additional reports and recommendations to the Commission during review of the plan. Matters that should be dealt with directly by the Commission should be listed separately from technical engineering considerations. These policy concerns should be made available to the Commission at least four days prior to each meeting, when possible.
 - C. The applicant and/or his/her engineer shall make reasonable efforts to resolve technical engineering considerations outside of and prior to Commission meetings. The Borough Engineer may require the applicant or his/her engineer to meet with him/her for this purpose.
 - D. A copy of findings of the Borough Engineer should be sent or handed in person to the applicant or his/her representative by the Borough staff.

5. Review by Commission. The Planning Commission shall accomplish the following within the time limitations of the Pennsylvania Municipalities Planning Code (unless the applicant grants a written time extension).
 - A. Review all applicable reports received from any official reviewing agencies.
 - B. Determine whether the preliminary plan submission meets the requirements of this Chapter and other applicable ordinances.
 - C. Require any revisions to the submission that are needed to comply with this Chapter or that would generally improve the plan.
 - D. Approve, conditionally approve or disapprove the preliminary plan submission within the time required by the Pennsylvania Municipalities Planning Code.
6. Decision by the Commission.
 - A. The decision of the Commission shall be in writing and shall be communicated to the applicant personally or by mail at his/her last known address not later than 15 days following the decision.
 - B. Approval of the preliminary plan submission shall constitute conditional approval of the subdivision or land development as to the character and intensity, but shall not: (i) constitute approval of the final plan; or (ii) authorize the sale of lots or construction of buildings.
 - C. If the preliminary plan submission is disapproved, the decision shall specify defects found in the submission, describe requirements which have not been met and cite the provisions of the statute or ordinance relied upon in each case.
 - D. At the discretion of the Commission, the Commission may grant combined preliminary/final plan approval if: (i) the preliminary plan submission also meets all of the requirements of a final plan submission; and (ii) the Commission determines that there are no significant outstanding matters regarding the plan.
7. Final Plan Submission Deadline.
 - A. An applicant shall file a final plan within five years from the date of the approval of the preliminary plan by the Commission.
 - B. Failure to comply with this requirement shall render the preliminary plan null and void and a new preliminary plan submission and approval shall be required.
8. Development in Stages. See §22-602(9).

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(Ord. 1223-99, 4/12/1999, §502; as amended by Ord. 1325-06, 11/13/2006, §2)

§22-503. Preliminary Plan Requirements.

(See §22-502(1) regarding when a preliminary plan is required.)

1. All of the following information and materials listed in this Section are required as part of all preliminary plans for any land development and any major subdivision. This list of requirements shall serve both:
 - A. To establish the requirements.
 - B. As a checklist for the applicant and the Borough to use to ensure completeness of submissions.
2. The applicant shall submit completed photocopies of this Section as part of the application. The required information listed in this Section may be combined or separated onto different sheets; provided, that all information is clearly readable.
3. Gettysburg Borough Preliminary Plan for Major Subdivision or Land Development* Checklist and List of Submittal Requirements.

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No.: _____

Applicant's Signature: _____ Date: _____

* Place check marks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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| | | A. <u>General Submission Items.</u> (Note: the Borough may require the submission of additional numbers of copies). |
| _____ | _____ | 1. Borough application/review fee(s)/escrow. |
| _____ | _____ | 2. 2 copies of the Completed Application (see Appendix A). |
| _____ | _____ | 3. 2 copies of the preliminary plan checklist (using the photocopies of the pages in this Section). |
| _____ | _____ | 4. 7 print copies of the complete preliminary plans. |
| _____ | _____ | 5. 3 additional print copies of only the Layout Plans. |

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| _____ | _____ | 7. Approval/review signature blocks for: Borough Planning Commission and County Planning Commission (see Appendix B). |
| _____ | _____ | 8. Location map at a standard scale (preferably 1 inch = 400 feet or 1 inch = 200 feet) showing the location of the project in relation to the following features within 1,000 feet of the boundaries of the tract: existing and proposed streets and municipal boundaries. |
| _____ | _____ | 9. North arrow, graphic scale, written scale. |
| _____ | _____ | 10. Date of plan and all subsequent revision dates (especially noting if is revision of a previously approved plan) with space for noting future revision dates and general type of revisions. |
| _____ | _____ | 11. Deed Book volume and page number from County records. |
| _____ | _____ | 12. Tax map number and block and lot for the tract being subdivided. |
| _____ | _____ | 13. A statement on the plan of proposed principal uses that are intended for each lot. |
| D. Natural Features. | | |
| _____ | _____ | 1. Existing contour lines shown at the same scale as the layout plan, as follows: <ul style="list-style-type: none"> a. Shall be based on a field survey or photogrametric procedure that was completed at a scale of 1inch = 100 feet or larger. Contours shall be based upon U.S.G.S. datum, with an established bench mark. b. The contour interval shall be sufficient to determine compliance with Borough ordinances. An interval of 2 feet for slopes of less than 15% and 5 feet for slopes of 15% or greater is generally recommended. c. Note: contours are not required to be shown within areas of lots of 10 acres or more that are clearly not intended to be altered as a result of this proposed subdivision or land development, unless needed to determine adequacy of stormwater management. |
| _____ | _____ | 2. Identification of any slopes of 15 to 25%, and greater than 25%. |
| _____ | _____ | 3. Watercourses (with any name), natural springs, lakes and wetlands. <ul style="list-style-type: none"> a. A wetland delineation is not required prior to preliminary plan approval, however, the applicant is not required to have completed all Federal and State applications prior to preliminary plan approval. b. Detailed delineations by a qualified professional of wetlands are required with a metes and bounds description and shall be dimensioned from lot lines, unless: |

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- 1) The plan states that no alteration, buildings, earthmoving, driveways or septic systems will occur within 200 feet of any areas that could be reasonably suspected of being wetlands.
- 4. Rock outcrops, stone fields and sinkholes.
- 5. Location of any areas within the 100 year floodplain (with differentiation between floodway and flood fringe if available from official Federal floodplain maps).
- E. Manmade Features. (With existing features graphically differentiated from proposed features.)
 - 1. Existing and proposed lot lines.
 - a. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced.
 - b. The boundaries of any residual tract which is 10 acres or more may be determined by deed (Any residual lot of less than 10 acres shall fully comply with this Chapter).
 - 2. Location of existing monuments.
 - 3. Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.
 - 4. Buildings estimated to be 80 years or older that could be impacted by the project, with name and description.
 - 5. Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the municipality).
 - 6. Existing and proposed (if known) building locations.
 - 7. Overhead electric high-voltage lines, r-o-w, easements.
- F. Zoning Requirements.
 - 1. Applicable zoning district and required minimum lot area.
 - 2. Minimum setback requirements shown for each lot.
 - 3. Area and location of any proposed common open space.
 - 4. Statement of type of water and sewer service proposed (such as "public water and public sewer").
 - 5. Required and proposed building coverage and impervious coverage.
- G. Proposed Layout.
 - 1. Total acreage of site and total proposed number of lots and dwelling units.

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_____	_____	2. Identification number for each lot (and for each building if more than 1 building per lot).
_____	_____	3. Lot width (at minimum building setback line) and lot area for each lot.
_____	_____	4. Dimensions of each lot in feet.
_____	_____	5. Existing rights-of-way and cartway widths and locations of existing streets, including existing streets within 200 feet of boundaries of tract.
_____	_____	6. Proposed rights-of-way and cartway widths & locations of existing & proposed streets, including streets within other projects within 200 feet of the boundaries of tract.
_____	_____	7. Street centerline information, including bearings and distances for any street or extension.
_____	_____	8. Horizontal curve data, including radius, tangent, or length and delta, cord bearing and distance. Such information may be listed in a table, using reference numbers on a plan; provided, that sufficient information is provided along each course (such as radius and arc length) such that each course can be reproduced in the field.
_____	_____	9. Right-of-way and curb lines with horizontal curve radii at intersections.
_____	_____	10. Beginning and end of proposed street construction.
_____	_____	11. Street improvements proposed by the applicant, including any acceleration/deceleration lanes, traffic signal, street realignment or widening of abutting streets.
_____	_____	12. Any proposed curbing (place NA in "Not Submitted" column if not proposed).
_____	_____	13. Any proposed sidewalks (place NA in "Not Submitted" column if not proposed), with any proposed handicapped ramps at intersections.
_____	_____	14. Names of existing streets and initial proposed names of new streets.
_____	_____	15. Designation which streets are proposed to be dedicated to the Borough or to remain private.
_____	_____	16. Evidence that any proposed or intensified new street or driveway entrance onto a State road will meet PennDOT sight distance requirements, unless a highway occupancy permit has already been approved for the use.
_____	_____	17. Sight distance triangles meeting Borough requirements.
		H. Utility Plan.
		1. Central Sewage Service.
_____	_____	a. Proposed contour lines on same sheet as utility layout.
_____	_____	b. Location and size of mains and laterals, with locations corresponding to stationing on the profile.

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c. Locations of manholes, with invert elevation of flow line and grade at top of each manhole.

d. Proposed lot lines and any proposed easements or rights-of-ways needed for the utilities.

e. Location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines.

f. Type, size, length and grade of sewer lines.

2. Central Water Service.

a. Location and size of existing and proposed water lines.

b. Existing and proposed fire hydrant locations.

c. Distance noted that water lines will have to be extended to reach existing lines (if not already abutting the tract).

3. Any existing and proposed underground natural gas, electrical, telephone, cable TV or other utility lines, with any easements shown that will affect development.

4. List of contacts for all underground utilities in the area, with phone numbers stated on the grading plans (as required by State Act 172).

I. Grading and Stormwater Management Plan.

1. Existing and proposed storm drainage facilities or structures, including detention basins (with capacity), swales, pipes (with sizes), culverts and inlets.

2. Capacity, depth, dimensions and locations of detention basins.

3. Predevelopment and postdevelopment watershed areas for each detention basin or major drainage channel or point of concentration.

4. Locations of any proposed or existing stormwater easements.

5. Intended design year standards for culverts, bridge structures and/or other stormwater facilities.

6. Schematic location of all underground utilities.

7. Entity responsible to maintain/own any detention basin.

8. Any additional information needed under §22-1008.

9. Existing and proposed contour lines (see description under "Natural Features").

See also stormwater basins under "Construction Details."

J. For Uses Other than Single-Family Detached or Twin Dwellings.

1. For townhouses or apartments, evidence that the project meets the density requirements of the Zoning Ordinance.

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| _____ | _____ | 2. Evidence that the project will meet the off-street parking requirements of the Zoning Ordinance. |
| _____ | _____ | 3. Arrangement of off-street parking spaces, parking aisles, off-street loading areas and extent of areas to be covered by gravel or asphalt. |
| _____ | _____ | 4. For townhouses, any proposed methods to ensure privacy between outdoor semiprivate areas (such as fences or walls or plantings between rear yards) |
| _____ | _____ | 5. Illustrative sketches of exteriors of proposed buildings (encouraged, but not required, except as required by the Historic District regulations). |
| _____ | _____ | 6. Number, sign area, height and location of proposed signs. |
| _____ | _____ | 7. Major types, heights and locations of outdoor lighting. |
| _____ | _____ | 8. Location of any proposed outdoor storage areas. |
| _____ | _____ | 9. Note stating total square feet of paved area, including gravel areas. |
| | | K. Landscape Plan. |
| _____ | _____ | 1. Scaled plan showing dimensions, distances and locations of all major manmade and natural features and proposed locations of planting units and materials. |
| _____ | _____ | 2. Delineation of existing and proposed parking spaces or other vehicular areas, access aisles, driveways, building footprints and similar features. |
| _____ | _____ | 3. Table of information detailing area of preservation areas, vegetation to be planted or preserved and types of plant material to be used. |
| _____ | _____ | 4. Location of all existing and proposed fences. |
| | | L. Erosion and Sedimentation Plan. (May be submitted at the final plan stage if the applicant provides a written and signed statement that earth will not be disturbed until after final plan approval.) |
| _____ | _____ | 1. Drawings showing locations and types of proposed erosion and sedimentation control measures, complying with the regulations and standards of the County Conservation District and DEP. |
| _____ | _____ | 2. Narrative describing proposed soil erosion and sedimentation control methods. |
| | | M. Road Plan Profiles. (With profile drawings on same sheet as plan drawings.) |
| _____ | _____ | 1. Profile of existing and proposed ground surface along centerline of street. |
| _____ | _____ | 2. Proposed centerline grade with percent on tangents and elevations at 50 feet intervals. |
| _____ | _____ | 3. All vertical curve data, including length, elevations and minimum sight distance as required by Part 10. |

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- N. Water Main, Sanitary Sewer and Storm Drain Plan Profiles. (With profile drawings on same sheet as plan drawings.)
 - 1. Profile of proposed ground surface with elevations at top of manholes or inlets.
 - 2. Profiles of water main, storm sewer and sanitary sewer lines, corresponding to stationing of any street.
 - 3. All line crossings of other utilities.
- O. Construction Details.
 - Detailed plan and cross sectional drawings for detention or retention basins.
- P. Supporting Documents and Additional Information.
 - 1. Residual Lands Sketch. If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same landowner or under control of the same developer (or closely related corporations), then a sketch shall be submitted at an appropriate approximate scale, on one sheet, covering all such land holdings, together with a sketch of a reasonable future potential street system. Such sketch shall demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands.
 - 2. Sewage Module. If applicable, 4 copies of the DEP sewage planning module application and supportive information as completed by the applicant, together with evidence that the application has been forwarded to the proper review agencies (these agency reviews are not required to be fully completed prior to preliminary plan approval).
 - 3. Central Water. If central water service is proposed by an existing water company or authority, the applicant shall provide a letter from such water company or authority which states that the company or authority expects to be able to adequately serve the development, that the proposed water system is generally acceptable and that references standard conditions or specifications required by the company or authority for the provision of services.
 - 4. Public Sewage. If service is proposed by an existing sewage authority, the developer shall submit a copy of a letter from the authority which states that the company or authority can adequately serve the subdivision, that the proposed sanitary sewage system is generally acceptable and that references standard conditions or specifications required by the company or authority for connection to the system.

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| _____ | _____ | 5. Access to State Roads. If access is proposed to a State highway: (i) copy of any information submitted to PennDOT and any correspondence from PennDOT regarding the proposed access to State roads (this requirement applies throughout the entire approval process); and (ii) evidence that the proposed access will meet PennDOT sight distance requirements. |
| _____ | _____ | 6. Floodplain. If the project would include any area within the 100 year floodplain or any watercourse, a statement from the Zoning Officer indicating that the proposed subdivision or land development would be in compliance with the floodplain regulations of the Borough. |
| _____ | _____ | 7. Method of ensuring maintenance of any private street. |
| _____ | _____ | 8. List of any modifications or waivers requested to this Chapter. |
| _____ | _____ | 9. Copies of the decisions of any zoning variances that are relevant to the proposal. |
| _____ | _____ | 10. Preliminary stormwater calculations, in sufficient detail to show that any proposed stormwater facilities would be sufficient in size. See the requirements of §22-1008. |
| _____ | _____ | 11. For industrial operations or industrial storage: A written description of the proposed use in sufficient detail to indicate (i) any noise, glare, smoke and fumes nuisances; (ii) to allow a general determination of possible fire, explosive, toxic, genetic, public health or other hazards; and (iii) to estimate the amount, direction and times of any tractor-trailer truck traffic that is expected. |

(Ord. 1223-99, 4/12/1999, §503)

§22-504. Certification.

All certification shall comply with the State professional licensing laws. All subdivisions of land shall be certified and stamped by a registered land surveyor. At least three sets of copies of plans provided to the Borough shall bear original signatures and original seals, one of which should be marked as a "Borough File Copy." (Ord. 1223-99, 4/12/1999, §504)

Part 6

Final Plan

§22-601. Applicability.

This Part lists the requirements for final plans for a major subdivision or any land development. See the requirements of Part 7 for a project that only involves: (i) a minor subdivision; (ii) a lot line adjustment; or (iii) minor corrections or minor revisions to a previously approved plan as specified in §22-704. (Ord. 1223-99, 4/12/1999, §601)

§22-602. Submission and Review Procedure.

1. Final Plan Submission Required.
 - A. A final plan submission for each major subdivision or land development must be filed by the applicant and reviewed in accordance with the provisions of this Part 6.
 - B. A final plan shall only be submitted after a preliminary plan has been approved by the Commission, if a preliminary plan is required.
2. Final Plan Submission Deadline.
 - A. An applicant shall file a final plan submission within five years from the date of the approval of the preliminary plan by the Commission.
 - B. Failure to comply with this requirement shall render the preliminary plan submission null and void and a new preliminary plan submission must be filed.
3. Filing and Distribution.
 - A. The applicant shall file with the plans administrator at least 14 days prior to a regular Planning Commission meeting (not including workshop meetings) all of the required plans, information and fees listed in §22-603 of this Chapter.
 - B. The plans administrator shall forward applicable plans to the following agencies to seek their comments prior to final plan approval:
 - (1) Gettysburg Municipal Authority.
 - (2) Borough Engineer; provided, prior to the next regularly scheduled Planning Commission meeting.

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- (3) Borough Fire Chief (layout and utility plan, if not reviewed at the preliminary plan level and if deemed appropriate by the Planning Commission or plans administrator).
 - (4) The appropriate Borough staff (including one official "file" copy of all materials submitted by the applicant)
 - (5) The Borough Planning Commission (including copies of the application form, at least one copy of the preliminary plan checklist, several copies of the preliminary plan and at least one copy of the supporting documents), with such information provided at or before the next regularly scheduled meeting of the Commission.
- C. Applicant's Distribution. It is the applicant's responsibility to:
- (1) Make agreements with the appropriate utility companies.
 - (2) Provide information to PennDOT that is required for any needed permit for access to or work within a State road right-of-way.
 - (3) Provide information to DEP or other agencies for any permits that might be required.
 - (4) Submit a copy of the soil erosion and sedimentation plan to the County Conservation District and pay their required review fees, if earth disturbance is proposed, and if such erosion control plan was not approved at the preliminary plan level.
 - (5) Provide a copy of the plans to the County Planning Commission, after authorization by the Borough and the appropriate form is completed, with signature of the plans administrator.
- D. The filing of the final plan shall conform with the approved preliminary plan and any conditions and changes recommended by the Borough during the preliminary plan review.
- E. Revisions. A detailed list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted. The developer's plan preparer shall certify that the list of revisions is complete.
4. Determination of Completeness by Commission.
- A. Based upon the initial review of the plans administrator and/or the Borough Engineer, the Commission shall have authority, at its first regularly scheduled meeting after the submission is filed in a timely fashion, to determine that a submission is significantly incomplete and therefore to refuse to review the submission further and to do one or more of the following:

- (1) Not accept the submission, indicating deficiencies in writing, and return the fee (minus the costs of any Borough review) to the applicant.
 - (2) Accept the submission as being filed for review on the condition that the applicant shall file such additional required materials and information to the staff or appropriate agency or person within a certain number of days from the date of such acceptance.
 - (3) Table the acceptance of the submission until the next Planning Commission meeting where the applicant has met all of the submittal requirements and has filed such materials within the required time period prior to the meeting. The 90 day time limit for action shall not begin until the plan is accepted as complete.
 - (4) Reject the submission for just cause, such as the submission being significantly incomplete.
- B. If the Commission determines that the submission is significantly complete, as filed and as required, the Commission shall accept the plans and may begin its review.
- C. If the Commission determines that a final plan submission, as filed, departs substantially from the approved preliminary plan, the Commission may classify the submission as a revised preliminary plan (with the applicable review fees required) and process the application as such.
5. Review by Borough Engineer.
- A. Within 30 days from the date the plans are duly submitted for review (unless granted an extension by the Commission or unless the plans are significantly incomplete), the Borough Engineer should review the engineering considerations of the preliminary plan and prepare an initial report on such considerations to the Commission.
 - B. The Borough Engineer may make additional reports and recommendations to the Commission during review of the plan. Matters that should be dealt with directly by the Commission should be listed separately from technical engineering considerations. These policy concerns should be made available to the Commission at least four days prior to each meeting.
 - C. The applicant and/or his/her plan preparer shall make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings. The Borough Engineer may require the applicant or his/her plan preparer to meet with the Borough Engineer for this purpose.
 - D. A copy of findings of the Borough Engineer should be sent or handed in person to the applicant or his/her representative by the plans administrator.

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6. Review by Commission. The Planning Commission shall accomplish the following within the time limitations of Pennsylvania Municipalities Planning Code (unless the applicant grants a written time extension).
 - A. Review applicable reports received from official review agencies.
 - B. Determine whether the final plan submission meets the requirements of this Chapter and other applicable ordinances.
 - C. Require some/all of any needed revisions needed for the submission to conform to this Chapter or that would generally improve the plan.
 - D. Approve, conditionally approve or disapprove the final plan within the time required by the Pennsylvania Municipalities Planning Code.
7. Decision by the Commission.
 - A. Notice to Applicant. The decision of the Commission shall be in writing and shall be communicated to the applicant personally or mailed to him/her at his/her last known address not later than 15 days following the decision.
 - B. Dedications.
 - (1) The approval of the final plan by the Commission shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space or area, unless the such acceptance is specified at such time.
 - (2) Any such acceptance of dedication shall only occur after formal action of the Borough at such time.
 - (3) As part of an improvements agreement, if Borough Council elects to accept lands offered for dedication, the submission shall be accompanied by duly executed instruments of conveyance to the Borough. Such instruments shall state that the title thereof is free and unencumbered.
 - C. Disapproval. When a final plan submission is disapproved, the decision shall specify defects found in the submission, shall describe requirements which have not been met and shall cite the provisions of the statute or ordinance relied upon in each case.
 - D. Conditions. The Commission may attach reasonable conditions to an approval to ensure the carrying out of the comprehensive plan, this Chapter, other Borough Ordinances and State laws and regulations.
8. Development in Stages.

- A. If requested by the applicant, the Commission may permit the undertaking of the required improvements and the preparation of the final plan to be completed in a series of sections or stages, each covering a portion of the proposed subdivision or land development as shown on the preliminary plan.
 - B. If final plans are to be filed in sections or stages, each section or stage shall provide sufficient access, utilities and amenities to allow the development to properly function if future stages are not built.
 - C. The boundaries of phases and the timing of related improvements shall be subject to the approval of the Commission.
9. Statement of Approval. At the request of the applicant, the Borough shall furnish the applicant with a signed copy of a resolution or motion indicating approval of the applicant's final plan contingent upon the applicant obtaining a satisfactory financial security. The final plan will not be signed by Borough officials until a satisfactory financial security is presented. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days, unless a written extension is granted by the Borough.

(Ord. 1223-99, 4/12/1999, §602)

§22-603. Final Plan Requirements.

- 1. All of the information and materials listed in this Section are required as part of all final plans for: (i) a major subdivision; or (ii) a land development. This list of requirements shall serve as both a list of requirements and as a checklist for the applicant and the Borough to ensure completion of submissions. The applicant shall submit completed photocopies of this Section as part of the application.
- 2. The required information listed in this Section may be combined or separated onto different sheets; provided, that the plans will be clearly readable.
- 3. Gettysburg Borough Final Plan for Major Subdivision or Land Development Checklist and List of Submittal Requirements.

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No.: _____

Applicant's Signature: _____ Date: _____

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“Place a check mark in the applicable column below, except: 1) insert “NA” in the “Not Submitted” column if not applicable and b) insert “W” in the “Not Submitted” column if a waiver is requested from the requirement.

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| _____ | _____ | A. | General Submission Items.* |
| _____ | _____ | | 1. Borough application/review fee(s)/escrow. |
| _____ | _____ | | 2. 2 copies of the completed application (see Appendix A). |
| _____ | _____ | | 3. 2 copies of the preliminary plan checklist (using the photocopies of the pages in this Section). |
| _____ | _____ | | 4. 7 print copies of the complete preliminary plans. |
| _____ | _____ | | 5. 3 additional print copies of only the layout plans. |
| _____ | _____ | | 6. 7 sets of Supportive Documents. |
| _____ | _____ | | 7. Delivery of plans by applicant to County Planning Commission. |
| | | | *Note: The Borough may require the applicant to file additional copies. |
| | | B. | Drafting Requirements. All information shall be legibly and accurately presented. |
| _____ | _____ | | 1. Plans prepared on a standard sized sheet (such as 18 inches x 24 inches, 24 inches x 36 inches, 30 inches x 42 inches or 36 inches x 48 inches). Copies should be folded to approximately 9 inches x 12 inches size in such manner that the title of the sheet faces out. |
| _____ | _____ | | 2. Plans drawn at a scale of 1 inch = 50 feet or other scale pre-approved by the Borough Engineer or plans administrator. |
| _____ | _____ | | 3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds. |
| _____ | _____ | | 4. Differentiation between existing and proposed features. |
| _____ | _____ | | 5. Boundary line of the tract, shown as a heavy boundary line. |
| _____ | _____ | | 6. If layout plans involve more than one sheet, a map of the layout of the entire project at an appropriate scale on one sheet, with a key map showing how the layout sheets connect. |
| _____ | _____ | | 7. If the tract(s) crosses a municipal boundary, a map showing both the portions in Gettysburg Borough and the other municipality, in sufficient detail for the Borough to determine how the parts will interrelate. |
| _____ | _____ | | 8. Required profiles shown at a scale of 1 inch = 50 feet horizontal and 1 inch = 5 feet vertical, or other scale pre-approved by the Borough Engineer or Borough staff. |
| _____ | _____ | | 9. All sheets numbered and listed on one page. |

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- 4. Wetlands. Detailed delineations by a qualified professional of wetlands are required with a metes and bounds description and shall be dimensioned from lot lines, unless the plan states that no alteration, buildings, earthmoving, driveways or septic systems will occur within 200 feet of any areas that could be reasonably suspected of being wetlands.
 - a. The applicant may be granted final plan approval conditioned upon receipt of all required Federal and State wetland permits.
 - b. The locations of areas that can reasonably be suspected of being wetlands and that are not delineated by metes and bounds descriptions shall still be shown on the plans.
 - c. See the "supporting documentation" portion of this Section regarding wetland studies.

- 5. Location of any areas within the 100 year floodplain (with differentiation between floodway and flood fringe if available from official Federal floodplain maps).

E. Manmade Features.

- 1. Existing and proposed lot lines. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced. The boundaries of any residual tract which is 10 acres or more may be determined by deed. Any residual lot of less than 10 acres shall fully comply with this Chapter.

- 2. Location of existing monuments.

- 3. Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.

- 4. Buildings other than sheds estimated to be 80 years or older that are proposed to be impacted by the project, with name and description.

- 5. Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the municipality)

- 6. Existing and proposed (if known) building locations and land uses.

- 7. Overhead electrical high-voltage lines and rights-of-ways/easements.

F. Zoning Requirements.

- 1. Applicable zoning district and required minimum lot area.

- 2. Minimum setback requirements shown for each lot.

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| _____ | _____ | 15. Designation of streets proposed to be dedicated to the Borough or to remain private. |
| _____ | _____ | 16. Evidence that a proposed new street or driveway entrance to a State road will meet PennDOT sight distance requirements, unless a valid highway occupancy permit has already been issued. |
| | | H. Utility Plan. |
| | | 1. Centralized Sewage Service. |
| _____ | _____ | a. Proposed contour lines on same sheet as utility layout. |
| _____ | _____ | b. Location and size of lines and laterals, with locations corresponding to stations on the profile. |
| _____ | _____ | c. Locations of manholes, with invert elevation of flow line and grade at top of each manhole. |
| _____ | _____ | d. Proposed lot lines and any proposed easements or rights-of-ways needed for the utilities. |
| _____ | _____ | e. Location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines. |
| _____ | _____ | f. Type, size, length and grade of sewer lines. |
| | | 2. Centralized Water Service. |
| _____ | _____ | a. Location and size of existing and proposed water lines. |
| _____ | _____ | b. Existing and proposed fire hydrant locations. |
| _____ | _____ | c. Distance noted that water lines will have to be extended to reach existing lines (if not already abutting the tract). |
| _____ | _____ | 3. As applicable, existing and proposed underground natural gas, electrical, telephone, cable TV and any other utility lines, with any easements shown that will affect development. |
| _____ | _____ | 4. List of contacts for underground utilities in the area, with phone numbers stated on the grading plans, as required by State Act 172. |
| | | I. Grading and Stormwater Management Plan. |
| _____ | _____ | 1. Locations of existing and proposed storm drainage facilities or structures, including detention basins (with capacity), swales, pipes (with sizes), culverts and inlets. |
| _____ | _____ | 2. Capacity, depth, dimensions and locations of detention basins. |
| _____ | _____ | 3. Watershed areas for each drainage structure or swale (for pre and postdevelopment) or point of concentration. |
| _____ | _____ | 4. Locations of any proposed or existing stormwater easements. |

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- 5. Intended design year standards for culverts, bridge structures and/or other stormwater facilities.
- 6. Schematic location of all underground utilities.
- 7. Entity responsible to maintain/own any detention basin.
- 8. See also requirements of §22-1008.
- 9. Existing and proposed contour lines (see description under "Natural Features").
- 10. Where cuts or fills extend beyond the right-of-way, cross sections at 50 feet intervals shall be required unless waived by the Borough Engineer.

J. For Uses Other than Single-Family Detached or Twin Dwellings.

- 1. For townhouses or apartments, evidence that the project meets the density requirements of the Zoning Ordinance.
- 2. Evidence that the project will meet the off-street parking requirements of the Zoning Ordinance.
- 3. Arrangement of off-street parking spaces, parking aisles, paved areas and off-street loading areas.
- 4. For townhouses, any proposed methods to ensure privacy between outdoor semiprivate areas (such as fences between rear yard).
- 5. Illustrative sketches of proposed buildings (encouraged, not required, except as required by the Historic District regulations).
- 6. Number, sign area, height and location of proposed signs.
- 7. Major types and locations of outdoor lighting.
- 8. Location of any proposed outdoor storage areas.
- 9. Square feet of paved area, including areas covered by gravel.

K. Landscape Plan.

- 1. Scaled plan showing dimensions, distances and locations of all major manmade and natural features and proposed locations of planting units and materials.
- 2. Delineation of existing and proposed parking spaces or other vehicular areas, access aisles, driveways, building footprints and similar features.
- 3. Table of information detailing area of preservation areas, vegetation to be planted or preserved and types of plant material to be used.
- 4. Location of all existing and proposed fences.

L. Erosion and Sedimentation Plan. (Unless approved at preliminary plan stage and will be unchanged).

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| _____ | _____ | 1. Drawings showing locations and types of proposed measures, complying with the regulations and standards of the County Conservation District and DEP. |
| _____ | _____ | 2. Narrative describing proposed soil erosion and sedimentation control methods. |
| | | M. Road Plan Profiles. (With profile drawings on same sheet as plan drawings.) |
| _____ | _____ | 1. Profile of existing and proposed ground surface along centerline of street. |
| _____ | _____ | 2. Proposed centerline grade with percent on tangents and elevations at 50 feet intervals. |
| _____ | _____ | 3. All vertical curve data, including length, elevations and minimum sight distance as required by Part 10. |
| _____ | _____ | 4. Cross sections at 50 feet intervals if required by Borough Engineer. |
| | | N. Water Main, Sanitary Sewer and Storm Drain Plan Profiles. (With profile drawings on same sheet as plan drawings). |
| _____ | _____ | 1. Profile of proposed ground surface with elevations at top of manholes or inlets. |
| _____ | _____ | 2. Profile of water main, storm sewer and sanitary sewer lines, corresponding to stations. |
| _____ | _____ | 3. All line crossings of other utilities. |
| _____ | _____ | 4. Invert elevations along flow lines. |
| | | O. Additional Final Plan Requirements. |
| | | 1. Protective covenants shall be placed on the land providing for: |
| _____ | _____ | a. Clear sight triangle easements (see §§22-1004(8) and 1012(4)). |
| _____ | _____ | b. All needed utility, drainage, maintenance, pedestrian, open space or other easements. |
| | | 2. Required Plan Notations. The following wording shall be required to be placed on any final subdivision or land development plan, as applicable: |
| _____ | _____ | a. If access will be provided onto a State highway and a required PennDOT highway occupancy permit has not been granted then the following or closely similar wording shall be stated: |

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“NOTICE — A PennDOT highway occupancy permit for Lot No(s). _____ is required pursuant to §420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the “State Highway Law,” before driveway access to a State highway is permitted. Access to the State highway shall be only as authorized by a PennDOT highway occupancy permit. No building permits, zoning permits or certificates of occupancy shall be issued for said lot until such time as a PennDOT highway occupancy permit has been secured and filed with the Borough. Borough shall not be held liable for damages to persons or property arising out of issuance or denial of a highway occupancy permit by the Pennsylvania Department of Transportation, pursuant to §508 of the Pennsylvania Municipalities Planning Code.”

- b. Notations stating that the property owner responsible for maintenance of drainage swales.
- c. Notations stating that wetland permits may be required from the Army Corps of Engineers or Pennsylvania DEP.
- 3. Street Lighting.
 - a. Existing street lighting.
 - b. Any proposed street lighting (or notation stating none is proposed), including types of poles, spacing of poles and intensity of lamps.
- 4. Proposed monument locations.

P. Construction Details. (Following any applicable Borough improvement standards).

- 1. Typical cross section and specifications for street construction as required by §22-1004.
- 2. Drainage swale cross section and materials.
- 3. Pipe bedding details.
- 4. Storm drainage structures details, including cross sectional drawings, any detention basin outfall structure and spillway.
- 5. Sanitary sewer structures.
- 6. Curb and sidewalk details.
- 7. Street tree details.
- 8. Erosion and sedimentation details.
- 9. Centralized water details.

Q. Supporting Documents and Additional Information. Supporting written and data reports submitted at the time of the preliminary plan are not required to be resubmitted unless they need to be revised to reflect changes between the preliminary and the final plans.

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| _____ | _____ | 1. A copy of any “supporting documentation and additional information” that was required for the preliminary plan and that needed to be adjusted or revised to reflect changes between the preliminary and the final plan. |
| _____ | _____ | 2. If the subdivision or land development was not required to submit a preliminary plan, a copy of any supporting information listed in §22-503 that is applicable to this project. |
| _____ | _____ | 3. List of modifications or waivers requested to this Chapter that are needed but have not yet been granted. |
| _____ | _____ | 4. Deed Restrictions. All private deed restrictions, homeowner or condominium association agreements or covenants already imposed or to be imposed as a condition to sale that may affect the subdivision or land development plan. Any homeowner or condominium association agreement regarding maintenance of utilities and common facilities may be subject to review by the Borough Solicitor and acceptance by the Commission. |
| _____ | _____ | 5. Dedicated Improvements. The developer shall provide a deed of dedication together with an 8 1/2 inches x 11 inches plan of each such improvement. |
| _____ | _____ | 6. Nondedicated Streets Agreement. Agreement for any street not offered for dedication stating who is responsible for the improvement and maintenance of such streets. The developer shall be responsible for such maintenance until the condominium or homeowners association is established and operational. |
| _____ | _____ | 7. Open Space Agreement. A formal contract providing for the maintenance of open space and the method of management, together with all offers of dedication and covenants governing the reservation and maintenance of undedicated open space. This agreement is subject to the review of the Borough Solicitor and acceptance by the Commission. |
| _____ | _____ | 8. Storm Drainage Calculations. All calculations relating to facilities appearing on the grading and storm drainage plan and the erosion and sedimentation plan shall be submitted for review by the Borough Engineer (see §22-1008). |
| _____ | _____ | 9. Development Schedule. A statement indicating the approximate date when construction can be expected to begin and be completed. |
| _____ | _____ | 10. State Highway Reviews. The applicant shall submit to the Borough a copy of the application to PennDOT for any needed occupancy permit to have access onto a State highway, and shall also submit any review comments received from PennDOT within 5 days of receiving such comments. If a needed permit is not issued prior to final approval, such permit shall automatically be a condition of final plan approval. |

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11. Water Certification. If water service is proposed by means other than by private individual wells owned by the owner of each lot, the applicant shall present evidence to the Borough that the service will be provided by a certified public utility, a bona fide cooperative association of property owners or by a municipal corporation, authority or utility, as permitted by the Borough.

a. This evidence shall include a copy of 1 or more of the following, as appropriate: (i) the certificate of public convenience from the Pennsylvania Public Utility Commission; (ii) a copy of an application submitted for such certificate or a cooperative agreement; or (iii) a commitment or agreement to serve the area in question.

12. Wetland Statement. The applicant shall provide a signed statement of whether areas of the tract proposed to be altered, disturbed or developed includes "wetlands" under the applicable Federal and/or State definitions.

a. See also the "Natural Features" portion of this Section.

13. If applicable, copy of the wetland study, and qualifications of person who prepared the study.

R. Materials Required Prior to Recording. The following are not required at the time of final plan submission, but are required prior to recording of the final plan and prior to the construction of any buildings.

1. Utilities Agreements and Permits.

a. All signed agreements or contracts with utility companies, water companies or authorities or sewage companies or authorities for the provision of services to the project.

b. Approval letters from all appropriate Federal and State agencies of any private central water supply system or private central sewage disposal system.

c. Approved DEP sewage planning module, if applicable.

d. DEP water quality management permit, if applicable.

2. See "record plan" requirements in §22-902.

S. Plot and Grading Plan for Each Lot. A plot and grading plan is required for each lot prior to granting of a building permit.

(Ord. 1223-99, 4/12/1999, §603)

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§22-604. Certification.

All certification shall comply with the State professional licensing laws. All subdivisions of land shall be certified and stamped by a registered land surveyor, as required by State law. At least three sets of copies of plans provided to the Borough shall bear original signatures and original seals, one of which should be marked as a "Borough File Copy." (Ord. 1223-99, 4/12/1999, §604)

Part 7

Minor Subdivisions and Lot Line Adjustments

§22-701. Purpose.

This Part provides simplified procedures for submitting and reviewing minor subdivisions, land developments involving only a single nonresidential building and lot line adjustments. (Ord. 1223-99, 4/12/1999, §701)

§22-702. Submission and Review Procedure.

The following submission and review process shall apply for minor subdivisions, lot line adjustments, annexations, land developments involving only a single nonresidential building and what the Borough determines to be minor revisions of approved plans.

- A. Final Plan Submission Required. A final plan submission for each minor subdivision or lot line adjustment must be filed by the applicant and reviewed in accordance with the provisions of this Part. A preliminary plan is not required for a minor subdivision, a lot line adjustment or a land development involving only a single nonresidential building.
- B. Required Submission.
 - (1) The applicant shall file to the plans administrator, at least 14 days prior to a regularly scheduled Planning Commission meeting, the required fee(s) and required number of copies of required plans and materials (see §22-703).
 - (2) If a State road is involved, the applicant shall forward the required information to PennDOT and apply for a highway occupancy permit. If such permit is not granted prior to final plan approval, then it shall automatically be a condition of final plan approval and the plans shall not be recorded until it is granted.
 - (3) Each final plan filed for minor subdivisions shall provide the information required by §22-703. Plans for lot line adjustments shall provide the information required by §22-704.
 - (4) The applicant shall provide a copy of the plans for review to the County Planning Commission. A soil erosion and sedimentation control plan shall be provided to the County Conservation District.
3. Initial Actions by the Plans Administrator.

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- A. The plans administrator shall review the submission items filed against a checklist for completeness and shall report such review to the Commission at its next regularly scheduled meeting.
 - B. The plans administrator shall retain in the Commission's files one copy of all materials submitted by the applicant.
 - C. The plans administrator shall forward to the Commission at or before the next regularly scheduled meeting of the Commission: (i) at least one copy of the application form; (ii) at least one copy of the final plan checklist; (iii) several copies of the final plan; and (iv) at least one copy of the supporting documents.
4. Determination of Completeness by Commission.
- A. Based upon the initial review of the plans administrator and/or the Borough Engineer, the Commission shall have authority, at its first regularly scheduled meeting after the submission is filed in a timely fashion, to determine that a submission is significantly incomplete and therefore to refuse to review the submission further and to do one of the following:
 - (1) Not accept the submission, indicating the deficiencies, and return the fee (minus the costs of any Borough review) to the applicant.
 - (2) Accept the submission as being filed for review on the condition that the applicant shall file such additional required materials and information to the staff or appropriate agency or person within a certain number of days from the date of such acceptance.
 - (3) Table the acceptance of the submission until the next Planning Commission meeting where the applicant has met all of the submittal requirements and has filed such materials within the required time period prior to the meeting. The 90 day time limit for action shall not begin until such acceptance.
 - (4) Reject the submission for just cause.
 - B. If the Commission determines that the submission is significantly complete, as filed and as required, the Commission shall accept the plans and may begin its review.
 - C. Zoning Variances.
 - (1) An application under this Chapter shall not be considered to be complete if one or more zoning variances will be required for the subdivision or land development to legally occur as submitted, until such time as the needed zoning variances have been granted.

- (2) When a lot which is improved with existing single-family semidetached dwellings is the subject of a subdivision application for the purpose of enabling single-family residential development and usage on the subdivided lot or lots, the applicant shall not be required to meet the requirements of the Zoning Ordinance relative to dimensional lot requirements. All other requirements of this Part shall apply to the development of the subdivided lot or lots and shall be enforced.
 - (3) When a lot which is improved with existing single-family attached dwellings is the subject of a subdivision application for the purpose of enabling single-family residential development and usage on the subdivided lot or lots, the applicant shall not be required to meet the requirements of the Zoning Ordinance relative to dimensional lot requirements. All other requirements of this Part shall apply to the development of the subdivided lot or lots and shall be enforced.
5. Review by Borough Engineer.
 - A. Within 30 days from the date duly submitted the plan for review (unless granted an extension by the Commission) the Borough Engineer should review the engineering considerations in the plan and prepare an initial report on such considerations to the Commission.
 - B. The Borough Engineer may make additional reports and recommendations to the Commission during review of the plan.
6. Review by Commission. The Planning Commission shall accomplish the following within the time limitations of the Pennsylvania Municipalities Planning Code (unless the applicant grants a written time extension).
 - A. Review all applicable reports received from the appropriate review agencies and officers.
 - B. Determine whether the final plan submission meets the requirements of this Chapter and other applicable ordinances.
 - C. Review the final plan submission and require any needed revisions so that the submission will conform to this Chapter and other applicable ordinances.
 - D. Approve, conditionally approve or disapprove the final plan submission within the time required by the Pennsylvania Municipalities Planning Code.
 - E. County Planning Commission Review. No subdivision or land development shall be granted final approval until a report is received from the County Planning Commission or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission.

SUBDIVISION AND LAND DEVELOPMENT

- 7. Decision by the Commission.
 - A. The decision of the Commission shall be in writing and shall be communicated to the applicant personally or mailed to him/her at the last known address not later than 15 days following the decision.
 - B. Dedication of Streets and Lands.
 - (1) The approval of the final plan by the Commission shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space or area unless such acceptance is specifically made at such time.
 - (2) Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.
 - (3) If Borough Council elects to accept lands offered for dedication, the submission shall be accompanied by duly executed instruments of conveyance to the Borough. Such instruments shall state that the title thereof is free and unencumbered.
 - C. If a final plan submission is disapproved, the decision shall specify defects found in the submission, shall describe requirements which have not been met and shall cite the provisions of the statute or ordinance relied upon in each case.

(Ord. 1223-99, 4/12/1999, §702; as amended b Ord. 1325, 11/13/2006, §3)

§22-703. Minor Subdivision Final Plan Requirements.

All of the following information and materials listed in this Section are required as part of all minor subdivision submissions, other than lot line adjustments or submittals under §22-704. This list of requirements shall serve as both a list of requirements and as a checklist for the applicant and the Borough to ensure completion of submissions. The applicant shall submit completed photocopies of this Section as part of the application.

- A. Gettysburg Borough Minor Subdivision Final Plan Checklist and List of Submittal Requirements.

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No.: _____

Applicant's Signature: _____ Date: _____

* Place a check mark in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

SUBMITTED **NOT
SUBMITTED***

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| _____ | _____ | A. General Submission Items. (The Borough staff may require the submission of additional numbers of copies). |
| _____ | _____ | 1. Borough application/review fee(s)/escrow. |
| _____ | _____ | 2. Two copies of the Application (see Appendix A). |
| _____ | _____ | 3. Two copies of the minor subdivision plan checklist (using the photocopies of the pages in is Section). |
| _____ | _____ | 4. Seven copies of the complete final plan. |
| _____ | _____ | 5. Seven sets of supporting documents. |
| _____ | _____ | 6. Copy of plan delivered by applicant to the County Planning Commission. |
| _____ | _____ | 7. A photo-reduction of the proposed layout plan at a maximum size of 11 inches by 17 inches. |
| _____ | _____ | B. Drafting Requirements. All information shall be legibly and accurately presented. |
| _____ | _____ | 1. Plans prepared on a standard sized sheet (such as 18 inches by 24 inch, 24 inches by 36 inch, 30 inches by 42 inches or 36 inches by 48 inch). Sheets should be folded to approximately 9 inches by 12 inches size, in such a manner that the title of the sheet faces out. |
| _____ | _____ | 2. Plans drawn at a scale of one inch equals 50 feet or other scale pre-approved by the Borough Engineer or plans administrator. |
| _____ | _____ | 3. All dimensions set in feet and decimal parts thereof and bearings in degrees, minutes and seconds. |
| _____ | _____ | 4. Differentiation between existing and proposed features. |
| _____ | _____ | 5. Boundary line of the tract, shown as a heavy boundary line. |
| _____ | _____ | C. General Information. |
| _____ | _____ | 1. Name and location of project (such as the "Smith Subdivision No. 2"). |
| _____ | _____ | 2. Name of landowner and developer (with addresses). |
| _____ | _____ | 3. Names and addresses of abutting property owners, with abutting lot lines. |
| _____ | _____ | 4. Notarized owners statement of intent (see Appendix B). |
| _____ | _____ | 5. Name, address, signature, and seal of the plan surveyor and plan preparer (See Appendix B). |
| _____ | _____ | 6. Approval/review signature blocks for: (See Appendix B) Borough Planning Commission and County Planning Commission staff. |

SUBDIVISION AND LAND DEVELOPMENT

SUBMITTED **NOT
SUBMITTED***

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| _____ | _____ | 7. Location map at a standard scale (preferably 1 inch = 400 feet or 1 inch = 200 feet) showing the location of the project. |
| _____ | _____ | 8. North arrow, graphic scale, written scale. |
| _____ | _____ | 9. Date of plan and all subsequent revision dates (especially noting if is revision of a previously approved plan). |
| _____ | _____ | 10. Deed Book volume and page number from County records. |
| _____ | _____ | 11. Tax map, block and lot number for the tract being subdivided. |

D. Natural Features.

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|-------|-------|---|
| _____ | _____ | 1. Contour lines shall be: <ul style="list-style-type: none"> a. Based on a field survey or photogrametric procedure at an interval of two feet (or other interval pre-approved by the Borough Engineer or Borough staff) at a scale of one inch = 100 feet or larger. b. Note: contours are not required to be shown within areas of lots of 10 acres or more that are clearly not intended to be altered as a result of this proposed subdivision, unless needed for stormwater management. |
| _____ | _____ | 2. Identification of any slopes of 15 to 25 %, and greater than 25%. |
| _____ | _____ | 3. Areas within the 100 year floodplain, with a notation that there are none if that is the case. |
| _____ | _____ | 4. Watercourses (with any name), natural springs, lakes and wetlands. Detailed delineations with courses and distances of wetlands are not required if there is clearly no alteration, buildings, earthmoving, driveways or septic systems proposed within 200 feet of any area that could be reasonably suspected of being wetlands; however, such areas suspected of being wetlands shall be shown on the plans. |
| _____ | _____ | 5. Areas of existing mature woods, with areas noted that are proposed to be preserved or removed. |

E. Manmade Features.

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|-------|-------|--|
| _____ | _____ | 1. Existing and proposed lot lines. <ul style="list-style-type: none"> a. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed one in 10,000 and balanced. b. The boundaries of any residual tract which is greater than 10 acres may be determined by deed. |
| _____ | _____ | 2. Location of existing and proposed monuments. |
| _____ | _____ | 3. Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground. |

SUBMITTED **NOT
SUBMITTED***

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| _____ | _____ | 4. Buildings estimated to be 80 years or older that are proposed to be impacted by the subdivision, with name and description. |
| _____ | _____ | 5. Sewer lines, stormwater facilities, water lines, bridges and culverts. |
| _____ | _____ | 6. Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the municipality). |
| _____ | _____ | 7. Proposed (if known) and existing nonresidential building locations and land uses. |
| | | F. Zoning Requirements. |
| _____ | _____ | 1. Applicable zoning district and minimum lot area. |
| _____ | _____ | 2. Minimum setback requirements shown for each lot. |
| | | G. Proposed Layout. |
| _____ | _____ | 1. Total acreage of site and total proposed number of lots. |
| _____ | _____ | 2. Identification number for each lot. |
| _____ | _____ | 3. Lot width (at minimum building setback line) and lot area for each lot. |
| _____ | _____ | 4. Existing and proposed storm drainage facilities or structures. |
| | | H. Additional Information. The Planning Commission may require the submission of any additional information that would be required for the final plan of a major subdivision under §22-603, if needed to determine compliance with this Chapter. |
| _____ | _____ | 1. Residual Lands Sketch. If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same or landowner or under control of the same developer (or closely related corporations), then a sketch shall be submitted at an appropriate scale, on one sheet, covering all such land holdings, together with a sketch of a reasonable future road system to demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands. |
| _____ | _____ | 2. Copy of the DEP sewage planning module application, if applicable, as completed by the applicant, with evidence that the application has been forwarded to the proper review agencies for comments. |
| _____ | _____ | 3. Copy of existing deed of property. |

(Ord. 1223-99, 4/12/1999, §703)

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§22-704. Lot Line Adjustments, Annexations and Minor Revisions of Approved Plans.

1. The reduced submission requirements listed in this Section shall apply, together with the procedural requirements of §22-702, if either of the following apply:
 - A. The proposal will meet the definition of a “lot line adjustment.”
 - B. In the determination of the plans administrator, which may be based upon the advice of the Borough Engineer, the proposal will involve revisions to a previously approved plan and those revisions only involve changes in the supporting documentation or engineering details or to correct erroneous data or minor omissions concerning a plan previously granted final plan approval.
2. The following list of requirements shall serve as both a list of requirements and as a checklist for the applicant and the Borough to ensure completion of submissions. The applicant shall submit completed photocopies of this Section as part of the application. The required information listed in this Section may be combined or separated onto different sheets; provided, that the plans will be clearly readable.
3. Gettysburg Borough Lot Line Adjustments, Annexations and Minor Revisions of Approved Plans; Checklist and List of Submittal Requirements.

Applicant’s Name: _____

Applicant’s Address: _____

Applicant’s Daytime Phone No.: _____

Applicant’s Signature: _____ Date: _____

*Place a check mark in the applicable column, except: 1) insert “NA” in the “Not Submitted” column if not applicable, and 2) insert “W” in the “Not Submitted” column if a waiver is requested from the requirement.

SUBMITTED	NOT SUBMITTED*	
_____	_____	1. Borough application/review fee(s)/escrow.
_____	_____	2. 2 copies of the completed application (see Appendix A).
_____	_____	3. 2 copies of this checklist (using the photocopies of the pages in this Section).
_____	_____	4. 7 print copies of the complete final plans.
_____	_____	5. Delivery by applicant of copy of plan to the County Planning Commission.

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(Ord. 1223-99, 4/12/1999, §704)

§22-705. Certification.

See §22-504. (Ord. 1223-99, 4/12/1999, §705)

§22-706. Recording Plans.

See Part 9. (Ord. 1223-99, 4/12/1999, §706)

Part 8

Improvement Guarantees

§22-801. Guarantee of Improvements Installation Required.

1. Before approving any subdivision or land development plan for recording, the Borough Council shall require that the Borough be assured by means of a proper development agreement and performance guarantee that the improvements required by this Chapter and the improvements appearing on the plan will be installed in strict accordance with the standards and specifications of this Chapter, unless:
 - A. If a developer chooses to install all required improvements prior to construction of any building, in place of using performance guarantees, in which case, the Borough shall, as deemed necessary, require the developer to have adequate insurance, hold harmless agreements, an escrow account to cover the costs of inspections and a professional estimate of the costs of the improvements (to be used to establish the amount of the inspections escrow).
2. Purpose of Security. The security required by this Part shall stand as security for compliance with all Borough ordinances, other laws, covenants, stipulations, conditions and rules applicable to the subdivision or land development for which it is filed.
3. No construction of buildings or paving or sales of any individual lot or condominium unit within a subdivision or land development shall take place in any subdivision unless: (i) there is on file with the Borough current duly executed and approved security; or (ii) all grading is complete and all required public improvements, utilities, streets, drainage facilities, sewers and street lights have been completed and accepted by Borough Council.

(Ord. 1223-99, 4/12/1999, §801)

§22-802. Improvements to Be Provided by the Applicant.

1. In all cases, the subdivider or land developer shall be responsible for the installation of all improvements required by this Chapter.
2. The Borough Engineer or other Borough designee shall make such inspections of the required improvements at such intervals as may be reasonably necessary to assure compliance with this Chapter. The reasonable costs of such inspection shall be borne by the subdivider or land developer, making use of an escrow account.

(Ord. 1223-99, 4/12/1999, §802)

SUBDIVISION AND LAND DEVELOPMENT

§22-803. Development Agreement.

1. Development Agreement Required.
 - A. All applicants proposing any subdivision or land development which provides for the installation of improvements required by this Chapter or any improvements or amenities which appear on the final plan shall be required to enter into a legally binding development agreement with the Borough prior to recording of the final plan, unless the applicant agrees to meet §801 concerning the construction of all improvements prior to the construction of any buildings or the sale of any lots or homesites.
 - B. The development agreement shall guarantee the installation of said improvements in strict accordance with all Borough requirements.
 - C. The final plan shall not be approved for recording by the Borough Planning Commission prior to the execution of this agreement and the delivery of the performance guarantee.
2. Terms of Development Agreement. The development agreement shall be acceptable in legal form to the Borough Solicitor and shall be acceptable in content to Borough Council. The Borough may require that a development agreement include any of the following items, where applicable, and such additional items as are necessary to carry out this Chapter:
 - A. The construction depicted on the approved plans, listed in itemized format, including all approved streets, drainage facilities, utility lines and other improvements.
 - B. A work schedule setting forth the beginning and ending dates of such work tied to the construction of the development and provisions to allow proper inspection by the Borough Engineer.
 - C. The provision of a performance guarantee for completion of required improvements in compliance with §22-804, including a detailed breakdown of the estimated costs of the improvements, including the total amount of the performance guarantee.
 - D. Provisions concerning the developer's responsibilities for damage to other property, including maintenance by the developer of public liability insurance for the duration of improvements construction, with a hold harmless clause to protect the Borough from liability related to such work. A copy or other evidence of such liability coverage shall be provided to the Borough prior to such work.

- E. Provisions concerning measures to prevent erosion, sedimentation and water damage to the subject and adjacent properties.
 - F. Provisions for the dedication of streets, water and sewer lines and any other easements or improvements approved to be dedicated.
 - G. See §22-902 concerning the requirement for a “record” plan.
 - H. Provisions for the developer to reimburse the Borough for all reasonable engineering costs directly related to the review, construction and inspection of the proposed development and to the review and preparation of the development agreements.
 - I. Provisions concerning any violations of the development agreement.
 - J. Any other lawful terms which Borough Council may require to carry out the provisions of this Chapter.
 - K. Signatures. The development agreement shall be signed by all responsible landowners and/or developers.
3. Ownership of Land and Guarantee.
- A. A certificate of ownership in the form of Appendix B shall be executed in the exact name in which title is held. If the developer(s) of a subdivision is someone other than the landowner(s) of the subdivision, the developer shall also execute this affidavit, along with a security agreement.
 - B. Change in Ownership or Developer. Any conveyance of all or a substantial portion of the unimproved lots or public improvements or streets of any subdivision or change in developers, whether voluntary or by action of law or otherwise, shall require the prior approval of Borough Council. In giving or denying said approval, Borough Council shall require that such new landowner and/or developer fully assume all applicable responsibilities under the development agreement and post all the appropriate security agreements.
4. Utility Agreements. If a development will connect into a public water or public sanitary sewage system, the applicable authority, agency or company may also require separate development agreements.

(Ord. 1223-99, 4/12/1999, §803)

§22-804. Performance Guarantee.

The performance guarantee for completion of required improvements shall meet the following requirements:

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A. Security.

- (1) The guarantee shall be secured by the credit of any of the following:
 - (a) An irrevocable and unconditional letter of credit of a Federal or State chartered lending institution.
 - (b) A restrictive or escrow account in a Federal or State chartered lending institution.
 - (c) Such other financial security approved by Borough Council (which approval shall not be unreasonably withheld), but not including a second or third mortgage on the unimproved lands.
- (2) Such approved 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 in the development schedule (see §22-603(3)(Q)) for the completion of such improvements.
- (3) Such financial security shall be posted with a Federally issued or State chartered lending institution chosen by the party posting the financial security or such other approved entity; provided, such institution or entity is authorized to conduct such business within the State.
 - (a) Borough Council may require that evidence be provided that such institution or entity has sufficiently adequate and secure assets to cover the security.
 - (b) The Borough shall be the authorized signatory on any account in which the escrow funds are held.

B. Amount.

- (1) The amount of financial security to be posted for the completion of the required improvements shall be equal to one 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer in the official development schedule (see §22-603(3)(Q)) and within the process for increases to cover inflation as permitted by the Pennsylvania Municipalities Planning Code.
- (2) The cost of the improvements shall be established by an estimate prepared by a Pennsylvania registered professional engineer, which shall be reviewed by the Borough Engineer, within the arbitration process permitted by the Pennsylvania Municipalities Planning Code.
- (3) If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the re-

quired improvements, the amount of financial security may be increased by a maximum of an additional 10% for each one year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% of the cost of completing the required improvements as re-established on or about the expiration of the preceding one year period by using the above procedure.

- (4) Inspection Fees. The amount of financial security shall also include an additional 5% of the estimated cost of completion of the work to guarantee payment of inspection fees and related engineering costs.

- C. Multiyear or Multistage Development. In the case where development is projected over a period of years, the Commission may authorize submission of final plans by phases/stages of development, subject to such requirements or improvement guarantees concerning future improvements as it finds necessary for the proper functioning of each, phase and for the eventual development as a whole.

(Ord. 1223-99, 4/12/1999, §804)

§22-805. Approval of Improvements.

1. In General. As the work of installing the required improvements proceeds, the party posting the financial security may request Borough Council to release or authorize the release, from time to time, portions of the financial security necessary for payment to the contractor(s) performing the work.
2. Notice by Developer of Work on Improvements.
 - A. The developer or his/her representative should provide a minimum of three days notice to the Borough Engineer prior to beginning each major facet of construction, in order to allow the scheduling of inspections.
 - B. When an improvement has been completed, the developer shall notify the Borough and request release of related financial security in writing to Borough Council by certified or registered mail. The developer shall send a copy of letter to the Borough Engineer at the same time.
3. Engineer's Report.
 - A. Within 30 days of the receipt of such request, the Borough Engineer shall submit a written report certifying which improvements have been completed in accordance with the approved plan to Borough Council and mail a copy of such report by certified or registered mail to the developer or his/her representative at his/her last known address.

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- B. This report shall be based on the inspections made according to the approved inspection schedule included in the development agreement and shall recommend approval or rejection of the improvements, either in whole or in part.
 - C. If the Borough Engineer finds any or all of the improvements to be not as required, he/she shall include a statement of the reasons for recommending their rejection in the report.
4. Decision by Borough Council.
- A. At its first regularly scheduled meeting after receiving the Engineer's report (but not later than 45 days of the receipt of the request) Borough Council shall review the Borough Engineer's report and shall authorize release of an amount as estimated by the Borough Engineer fairly representing the value of the improvements completed.
 - B. The Borough Council shall be deemed to have approved the release of funds as requested if Borough Council fails to act within 45 days of receipt of the developer's request.
 - C. Until final release (completion of all improvements), Borough Council may require retention of a maximum of 10% of the cost of each completed improvement.
 - D. Borough Council shall notify the developer, in writing, by certified or registered mail, of the decision.
5. Completion of Unapproved Improvements. The developer shall proceed to complete any improvements not approved by Borough Council and, upon completion, request approval in conformance with the procedures specified in §22-805.
6. Final Release.
- A. When the developer has completed all of the necessary and appropriate improvements, the developer shall request final release in conformance with the procedures specified in §22-805. See time limitations and procedures in §510 of the Pennsylvania Municipalities Planning Code.
 - B. Such final release shall include all moneys retained under §22-805(4)(C).
7. Appeal. Nothing herein, however, shall be construed to limit the developer's right to contest or question by legal proceedings or otherwise any determination of Borough Council or the Borough Engineer.
8. Certificates of Occupancy and Completion of Improvements.

- A. A temporary or final certificate of occupancy shall not be issued and a structure shall not be occupied unless all principal buildings have access to a clearly permanently passable street with at least a complete paving base course and any required curbing installed.
- B. In addition to subsection (8)(1), above, no final certificate of occupancy shall be issued until the structure is completed as approved with service by all required utilities and with all access onto a street completed to required standards, if applicable.

(Ord. 1223-99, 4/12/1999, §805)

§22-806. Remedies to Effect Completion of Improvements.

- 1. Enforcement of Security.
 - A. In the event that any improvements which may be required have not been installed as provided in this Chapter or in accord with the approved final plan, or in the event of the bankruptcy of the owner or developer, Borough Council is hereby granted the power to elect to enforce any security posted under this Chapter by appropriate legal and equitable remedies.
 - (1) This may include taking all actions necessary to obtain moneys under said security including, but not limited to, seizure of undeveloped lots, seizure of escrow funds, revocation of building permits and prosecution under this Chapter.
 - B. Rate of Construction. Failure of a developer to construct streets and other public improvements reasonably at the same time or prior to the construction of the buildings served by those streets or public improvements, and at the same rate in time at which buildings are completed, shall be a violation of this Chapter and a cause for default of the security.
- 2. Completion by Borough. If the proceeds of such security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, Borough Council may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements.
- 3. Proceeds for Installation of Improvements. The proceeds from use of the security and/or from any legal or equitable action brought against the developer shall be used solely for the installation of the improvements covered by such security.

(Ord. 1223-99, 4/12/1999, §806)

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§22-807. Maintenance Guarantee.

1. Maintenance Guarantee Required. All applicants proposing any subdivision or land development which provides for the dedication of improvements required by this Chapter shall be required to provide a legally binding maintenance guarantee to the Borough prior to acceptance of dedication of the improvements by the Borough. In most cases, this guarantee will be part of the security agreement.
2. Terms of Maintenance Guarantee. The maintenance guarantee shall be acceptable in legal form to the Borough Solicitor and in content to Borough Council, and shall include all of the following:
 - A. That the applicant make any repair or reconstruction of any improvement stipulated in the maintenance agreement which is specified by Borough Council if needed because of faulty construction, workmanship or materials, prior to acceptance of such improvement by the Borough.
 - B. That the applicant maintain at his/her own cost all improvements stipulated in the maintenance agreement, up to a maximum period of 18 months from the date of dedication and acceptance, except for any special purpose escrow or maintenance agreements required by the Borough.
 - C. That the applicant post financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan, for a maximum term of 18 months from the date of completion.
 - D. That the developer plow snow and maintain all streets until such time as the Borough may accept such streets.
3. Public Utilities and Authorities. If water mains or sanitary sewer lines, or both and related apparatus or facilities are to be installed under the jurisdiction and under the rules and regulations of a public utility or municipal authority, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority. This amount of financial security shall not also be required by the Borough if it is required by such utility or authority.
4. Type of Security. The maintenance guarantee shall be secured by the same form of security as is permitted for the improvements guarantees.
5. Terms. Such maintenance guarantee shall be in the form approved by the Borough Solicitor and Borough Council, payable to the Borough, to guarantee the maintenance and repair of the streets and other public improvements in the subdivision or land development for 18 months from the date of completion. The applicant shall prove to the satisfaction of Borough Council that there will be an acceptable system for the long-term maintenance of any stormwater detention basins.

6. Amount. The amount of the maintenance guarantee shall be determined by the applicant's engineer, conditioned upon acceptance by Borough Council, but shall not exceed 15% of the actual cost of installation of such improvements.
7. Release. After a maximum of 18 months from the date of completion of said improvements, the Borough shall release the maintenance guarantee to the developer (or party that posted the guarantee) if all improvements are in satisfactory condition, as determined by the Borough.

(Ord. 1223-99, 4/12/1999, §807)

Part 9

Recording of the Final Plan

§22-901. Recording of Final Plan.

1. Deadline.
 - A. The final plan shall be submitted on Mylar, with an additional cover sheet for recording. Upon approval of the plan and submission by the applicant of the necessary fee to record the cover sheet, the Borough shall cause the cover sheet to be recorded in the Office of the Recorder of Deeds.
 - B. If the final plan approval included official conditions that must be met prior to recording, then the plan shall be recorded within 90 days following the compliance with such conditions, up to a maximum total of one year following the final plan approval.
 - C. In any case, specific extensions of these time periods may be granted in writing by the Commission.
2. The final plan shall not be recorded unless the applicant proves that they have met all required conditions that the Borough staff and/or Borough Engineer determine would impact the recorded final plan.
3. The applicant shall provide proof of the recording to the plans administrator who administers this Chapter.

(Ord. 1223-99, 4/12/1999, §901)

§22-902. Record Plan.

The applicant shall provide copies of the record plan and related forms to the County, as required by the County (and/or whatever related items are required by the County). Such record plan, at a minimum, shall include all of the following:

- A. Street right-of-ways.
- B. Common open spaces.
- C. Easements and any covenants that the Borough required to be placed on the final plan.
- D. Lot lines and lot dimensions.

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- E. Water lines, sanitary and storm sewer lines and stormwater drainage facilities.
- F. The required signatures of the Borough Planning Commission and the County Planning staff.
- G. Notations stating whether the streets, any common open space and other proposed improvements are to be offered or not offered for dedication to the Borough.

(Ord. 1223-99, 4/12/1999, §901)

§22-903. Effect of Recording.

1. Official Map. If the Borough has adopted or does adopt an official map, any streets and common open space on the record plan shall be considered to be part of that official map.
2. Private Improvements. Every street, park or other improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private street, open space or improvement until such time it may be offered and officially accepted for dedication to the Borough or is duly condemned.
3. Dedication of Improvements. The record plan shall state by formal notation whether the streets, any common open space and other proposed improvements are proposed to be offered or not offered for dedication to the Borough.

(Ord. 1223-99, 4/12/1999, §903)

Part 10

Design Standards and Required Improvements

§22-1001. Application.

1. Minimum Requirements. The design standards and improvements required in this Part are the minimum requirements for approval of a subdivision or land development. Additional or higher type improvements may be required in specific cases where the Commission determines such improvements are clearly necessary to protect the public health and safety and to meet the development and conservation goals set forth within the Gettysburg Borough Comprehensive Plan and Gettysburg Borough Zoning Ordinance [Chapter 27].
2. Modifications and Exceptions. See §22-107 of this Chapter.

(Ord. 1223-99, 4/12/1999, §1001)

§22-1002. Required Improvements.

This Part sets forth the design and construction standards for required improvements, regardless of whether the improvement will be dedicated to the Borough. (Ord. 1223-99, 4/12/1999, §1002)

§22-1003. Overall Requirements.

1. Land shall be suitable for the purpose for which it is to be subdivided or developed.
2. Hazardous Conditions. Subdivisions or land developments subject to hazardous conditions (such as open quarries, hazardous or toxic site pollution, limestone solution channels, unconsolidated fill, floods, excessive erosion or unsafe water supply) shall not be approved until the developer has provided or has legally committed to provide adequate measures to overcome or eliminate the hazards, in the determination of the Commission, to the best of their knowledge. See the floodplain requirements of the Borough. However, the Borough accepts no responsibility to identify hazards or to guarantee their resolution. See §22-115, "Liability," in Part 1.
3. Zoning. All aspects of a proposed subdivision or land development shall conform to the Borough Zoning Ordinance [Chapter 27] and all other Borough ordinances and specifications.
4. Nearby Development. A subdivision or land development and its street pattern shall be coordinated with existing or approved nearby developments or neighbor-

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hoods to help develop the area harmoniously in terms of existing development types and forms, colors, materials and setback lines and building massing and to help prevent conflicts between neighboring development.

5. Safety. No subdivision or land development shall occur in such a way that would significantly threaten the public health and safety, including hazards of toxic substances, traffic hazards, explosive hazards and fire hazards.

(Ord. 1223-99, 4/12/1999, §1003)

§22-1004. Streets.

1. Access to Streets.
 - A. All proposed subdivisions and land developments shall have adequate and safe access to the public street system.
 - B. Frontage. Any lot created under this Chapter shall have frontage and access onto either:
 - (1) A public street (which may be required to be improved as necessary under §22-1004(13)).
 - (2) A private street constructed to the same standards as a public street and that has a permanent system to ensure adequate maintenance, except as provided in §22-1004(1)(C), below.
 - C. Parking Courts. If individual units of an office park, townhouse, garden apartment, infill development, individual buildings with a mixture of uses, developments with a mixture of dwelling types or mobile home park development have vehicular access onto a private parking court, that parking court is not required to meet Borough construction standards for streets; provided, that:
 - (1) The parking court and related accessways have vehicular access onto a public street.
 - (2) That there be a system to ensure maintenance of the parking court that is acceptable to the Commission, except that such system is not required if the entire development would have a single owner (such as rental apartments).
2. Streets and Topography. Proposed streets shall be adjusted to the contour of the land to produce usable lots and reasonably sloped streets. Where possible, a continuation of the historic grid network of streets shall be followed.
3. Street Continuations.

- A. Stub Streets. Where deemed necessary by the Commission for efficient movement of traffic, a subdivision or land development shall include the extension of a proposed street with right-of-way to the boundary line of the tract to provide for an eventual extension into the adjacent tract for efficient circulation of traffic throughout the area.
 - B. Widening. Where a subdivision or land development abuts or contains an existing street of inadequate cartway or right-of-way width, additional right-of-way and/or cartway width shall be required conforming with Table 10.1, "Design Standards for Streets."
4. Intersections.
- A. The centerlines of streets shall intersect at right angles, except where the Commission determines that a right angle intersection is not feasible. In such case, the intersection shall be at as nearly a right angle as possible, with an absolute minimum angle of 75°.
 - B. Alignment of street intersections.
 - (1) No more than two streets shall intersect at one point.
 - (2) Where a proposed street or business driveway intersects an existing cross street, such proposed street or business driveway shall be aligned with any street intersecting on the other side of the cross street, unless the Commission or PennDOT determine that such alignment is not reasonable or feasible.
 - (3) If a proposed street cannot intersect at the same location as a street on the other side of the cross street, then a minimum distance of at least 150 feet shall be provided between the two intersecting streets.
 - C. At street intersections, cartways shall be rounded by arcs with the radii of 10 feet. For arterial streets, the Commission may require a larger radius, if recommended by the Borough Engineer.
5. Arterial and Collector Street Frontage. Where a subdivision or land development abuts or contains an existing or proposed arterial or collector street, the Commission shall require one or more of the following methods of layout and site design if it determines one or more of these methods will be reasonable, feasible and necessary to avoid increased traffic congestion and improve traffic safety. The Commission's decision to use one or more of the following methods will be based on its review, recommendations of the Borough Engineer, any comments from PennDOT and any professional traffic studies that have been submitted.

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- A. The use of a marginal access or “frontage” street or access only onto side or interior streets, to collect traffic from numerous driveways and direct it to a select few number of entrances to the arterial or collector street.
 - B. The minimization of the number and length of driveway cuts or street intersections onto an arterial or collector street, which may include requiring the use of shared driveways between adjacent uses or lots.
 - C. The restriction of ingress and egress involving left-hand turns onto or off of the arterial or collector street.
 - D. The prohibition of driveways from individual dwellings entering directly onto an arterial or collector street. If there is no alternative to this, each driveway entering onto an arterial or collector street shall have adequate turn-around space for vehicles provided within the lot so that vehicles do not back onto the street.
6. Street Design Standards.
- A. Minimum street design standards shall be as shown in Table 10.1., unless PennDOT establishes a more restrictive requirement.

TABLE 10.1

DESIGN STANDARDS FOR STREET

(All Dimensions in Feet Unless Specified)

DESIGN SPECIFICATIONS	TYPE OF STREET		
	Arterial	Collector	Local or Marginal Access
Right-of-Way Width*****	80	60	50
Cartway Width:***** (plus turning lanes as determined to be needed by the Commission or PennDOT)			
-w/curbs on both sides and no on-street parking	24	24	20
-w/curbs and on-street parking on 1 side	34	32	28
-w/curbs and on-street parking on 2 sides	44	40	36
Minimum Stopping Sight Distance*	*	*	*
Minimum Tangent between Reverse Curves**	200	100	100
Minimum Centerline Radii for Horizontal Curves	400***	300	150
Maximum Grade	6%	8%	10%
Minimum Grade****	1%	1%	1%

* The Pennsylvania Department of Transportation stopping sight distance criteria shall apply in all cases.

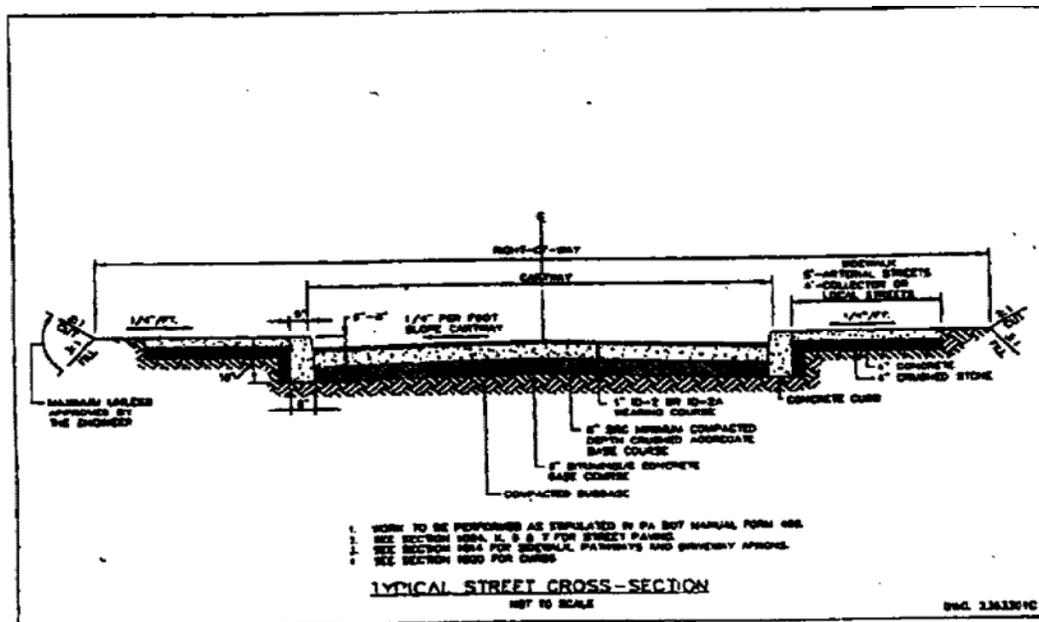
** All tangents shall be measured along the street centerline.

*** Larger radii may be required as determined by the Borough Engineer or PennDOT.

**** Minimum grades for all streets shall be 1%, unless the Borough Engineer determines that a lesser grade is acceptable.

***** The Commission shall determine the appropriate width within the ranges provided in this table, unless an official modification or waiver is granted to these standards.

- B. Horizontal curves shall connect street lines that are deflected in excess of 2°.
- C. Vertical curves shall be used at changes of grade exceeding 1%. The length of the vertical curve shall be determined by the required site distance specified in Table 10.1.
- D. All approaches to an intersection of two or more streets shall have a leveling area not greater than 4% grade for a distance of 25 feet, measured from the nearest right-of-way line of the intersecting street.
- E. The minimum grade of any street gutter shall be 1%.
- F. A minimum tangent of 100 feet, measured from edge of cartway, shall be required between a curve and a street intersection where one of the intersecting streets is a collector or an arterial street.



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7. Easements. See §22-1011.
8. Clear Sight Triangle.
 - A. At any intersection with a street of another street(s) or an accessway or driveway serving two or more nonresidential principal uses, a clear sight triangle shall be provided. Such triangle shall be graded, cleared and kept clear of sight obstructions (other than official street sign posts and individual canopy tree trunks) for a height between two and 10 feet above the ground level.
 - B. Such clear sight triangle shall be protected by a permanent deed restriction, covenant stated on the record plan, municipal easement or other legally binding method acceptable to the Borough.
 - C. Such clear sight triangle shall be determined by the distances stated below, which shall be measured along the centerlines of the rights-of-way (or cartways where rights-of-way do not exist) of streets/accessways/driveways. Such distances shall be measured from the intersection of such lines, with the third leg of the triangle connecting the opposite ends of each leg, as shown in the illustration below.
 - D. A 100 feet length shall be used along the centerline of an arterial street. A 75 feet length shall be used along the centerline of any other street or any accessway or driveway required to provide a clear sight triangle, except as stated in subsection eight (E), below.
 - E. Except, where a local street or driveway or accessway serving two or more nonresidential principal uses enters onto an arterial street, a clear sight triangle shall be used with a distance of 350 feet along the arterial street and only 20 feet back from the existing right-of-way of the arterial street measured along the centerline of the local street, driveway or accessway, instead of the clear sight triangle stated above.
 - F. An applicant for any new driveway onto a Borough-owned collector street shall prove that the driveway would meet the same PennDOT clear sight triangle requirements as if the street was a State road.
9. Cul-de-Sac Streets.
 - A. Cul-de-sac streets shall be permitted with a maximum length of 400 feet. Cul-de-sac streets must be provided with a turn-around with a minimum paved radius of 40 feet to the face of the outside curb and a minimum radius of 50 feet to the legal right-of-way. A 35 feet minimum paved radius shall be permitted if and when the applicant proves that such street would meet PennDOT requirements for liquid fuels reimbursement, considering any

changes in PennDOT standards that may occur after the adoption of this Chapter.

- B. The circular right-of-way of the cul-de-sac shall maintain a minimum 10 feet width between the edge of paving and the edge of the right-of-way. The circular paving of the cul-de-sac shall be connected to the approach paving by an arc having a radius of not less than 50 feet.
 - C. The Commission may permit acceptable alternative turn-around designs, including any turn-arounds of acceptable radii incorporated into a parking court or a landscaped island (with an acceptable system for maintenance) within a cul-de-sac.
 - D. No street shall dead-end without an approved turn-around at the end of the street. Temporary stub streets shall be required to include at least a temporary cul-de-sac if the stub would be longer than 150 feet or serve more than three dwellings or lots.
 - E. The maximum cross slope on the circular part of a cul-de-sac shall be 7%.
 - F. A cul-de-sac street shall serve a maximum of 25 dwelling units.
10. Maintenance. As a condition for final plan approval, the developer must enter into a legally binding agreement which shall state who is to be responsible for the improvement and maintenance of any street not offered for dedication. If an association of lot owners is to be made responsible, such association must be legally organized prior to plan approval by an agreement approved by the Borough.
11. Street Design and Construction Standards.
- A. Streets shall be graded, improved and surfaced to the grades and dimensions shown on plans, profiles and cross sections submitted by the developer that meet applicable Borough standards.
 - B. Right-of-Way Grading.
 - (1) The entire right-of-way shall be graded to the approved cross section. All trees, stumps and other material deemed unsuitable by the Borough Engineer shall be removed. The excavation shall be backfilled and suitably compacted to the satisfaction of the Borough Engineer.
 - (2) The finished street surface shall be crowned in conformance with the Borough specifications.
 - (3) A proper super-elevation (banked curves) shall be provided on arterial and collector streets when required by the Borough Engineer.
 - C. Grading Beyond Right-of-Way.

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- (1) The subdivider or developer may be required to grade beyond the right-of-way line in order to provide continuous slope from the right-of-way line to the proposed elevation of the abutting property.
 - (2) Such grading beyond the right-of-way shall generally maintain the original directions of slope, except where stormwater runoff designs dictate changes.
 - (3) Approved plans, either preliminary or final, showing proposed grading, shall be a covenant running with the land unless altered by written permission from Borough Council.
 - (4) In areas of earth excavation or earth fill, such grading shall be done to a maximum slope of four feet horizontal to one foot vertical. In areas of rock excavation, such grading shall be done to a maximum slope of one foot horizontal to two feet vertical.
 - (5) In no case shall the required street grading extend onto an adjoining property with a different landowner, unless the other adjoining property owner gives a written agreement to the developer to accomplish such work.
- D. Trench Excavation. All trenches excavated within the cartway of an existing or proposed public street or right-of-way shall be mechanically compacted with backfill acceptable to the Borough Engineer or be stone backfilled if the cartway is to be paved in the same construction season.
- E. Drainage of streets shall comply with §22-1008 of this Chapter.
- F. Street Construction Standards. All street pavements shall consist of the following construction, unless the following standard is revised by the Borough Council by resolution, or unless a specific different standard is required by PennDOT for a State road:
- (1) 1 1/2 inch ID-2A or ID-2 wearing surface on six inches bituminous concrete base course on six inches two RC subbase.
 - (2) All materials, construction procedures and other specifications shall be in conformance with the latest edition of the PennDOT Manual Form 408.
- G. Subgrade. All streets shall be constructed upon a properly rolled and crowned subgrade at 1/4 inch per foot cross slope.
- H. Alternative Street Specifications. An applicant may, if recommended by the Borough Engineer and approved by Borough Council, use an alternative road bed design that is specifically recommended for that type of street by a

current official publication of PennDOT. The alternate design must provide load capabilities equivalent to or higher than the capabilities of the designs set forth above.

12. Private Streets. See the provisions of §22-1004(1)(B)(2) regarding private streets.
13. Required Traffic Improvements.
 - A. Purpose. In recognition of the provisions of the State traffic impact fee amendments to and §§22-503(2)(ii) and 22-503(3) of the Pennsylvania Municipalities Planning Code, this Section is primarily intended to ensure that streets bordering a subdivision or land development are coordinated and of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and to facilitate fire protection and to ensure that the access into and out of subdivisions and land developments is sufficiently safe.
 - B. Process. This subsection 13 shall be carried out through determinations of Borough Council, after considering any recommendations of the Planning Commission, the Borough Engineer, the applicant, the applicant's professional representatives, any comments from PennDOT that may be provided regarding a State road and any professional traffic studies that may have been submitted.
 - C. Onsite/Abutting Traffic Improvements. If, in the determination of Borough Council, there is a reasonable relationship between the need for an "onsite improvement" of a street and the traffic created by a proposed subdivision or land development, the applicant for such subdivision or land development shall be required to complete the needed improvement.
 - (1) Widening of Abutting Roads. An applicant for any land development or major subdivision shall be required to pave any existing unpaved street and widen the cartway and any shoulders of abutting streets to Borough standards to result in a minimum paved cartway width of 15 feet on each side of the centerline.
 - (a) The applicant shall only be responsible for improvements from the centerline of the street right-of-way inward towards the project's lot lines, unless the Commission determines that improvements on the other side of the centerline are essential for public safety.
 - (b) A lesser width may be permitted where the Commission determines that such would be appropriate and/or would save mature trees.
 - (c) A wider width may be required by the Commission where needed along a collector or arterial street.

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- (2) Such improvements and right-of-way shall be required unless the Commission determines:
 - (a) That there is not a reasonable relationship between the improvements and the traffic created by the proposed development.
 - (b) That widening or right-of-way or other improvements are not needed, or that a lesser improvement is sufficient.
 - (c) That PennDOT specifically refuses in writing to allow such improvement to a State road in the foreseeable future, in which case the Borough may still require that abutting right-of-way be dedicated to the Borough or reserved for future dedication if needed in the future.
- (3) Any improvement to a State street shall meet all PennDOT standards.

D. Types of Required Traffic Improvements.

- (1) The following shall be the definition of “onsite improvement,” (unless this definition is amended by State law): all street improvements constructed on the applicant’s property or the improvements constructed on the property abutting the applicant’s property necessary for the ingress or egress to the applicant’s property.
- (2) Onsite improvements may include, but are not limited to, a new or upgraded traffic signal, land dedication to improve an abutting intersection, realignment of an abutting curve in a road or the widening of the abutting cartway and right-of-way.
- (3) The Borough shall not require an applicant to fund or complete a road improvement that is an “offsite improvement,” unless the Commission determines that such improvement is clearly essential for the physical safety of the occupants/residents of the proposed development (such as for emergency vehicle access).

E. **Funding.** In place of completing a required street improvement as a condition of final approval, an applicant may enter into a legally binding development agreement with the Borough for the applicant to fund the improvement.

F. **Accounting.** Any such funds may be placed in escrow until such time as sufficient funds are available for a more comprehensive improvement, with interest being used towards the cost of the improvement. Any such funds received under this subsection shall be accounted for separately.

- G. Staging. Any completion or funding of a required road improvement may occur in stages in relationship to the stages of the development if so stated in a legally binding development agreement and/or as a condition of final plan approval.

(Ord. 1223-99, 4/12/1999, §1004)

§22-1005. Blocks.

1. Maximum Length. Residential blocks shall not exceed 600 feet in length, unless permitted by Borough Council.
 - A. Future Street. Blocks shall be considered to be separated by the reservation as part of an approved subdivision plan of a 50 feet minimum right-of-way for a future cross street that in the future is intended to serve interior lots. Such future street is not required to be constructed until such time as the lots fronting on it are subdivided. Such right-of-way shall be retained in the same ownership as the abutting interior lot(s) until a street may be developed.
2. Minimum Length. Residential blocks shall have a minimum length of 200 feet, unless otherwise approved by Borough Council.
3. Blocks shall be of sufficient width to permit two tiers of lots, except where access is limited by virtue of an adjoining arterial street or by virtue of topographic limitations, unless permitted by Borough Council.

(Ord. 1223-99, 4/12/1999, §1005)

§22-1006. Lots.

1. Zoning. All lots shall conform to all requirements of the Borough Zoning Ordinance [Chapter 27], as were in effect at the time such subdivision plan was duly submitted.
2. The average depth-to-width ratio of a new lot shall generally not be greater than three to one, unless otherwise permitted by the Commission.
3. Side lot lines shall abut and be approximately at right angles to straight streets and on radial lines to curved streets, unless otherwise permitted by the Commission. Pointed or very irregularly shaped lots shall be avoided.
4. Lots abutting two streets on two noncontiguous sides shall ordinarily not be created, except as needed to avoid direct vehicular access onto an arterial or collector street by individual driveways. This shall not apply to a lot abutting an expressway.

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5. Rear Yard Buffers Along Major Streets.
 - A. Any residential lot with a rear yard directly abutting a collector or arterial street shall, along such rear yard, include a 10 feet wide planting strip along the back of the lot, with access across this strip clearly prohibited on notes on any approved plan.
 - B. Any fencing in the rear of such lots shall be placed on the inside of such plantings. Such plantings shall be placed so that they do obstruct safe sight distance.
6. A lot, other than dedicated open space, that would not be suitable for uses permitted in that zoning district shall not be created as part of a subdivision, but instead shall be incorporated into another lot.

(Ord. 1223-99, 4/12/1999, §1006)

§22-1007. Floodplain Requirements.

Subdivisions and land developments shall comply with the Borough of Gettysburg Floodplain Regulations (Ord. 1010-83, 7/12/1983, as may be amended from time to time) [Chapter 8]. (Ord. 1223-99, 4/12/1999, §1007)

§22-1008. Stormwater Management.

1. General Provisions.
 - A. All subdivisions and land developments shall be planned and designed in a manner which carefully control stormwater runoff.
 - B. Consistency With Act 167 of 1978 (32 P.S. §680 et seq.). The provisions of this Section shall apply, except where a specific provision of an Act 167 related ordinance supersedes this Chapter under a specific provision of the Pennsylvania Stormwater Management Act, such as regarding release rates. In case of any differences between an Act 167 related ordinance and this Section where the Act 167 ordinance does not supersede, then the more restrictive requirement shall apply.
 - C. Velocity Control Measures. The Commission, based upon the recommendations of the Borough Engineer, may require specific sizes or types of stormwater velocity control measures based upon both the need to control the velocity and upon long-term maintenance concerns.
 - D. Stormwater runoff from any subdivision or land development (including during construction and earthmoving) shall not occur at a peak rate (meas-

ured in cubic feet per second) that is greater after development than occurred prior to development.

- E. Runoff shall be controlled from a site using appropriate means of detention of water on the site and/or other approved types of Stormwater management, within the requirements of this Chapter.
- F. Runoff that is detained shall be held and released at a predetermined controlled rate by appropriately installed devices. The release shall be in the same manner as the natural or predevelopment means of discharge from a site (such as point discharge or sheet flow).
- G. Stormwater runoff shall not be increased or redirected in such a way that it results in hazards to persons or property or interferes with the normal movement of vehicles.
- H. All stormwater management methods are subject to approval by the Borough Engineer, including all outlet locations.
- I. All lots shall be laid out and graded to prevent cross lot drainage, to provide positive drainage away from proposed building locations and any primary or alternate septic system locations. Stormwater shall also be not be redirected towards buildings or onlot septic systems off of the site.
- J. All stormwater management plans shall take into account and provide for existing flow from upstream areas within the entire watershed.
- K. The existing points of natural drainage discharge onto adjacent property shall not be altered to increase flows nor shall the concentration of water runoff be increased because of development without the written approval of all adjacent landowners.
- L. No stormwater runoff or watercourse shall be diverted in a way that overloads existing drainage systems or creates flooding or the need for additional drainage structures on other private properties or public lands without Borough approval of provisions to be made by the developer for properly handling such conditions, including water runoff impoundments, if necessary.
- M. An adequate storm sewer system consisting of inlets and underground drainage pipes with approved outlets shall be constructed where the runoff of stormwater and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities, as determined by the Commission, based upon the recommendation of the Borough Engineer, based upon the expected velocity and depth of the stormwater flows and the proximity of dwellings.

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- N. Sequence of Construction. No substantial grading shall occur and no building permits shall be issued for any building unless any detention basin, siltation basin or improved major swale approved to handle the resulting runoff is in place. Any detention basin shall be seeded and stabilized and have an installed outlet structure prior to the construction of any streets or buildings within that drainage basin.
 - O Phasing. The phasing of a development shall ensure that all stormwater facilities needed to manage runoff from a phase are in place and functioning adequately prior to and after the construction of buildings in that phase. This shall, for example, include the extension of the main outfall line. This may require the use of temporary structures, which shall be shown on submitted plans. If the development occurs in phases, the entire system shall be shown as part of the preliminary plan submission.
2. Calculations of Stormwater Runoff. The methods and design storms described in any applicable Act 167 ordinances shall apply.
- A. The stormwater calculations shall include the following:
 - (1) Information required for preliminary and final plans within Parts 5, 6 and 7 of this Chapter.
 - (2) Pre and postdevelopment drainage maps showing existing and proposed grades and including any offsite tributary area.
 - (3) Pre and postdevelopment runoff calculations.
 - (4) Detention basin design calculations (as applicable).
 - (5) Pipe and swale sizing calculations.
 - (6) Such information as the Borough Engineer determines is needed to determine compliance with this Chapter including, but not limited to, slopes, proposed elevations, typical cross sections and details.
 - B. Where crop farming or disturbed earth exists on the site prior to development, "meadow in good condition," as described in Act 167, shall be used as the starting base for the predevelopment calculation.
3. Design Submission.
- A. Within the 100 year floodplain, any stormwater management structures and systems shall be designed to handle a 100 year storm. A 24 hour Type II storm shall be used if using the soil complex method.

- B. The stormwater management plan shall show that a 100 year, 24 hour storm can be safely conveyed without jeopardizing any principal building on or adjacent to the site.
 - C. All plans showing the proposed storm drainage construction must be accompanied by a complete design stamped and signed by a Pennsylvania Registered Engineer or Pennsylvania registered landscape architect.
4. Methods of Detention and Flow Delay. The following methods of detention or flow delay devices may be found to be acceptable by the Borough Engineer:
- A. Wet or dry ponds and detention basins.
 - B. Roof storage and increased roof roughness.
 - C. Parking lot detention.
 - D. Infiltration trenches.
 - E. Porous pavements, grassed channels and vegetated strips.
 - G. Cisterns, underground reservoirs or covered ponds.
 - H. Increasing the roughness coefficients on the development's surface area.
 - I. Decreasing the percentage of impervious area.
 - J. Promoting groundwater recharge.
 - K. Routing flow over lawns in swales within stormwater easements.
 - L. Detention storage within the storm sewer.
 - M. Another method that may be approved by the Borough Engineer.
5. Groundwater Recharge. In general, all runoff control measures should be designed to encourage groundwater recharge if suitable subsurface conditions are present. However, in any such recharge, proper precautions shall be taken to prevent pollution of the groundwater and the formation of sinkholes and to promote safety.
6. Detention Basins Standards.
- A. Perforated risers, staggered orifices, V notch weirs or other outlet structures, as approved by the Borough Engineer, may be required for outlet control.
 - B. All detention basins shall be designed with an emergency spillway.

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- (1) The emergency spillway shall be able to pass the 100 year postdevelopment peak discharge at a height of 75 feet.
 - (2) The emergency spillway shall be a minimum of two feet below the adjacent berm elevation. The emergency spillway shall convey the 100 year storm at a maximum depth of one foot over spillway. The downstream slope of the spillway shall as a minimum extend to the toe of the berm embankment. The edge of the basin grading shall be within the subject property.
 - (3) All detention basin outflow structures shall be designed with trash racks over the outflows.
- C. The emergency spillway and the outfall of the detention basin shall be lined with mortared rip rap and shall meet requirements of PennDOT Publication 408.
- D. The minimum top width of a detention basin berm shall be 10 feet, unless the Borough Engineer determines that a differing width is needed for maintenance and structural purposes.
- E. In order to provide proper drainage, a minimum grade of one and 1.5%, directed toward the outlet structure, shall be maintained across the basic floor. A lesser grade may be permissible; provided, that a concrete low flow channel is provided.
- F. Slopes of Basin. The maximum inside slope of earth detention basin embankments shall be three horizontal to one vertical. The maximum outside slope shall be three to one.
- G. Outfall. Where no existing point of concentration exists, the outfall from a detention basin shall not discharge closer than 30 feet from the adjoining property line, unless permission is given, in writing, by said adjacent property owner.
- H. Where discharge from the detention basin is to be spread into sheet flow, the allowable flow shall be determined by the predevelopment flow rate for a two year storm, across the length of the spreader.
- I. Antiseep collars and a cutoff trench shall be required on basins having a berm height exceeding five feet. Watertight antiseep collars shall be installed around the discharge pipe at intervals not to exceed 24 feet or as approved by the Borough Engineer. Such collar shall extend a minimum of two feet beyond the outside of the pipe.
- J. Basins not having direct access to a public street shall have a 25 foot wide, usable access easement to a public street for the purpose of maintenance.

- K. The design engineer shall verify that the operation of the detention facility will not significantly increase downstream peaking conditions.
- L. For the purpose of this Section, a retention basin shall be required to meet the same standards as a detention basin.
- M. Landscaped Screening of Detention Basins.
 - (1) A detention basin with a basin depth of greater than 20 inches shall be screened from view of existing dwellings, a residential zoning district or a public street, unless the basin would meet all of the following conditions:
 - (a) It would have an average slope of less than four to one on the inside of the berm of the basin.
 - (b) Either: (i) both the inside and outside of the basin would be planted in grass and intended to be mowed or planted in other attractive vegetative ground cover; or (ii) would be designed to closely resemble a natural pond.
 - (c) The basin would not be surrounded by a primarily metal fence.
 - (2) Any required screening shall be approved by the Commission. This landscaping shall not be required along an area where natural vegetation will be maintained that will completely fulfill this purpose.
 - (3) Thorny and prickly shrubs (that are also attractive) are encouraged to be used around detention basins to discourage entry by children.
- N. Areas of stormwater basins that are visible from streets and dwellings shall be attractively maintained.
- O. All outflow structures from storage facilities shall be equipped with a regulatory device that will permit modification to regulate the amount of outflow. Suitable antivortex and/or velocity retarders shall be used.
 - (1) Entrances to stormwater pipes, including outflow pipes in detention basins, shall have childproof grates or similar devices.
- P. Retention Basins. Aeration devices may be required, dependent upon the quality of the influent and detention time.
- Q. Recreation. When reasonable, efforts should be made to allow suitable recreational uses of portions of detention areas. This might include designing a detention basin with a low-flow channel so that only a portion would be wet after a minor storm and the remainder would be well drained during all, ex-

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cept the most serious storms. These areas may be acceptable at the discretion of the Borough as part of any Borough requirement to provide recreation land.

7. Construction Standards.

- A. Standards. Construction and materials of storm drainage and control facilities (including pipes) and erosion control facilities shall be in accordance with the approved plans and any accompanying specifications. The construction details and standards of the following publications, or their successor publications, in their most recent revision shall be used:
- (1) County Erosion and Sedimentation Control Handbook.
 - (2) PennDOT, Form 408, specifications.
 - (3) PennDOT, RC Series, roadway construction standards.
 - (4) In cases where the above documents conflict with Borough specifications, the Borough's specifications shall supersede, except in areas of PennDOT jurisdiction.
- B. Pipe Materials. All pipe materials shall meet PennDOT standards. Drainage pipes may be constructed out of corrugated metal, aluminized corrugated metal, corrugated polyethylene plastic, bituminous coated corrugated metal or reinforced concrete, plastic pipe as approved by PennDOT or closely similar materials pre-approved by the Borough Engineer. However, only reinforced concrete shall be used for drainage pipes under the structure of streets, unless a material with similar characteristics is determined to be acceptable by the Borough Engineer.

8. Drainage Pipe, Culvert and Catch Basin Design.

- A. Open pipe ends must be fitted with concrete end walls, prefabricated end sections, rip-rap and/or energy dissipaters, as deemed appropriate by the Borough Engineer.
- B. Drainage pipes shall have a minimum slope of 0.5% and drainage swales and gutters 2.0%. As a minimum, the tops of all pipes should be at the same elevation when changing pipe sizes.
- C. Manholes or inlets shall be used at all changes in horizontal alignment, at changes of vertical grade and at all pipe intersections. No run of pipe shall exceed 400 feet in length, without appropriate measures to allow clean-out. Trash racks shall be placed on all stormwater entrance structures.
- D. Bridges and culverts shall meet PennDOT construction standards. DEP shall be contacted to determine if a dams and waterways permit is required.

- E. Grating. Appropriate safety grates shall be attached to all catch basins, stormwater inlets, pipe openings and other stormwater receiving structures as needed to ensure that maximum openings do not exceed 25 square inches. Along streets and pedestrian areas, bicycle safe grates shall be used as needed.
 - F. Storm Sewer Outfall. Storm sewer outfalls shall be designed, with respect to the elevation of the invert or other features, that when the receiving watercourse is within a 25 year storm, the storm sewer will continue to drain the area it is designed to serve.
 - G. “V” shaped swales shall not be permitted.
9. Stormwater Easements.
- A. Where Required. Where a subdivision or development is traversed by a watercourse, drainageway, channel or stream that the Borough Engineer determines is subject to significant stormwater flows, there shall be provided a drainage easement established along the following:
 - (1) The 100 year floodway, where that is defined.
 - (2) Where a 100 year floodway is not defined, the 100 year floodplain.
 - (3) Where a 100 year floodplain is not defined, a width shall be used that includes a minimum of 25 feet on each side of the top of the primary bank of the waterway.
 - B. The drainage easements required by the above subsection are intended to preserve the unimpeded flow of natural drainage and to provide for future possible widening, deepening, relocating, improving or protecting of such drainage facilities. The Borough Engineer may require up to a 0.5 foot free-board and/or an additional 10 feet building setback if deemed necessary along newly constructed watercourses.
 - C. Structures that could obstruct stormwater flow shall be prohibited within stormwater easements. Such easements shall grant the Borough the right, at its option, to enter the easement to accomplish maintenance and channel improvement work, although the Borough assumes no responsibility to accomplish such work.
 - D. It shall be the responsibility of the applicant to obtain all stormwater easements on, over or through other properties that are needed to carry out the proposed storm management plan.
 - E. Areas where stormwater easements have or will be granted shall not be obstructed during or after construction.

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- F. See also the easement requirements in §22-1011 of this Chapter.
10. Surface Waters.
- A. All natural streams, channels, swales, drainage systems and/or areas of concentration of surface water shall be maintained in their existing condition, unless alteration is approved by the Borough Engineer. The applicant shall be responsible to obtain all necessary DEP permits (see Chapter 105 of Title 25 of the State regulations).
 - B. Creek Alignments. Any change to the alignment of a watercourse or any blocking, impeding or redirecting of a watercourse shall only occur with written approval of DEP and the Borough Engineer.
11. Ownership and Maintenance of Stormwater Facilities. A system for the ownership and maintenance responsibilities of all temporary and permanent stormwater facilities and erosion and sedimentation control facilities that is satisfactory to the Commission shall be established prior to final plan approval including:
- A. Description of temporary and permanent maintenance requirements.
 - B. Identification of responsible individual, corporation, association or other entity for ownership and maintenance of both temporary and permanent stormwater management and erosion and sedimentation control facilities.
 - C. Establishment of suitable easements for access to all facilities for maintenance.
 - D. The Borough may, at the complete discretion of Borough Council, decide not to accept an offer by the applicant for Borough ownership of stormwater facilities.
 - E. Stormwater facilities shall be designed to require minimal maintenance.
 - F. All storm drainage facilities shall be properly maintained by the party designated as responsible on the final subdivision plan, unless Borough Council agrees to accept a change in the party responsible or the party owning the facility.
 - G. Should a facility not be maintained in proper working order, Borough Council may, after due notice to the responsible party, arrange for the needed maintenance to be accomplished with all such expenses charged to the responsible party. These expenses shall be collectible as municipal claims are now collected by law.

- H. The Borough Engineer and Code Enforcement staff shall have the right to enter private property to inspect storm drainage facilities, after making reasonable efforts to contact the property owner prior to any such inspection.

(Ord. 1223-99, 4/12/1999, §1008)

§22-1009. Sanitary Sewage Disposal Systems.

- 1. In General.
 - A. All subdivisions and land developments shall be served with, an approved and adequate sewage disposal system that will meet State and Borough regulations.
 - B. Public Sewage Connections. All principal building or use within a subdivision or land development that generates wastewater and that in the determination of the Commission, based upon the advice of any applicable municipal authority and the Borough Engineer, could reasonably connect into a public sewage system shall be required to connect into that system. Each individually owned or occupied parcel shall have its own sewer connection. The applicant shall be responsible to pay such reasonable capital expenses that are necessary for such connection.
- 2. Central Sewage Service. If a municipality or a municipal authority is to provide the central sewage service, such agency shall have the authority to approve or reject the proposed sewage collection system for just cause.
- 3. Laterals. Each lot with central sewage service shall be served by a separate sewage lateral.

(Ord. 1223-99, 4/12/1999, §1009)

§22-1010. Water Supply Systems and Fire Hydrants.

- 1. In General.
 - A. All subdivisions and land developments shall be served with an adequate water supply system that will meet DEP and Borough requirements.
 - B. Required Connections to Central Water Systems. The Commission, after requesting any recommendations of the Borough Engineer and the appropriate water supplier, shall require all lots and principal uses within a subdivision or land development to be connected to an existing public central water system where the Commission determines that such connection would be feasible, cost effective and reasonable, considering the distances that the lines would need to be extended and the average cost per dwelling or lot.

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2. Central Water Supply System; Water Supplier Approval. Proposed extensions of central water systems shall meet all applicable procedures, reviews and requirements of any appropriate municipal authority or water company. Such extension shall be approved by such agency prior to final plan approval, although specific detailed service agreements are not required to be signed until prior to recording.
3. Fire Hydrants. All subdivisions and land developments that will be served by central water service shall provide fire hydrants as needed with appropriate water pressure so that all dwelling units and principal buildings are within 600 feet of an active fire hydrant.

(Ord. 1223-99, 4/12/1999, §1010)

§22-1011. Waste Dumpsters, Utilities and Utility Easements.

1. Utilities. All electric power, telephone, cable television (where available) and natural gas service lines within a new subdivision or land development shall: (i) be placed underground, except where the Commission determines it is not feasible; and (ii) be installed in accordance with the current standards of the utility serving the subdivision or land development.
2. Dumpsters. All apartment developments shall include conveniently located refuse collection facilities for the residents. All uses within non-residential land developments and subdivisions shall include appropriate refuse collection facilities. All bulk refuse collection dumpsters shall be screened on three or four sides by walls or evergreen landscaping from view of existing dwellings, adjacent undeveloped residentially zoned lots and public streets.
3. Easements. Easements shall be provided as follows:
 - A. Drainage, sanitary sewage and central water easements shall be provided as determined to be needed by the Borough and as indicated on the plans.
 - B. Locations. Unless waived or modified by the Borough Engineer, all lots shall include a drainage and utility easement around the perimeter of each lot, including adjacent to the street right-of-way. However, such easements shall not be required where buildings (such as townhouses) are to be attached at a lotline.
 - C. Width. The minimum width of easement shall be 15 feet, which may be reduced to 10 feet for each lot if a 10 feet minimum easement exists on the abutting side of the abutting lot.
 - D. See also drainage easement provisions in §22-1008 of this Chapter.

- E. Additional width of easements shall be provided for additional utilities if required by the water or sanitary sewage supplier or the Commission, based upon advice of the Borough Engineer. The easement widths along side lot lines may be reduced if the Zoning Ordinance [Chapter 27] allows a principal building setback that is more narrow than the width of the easement that would otherwise be required.
- F. Separation. Minimum separation distances between utility lines shall be as required by the applicable utility or as deemed necessary by the Commission based upon advice of the Borough Engineer.
- G. Pipelines. If any activity is proposed within the right-of-way of an underground fuel or gas pipeline, the applicant shall provide written evidence from the operator of such pipeline that such activity is acceptable under their safety standards and the terms of that right-of-way.
- H. Easements shall be placed along lot lines or street rights-of-way, to the maximum extent possible, as opposed to the center of a lot.

(Ord. 1223-99, 4/12/1999, §1011)

§22-1012. Access Drives and Driveways.

1. Construction Standards for Access Drives. See §22-1004.
2. State Roads. A state highway occupancy permit is required for all access onto or work within the right-of-way of a State road.
3. Separation Distances. The minimum distance between an access drive or driveway to a street intersection right-of-way line shall be 50 feet.
4. Visibility at Intersections of Driveways or Access Drives with Streets. (See Zoning Ordinance [Chapter 27].)
5. Driveway Slopes. Grades of access drives or driveways shall not exceed 12% for any horizontal distance longer than 25 feet, except that a driveway or access that:
 - A. Enters onto an arterial street, the first 20 feet from such right-of-way shall have a maximum slope of 4% and the next 80 feet shall have a maximum slope of 7%.
 - B. Enters onto any other street, the first 20 feet shall have a maximum slope of 7%.
6. Drainage. The developer shall make adequate provisions to maintain uninterrupted parallel drainage along a street where intersected by an access drive or

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driveway. Access drives and aisles within parking lots shall be graded and drained to keep the primary travel lane free of stormwater.

7. Emergency Access. Driveways shall be designed to be accessible to emergency vehicles. Driveways shall have a 10 feet minimum horizontal clearance, a 12 feet minimum vertical clearance and be designed to support the weight of a loaded fire engine pumper truck.

(Ord. 1223-99, 4/12/1999, §1012)

§22-1013. Off-street Parking and Loading.

See Part 13 of the Borough Zoning Ordinance [Chapter 27, Part 13]. (Ord. 1223-99, 4/12/1999, §1013)

§22-1014. Sidewalks, Pathways and Driveway Aprons.

1. Sidewalks shall be required for safe pedestrian movement and they shall be built to Borough specifications.
2. Location and Width of Sidewalks.
 - A. Sidewalks shall be located within the street right-of-way or other locations approved by the Borough.
 - B. Any required sidewalks shall have a minimum width of: (i) five feet along arterial streets; and (ii) four feet along collector or local streets.
3. Construction.
 - A. Sidewalks at locations other than driveway crossings shall consist of a minimum of four inches of Portland cement concrete underlain with a minimum of four inches of compacted gravel or crushed stone (see detail in §1020).
 - B. The ground shall be compacted to form a solid base.
 - C. The sidewalk shall be made of 3,000 P.S.I. Class "H" air entrained concrete.
 - D. The sidewalk shall be finished by steel trowel followed by light brushing.
 - E. The finished walk shall have a three fall per foot toward the curb line.
 - F. The sidewalk must be smooth and comply with the grade established by the Borough.

- G. Where appropriate, the Borough may require and/or approve other sidewalk construction materials and specifications.
 - H. Sidewalks at driveway crossings shall consist of a minimum of six inches wire mesh reinforced Portland cement concrete underlain with a minimum of four inches of compacted gravel or crushed stone.
 - I. Sidewalks and pathways shall be constructed of one of the following, at a minimum: (i) four inches of Portland cement concrete underlain by four inches of compacted gravel or crushed stone; or (ii) brick on a suitable base approved by the Borough Engineer.
- 4. Handicapped Access. All sidewalks and curbs at the intersection of two or more public streets shall include a sloped curb cut suitable for use by wheelchairs.
 - 5. Maintenance. It shall be the responsibility of adjacent landowners to maintain, plow snow and remove ice off of and repair sidewalks.

(Ord. 1223-99, 4/12/1999, §1014)

§22-1015. Street Lighting.

- 1. Street lights shall be placed along streets within and abutting a proposed subdivision or land development where the Commission deems them necessary to provide safe traffic or pedestrian circulation. If required, street lights should be provided at street intersections, curves in streets and the more isolated areas of a development.
- 2. Such lights shall meet lamp and wiring standards established by the applicable electric company. Pole types and lamp types shall be consistent with historic character of the Borough and shall be acceptable to the Borough.
- 3. Where street lights are required on a public street, the public utility in most cases will be responsible for installing cabling, poles, fixtures and all other equipment required for a complete street lighting system. The developer is responsible to complete all excavation and other work that is not the responsibility of the utility and to fund all reasonable costs that may be levied by the public utility for such work.
- 4. Private Lighting. On all private streets, parking areas and other areas requiring lighting, the developer shall provide materials, installation, energizing and power for all lighting systems necessary for security and public safety. A system acceptable to the Commission shall be established for the maintenance of such lights.

(Ord. 1223-99, 4/12/1999, §1015)

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§22-1016. Street Names.

Street names are subject to the approval of Borough Council, and shall:

- A. Continue the name of any street with the same or similar alignment.
- B. Not duplicate or be closely similar to the name of another street within the Borough, the same fire company or ambulance service district or the same five digit zip code area.

(Ord. 1223-99, 4/12/1999, §1016)

§22-1017. Regulatory Signs.

The developer shall reimburse the Borough for the costs of supplying and installing needed traffic regulatory signs and street name identification signs on public streets. The developer shall be responsible to provide and install signs on private streets. All traffic regulatory signs shall meet current standards of PennDOT. (Ord. 1223-99, 4/12/1999, §1017)

§22-1018. Street Trees, Preservation of Trees and Historic Buildings.

1. Buffer Yards. See the requirements for buffer yards in the Borough Zoning Ordinance [Chapter 27].
2. Preservation of Existing Trees. Existing trees shall be maintained and preserved in accordance with the provisions of the Borough of Gettysburg Shade Tree Ordinance [Chapter 25].
3. Natural and Historic Feature Preservation.
 - A. Historic structures and important archaeological sites worthy of protection, as determined by Borough Council upon the advice of the HARB, shall be respected, incorporated into the design of and reasonably protected in any subdivision or land development.
 - B. These features include, but are not limited to, natural drainage channels, waterways, large trees, highly scenic views and important landmarks.
 - C. See Gettysburg Historic District Ordinance [Chapter 11].

(Ord. 1223-99, 4/12/1999, §1018)

§22-1019. Monuments and Lot Pins.

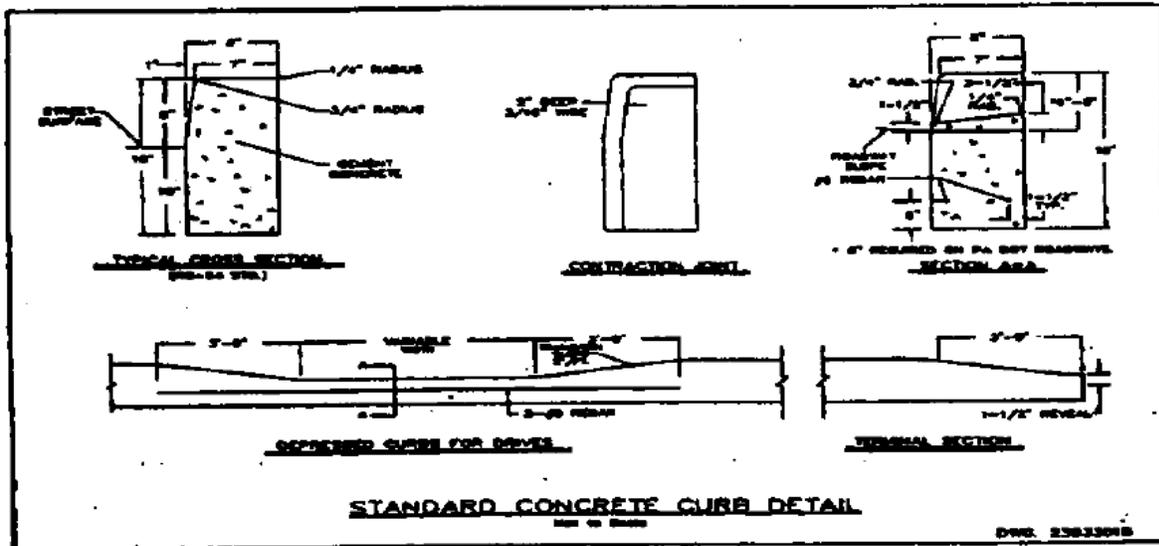
1. Monuments.
 - A. Location. Permanent reference monuments shall be located at each intersection of rights-of-way of street(s) constructed by the developer at the beginning and ending of all street curves and at exterior corners of the subdivision or land development, unless an alternate arrangement is approved by the Borough Engineer that still permits a surveyor to stake out accurately any building lot shown on the record plan.
 - B. Type. Reference monuments shall be constructed of steel reinforced Portland cement concrete or to other materials pre-approved by the Borough Engineer, and should have a minimum size of four by four inches at the ground level and shall have the top flush with the grade level.
 - C. Placement. Reference monuments shall be placed so that the top of the monument is as shown in the accompanying sketch.
2. Lot Pins. All lot corner markers shall be permanently located and shall be at least a 3/4 inch metal pin or pipe with a minimum length of 20 inches, located in the ground to existing grade.

(Ord. 1223-99, 4/12/1999, §1019)

§22-1020. Curbs.

1. Curbs shall be provided along both sides of all public and private streets, unless deemed not necessary by Borough Council or the Commission.
2. If curbs not provided, appropriate stabilized drainage channels designed to handle a 25 year storm shall be required along all streets, within the street right-of-way, or drainage easements.
3. All required curbs shall meet the following specifications:
 - A. Only straight curbs shall be provided. Such curbs shall be of Portland cement concrete and be 18 inches deep, five inches wide at the top, six inches wide at the bottom and have an exposed face between six and eight inches (see sketch below).

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- B. Such concrete shall be made of Class "A" entrained concrete meeting a minimum 3,000 P.S.I.
- C. The curb shall be finished by steel trowel followed by light brushing.
- D. Expansion joints shall be provided a minimum of every 30 feet. Each expansion joint shall contain 1/2 inch premolded bituminous expansion joint materials. Contraction joints shall be provided a minimum of every 10 feet.
- E. Where appropriate, the Commission may approve other construction materials and specifications.

(Ord. 1223-99, 4/12/1999, §1020)

§22-1021. Erosion Control and Grading.

1. Ground Cover and Top Soil. After completion of construction on a lot, all exposed ground surfaces that are not paved and that are not covered by approved gravel areas or decorative stones or similar material shall be covered by a minimum of four inches of topsoil and an attractive nonpoisonous vegetative ground cover that will prevent soil erosion and the raising of dust.
2. Erosion Control.
 - A. All earthmoving activities within the Borough shall be conducted in such a way as to prevent accelerated erosion and the resulting sedimentation. To accomplish this, a landowner or person engaged in earthmoving activities shall develop, implement and maintain erosion and sedimentation control measures which effectively minimize accelerated erosion and sedimentation.

These erosion and sedimentation measures shall be in accordance with all applicable DEP and County Conservation District regulations and specifications in effect at the time of the plan preparation.

- (1) A soil erosion and sedimentation control plan is required for all activities which propose earthmoving.
 - (a) For earth disturbances larger than one acre, the Adams County Conservation District shall review and approve the erosion and sedimentation control plan.
 - (b) For earth disturbances of less than one acre, the Borough Planning Commission shall determine if the County Conservation District review and approval is necessary.
 - (2) Compliance with such plan shall be an automatic condition of any approval or permit under this Chapter.
 - (3) Borough permits may be suspended if earth disturbance does not comply with such approved plan.
- B. Both the owner of the property at the time of any earth disturbance and the person(s)/company accomplishing the work shall be responsible to ensure that adequate erosion control measures are used.

(Ord. 1223-99, 4/12/1999, §1021)

Part 11

Landscaping

§22-1101. Definitions.

As used in this Part, the following words shall have the meanings indicated below:

DECIDUOUS PLANT — a woody perennial which loses its foliage at the end of each growing season.

DENSE SCREEN — a series of vegetative plantings which provide essentially an opaque screen.

EVERGREEN PLANT — a woody perennial which retains its foliage for more than one growing season.

GROUND COVER — a low perennial with a mature height of three inches to 18 inches, excluding crown vetch, annuals and turf grasses.

LANDSCAPED DIVIDER STRIP — a landscaped island separating and running the length of two rows of contiguous parking spaces within a parking lot and which provides opportunities for landscaping and traffic circulation control.

LANDSCAPING — the addition of trees, plants and other natural and decorative features to the land.

MIDROW LANDSCAPED ISLAND — a landscaped island located within a row of contiguous parking spaces in a parking lot and which provides for landscaping opportunities within parking lots.

PARKING AREA — that area within an off-street parking lot, including any paved surface providing vehicular access to and from parking spaces, but excluding streets.

PLANTING UNIT (PU) — a unit of measure used to determine the quantity of plantings required in a residential, commercial, industrial or other development project. For the purposes of this Part, one planting unit (PU) equals one major deciduous tree two minor deciduous trees, two evergreen trees, five shrubs or 500 square feet of ground cover, exclusive of residential yard area.

SHRUB — a low, multistemmed woody plant with a mature height of between 18 inches and 10 feet.

TERMINAL LANDSCAPED ISLAND — a landscaped island located on either end of rows of parking spaces within a parking lot which provides opportunities for

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landscaping and which defines the ends of parking aisles, thus contributing to traffic circulation control.

TREE, EVERGREEN — an evergreen plant with a mature height exceeding 15 feet and a height at planting of between five and six feet.

TREE, MAJOR DECIDUOUS — a canopy tree with a mature height exceeding 25 feet and a minimum caliper at the time of planting in excess of two inches.

TREE, MINOR DECIDUOUS — a tree with a mature height of between 10 feet and 25 feet and a minimum caliper at the time of planting of between one inch and two inches.

(Ord. 1223-99, 4/12/1999, §1101)

§22-1102. Purpose; Application; Landscape Plans.

1. Purpose. It is the purpose of this Part to establish minimum standards for the provision, installation and maintenance of landscape plantings in order to achieve a healthy, beautiful and safe community. Furthermore, it is the purpose and intent of this Part to:
 - A. Improve the appearance of all areas through the incorporation of open space into development in ways that harmonize and enhance the natural and built environment.
 - B. Improve environmental quality by recognizing the numerous beneficial effects of landscaping upon the environment including, but not limited to, the improvement of air quality, the maintenance of areas essential for stormwater management and aquifer recharge and reducing air, noise, heat and chemical pollutions.
 - C. Maintain and increase the value of land by requiring landscaping to be incorporated into development, this becoming by itself a valuable capital asset.
 - D. Provide direct and important physical and psychological benefits to human beings through the use of landscaping to reduce noise and glare and to soften the harsher aspects of development.
 - E. Preserve existing natural vegetation and incorporate native plants and plant communities into landscape design.
 - F. Establish procedures and standards for the administration and enforcement of the landscaping requirements of this Part.

2. Application. This Part applies to all new land developments and to all land developments where renovations, remodeling or alterations equal or exceed 30% of the area of the principal structure or parking area on the site.
3. Contents of Landscape Plans. All landscape plans required by this Chapter shall:
 - A. Be drawn to scale and include appropriate dimensions and distances to afford a complete understanding of the proposed landscaping layout.
 - B. Delineate any existing and proposed parking spaces or other vehicular areas, access aisles, driveways, building footprints and similar features.
 - C. Designate by name and location the plant material to be installed or preserved in accordance with this Part.
 - D. Identify and describe the location and characteristics of all other landscape materials to be used.
 - E. Include a table clearly displaying the relevant information necessary for the evaluation of compliance with the provisions of this Chapter. Such a table shall include gross area of the project, area of preservation sites, amount of vegetation to be planted or preserved and other such information as the Commission may require.
4. Professional Plan Preparation. When any residential project is proposed which requires 25 or more PUs, and when any nonresidential project is proposed which requires five or more PUs, the landscaping plans required by this Part shall be prepared by a licensed landscape architect.

(Ord. 1223-99, 4/12/1999, §1102)

§22-1103. Requirements for Specific Projects.

1. Attached Residential Development. For single-family attached and multifamily dwellings, or for residential projects containing a combination of dwelling unit types, the following landscaping standards shall be observed:
 - A. Quantity of Landscaping. A minimum of two planting units shall be required for each dwelling unit.
 - B. Shade Trees. At least one major deciduous tree shall be planted at intervals of between 50 and 70 feet along each side of all adjacent streets and streets lying within the site or project, which trees shall be located between the sidewalk and the building setback line, at least five feet from the sidewalk.
 - C. Credit for Existing Vegetation. Credit for up to 50% of the minimum landscaping quantity requirements may be given for retaining existing major

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deciduous trees on the site; provided, that such trees are in good health, are located within 25 feet of at least one dwelling unit and the developer agrees to replace any such trees which die within two years of final approval with, at a minimum, replacement of major deciduous trees in equal number.

2. Detached and Semidetached Development. For single-family detached dwellings and/or single-family semidetached dwellings, the following landscaping standards shall be observed:
 - A. Quantity of Landscaping. A minimum of one planting unit shall be required for each dwelling unit.
 - B. Shade Trees. At least one major deciduous tree shall be planted at intervals of between 50 and 70 feet along each side of all adjacent streets and streets lying within the site or project, which trees shall be located between the sidewalk and the building setback line, at least 5 feet from the sidewalk.
3. Nonresidential Development. For all nonresidential development, the following landscaping standards shall be applied:
 - A. Quantity of Landscaping. The following quantities of landscaping shall be provided:
 - (1) A minimum of one planting unit shall be provided for each 20 linear feet of centerline along adjacent streets and interior streets.
 - (2) A minimum of two planting units shall be provided for every 1,000 square feet of fraction thereof of building coverage.
 - B. Credit for Existing Vegetation. Credit for up to 50% of the minimum landscaping quantity requirements may be given for retaining existing major deciduous trees on the site; provided, that such trees are in good health, are located within 25 feet of the nonresidential use and the developer agrees to replace any such trees which die within two years of final approval with, at a minimum, replacement of major deciduous trees in equal number.
 - C. A minimum 10 foot wide planting area shall be provided along all property lines which abut residential districts or uses. No less than one planting unit per 25 linear feet of such property lines shall be provided, consisting of materials which will create a vegetative dense screen year round and which can be reasonably expected to attain a height of six feet by the third year after planting.
4. Parking Lots. Parking lots shall be designed to conform with the following:
 - A. Landscaping within the parking area of all off-street parking lots containing nine or more parking spaces shall have:

- (1) Terminal landscaped islands at both ends of all rows of parking spaces. Each such island shall measure not less than eight feet in width nor less than 15 feet in length. Each such island shall contain at least one major deciduous tree or two minor deciduous trees, with the remainder of the island landscaped with appropriate ground cover or grass.
 - (2) One mid-row landscaped island for each 10 contiguous spaces, where rows contain more than 10 spaces. The midrow islands shall have minimum measurements as provided for terminal islands above. Each such island shall contain at least one major deciduous tree or two minor deciduous trees, with the remainder of the island landscaped with appropriate ground cover or grass.
 - (3) A landscaped divider strip between abutting rows of parking. Landscaped divider strips shall have a minimum width of 10 feet and shall be planted with one major deciduous tree or two minor deciduous trees for each 25 linear feet, with the remainder of the island landscaped with appropriate ground cover or grass. Unpaved pedestrian walkways may be substituted for a portion of the required ground cover or grass if such walkways will facilitate pedestrian movement through the parking lot.
 - (4) Curbing or wheel stops around all landscaped islands and strips to prevent vehicular encroachment.
- B. All parking lots shall be surrounded by a perimeter landscaping strip which meets the following requirements:
- (1) Perimeter landscaped areas shall be provided around the perimeter of all parking areas, except where a side of the parking area is bounded by a principal nonresidential structure.
 - (2) The minimum width of the perimeter landscaping area around a parking area shall be no less than 10 feet, measured outward from the edge of the parking lot.
 - (3) The perimeter landscaping areas shall be planted with one planting unit for each 25 feet of linear distance. The remaining area of the area shall be planted with appropriate ground cover or grass.
5. Dumpster and Trash Storage Areas. All areas proposed for the location of large trash containers, such as dumpsters, or for trash storage pending pickup from more than one residential unit, shall be screened with a fence of no less than five feet or with plant material that will form a dense screen and which contains materials reasonably expected to attain a height of five feet within three years of planting.

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(Ord. 1223-99, 4/12/1999, §1103)

§22-1104. Installation Standards.

1. The landscape contractor shall furnish and install all plant material shown on the landscape plan approved by the Borough pursuant to this Part. No bare root planting is permitted for any required tree.
2. Plants taken from cold storage are not acceptable to meet the requirements in this Part.
3. Planting of deciduous material may occur during winter months; provided, that there is no frost in the ground and frost free topsoil planting mixtures are used. A professional horticulturist or nurseryman should be consulted to determine the proper time to move and install plant material so that stress to the material is at a minimum.
4. All plant pits, hedge trenches and shrub beds shall be excavated as follows:
 - (1) All pits shall be generally circular in outline, with vertical sides. Tree pits shall be deep enough to allow 1/8 of the ball to be above the finish grade and shall be a minimum of 10 inches larger on every side than the ball of the tree.
 - (2) If areas are designated as shrub beds or hedge trenches, they shall be cultivated to at least 18 inches in depth.
 - (3) Areas designated for ground cover shall be cultivated to at least 12 inches in depth.
4. After cultivation, all plantings shall be mulched with a minimum three inches layer of organic mulch or another similar material over the area of the planting.
5. All clear sight triangles shall remain clear and any plant which could endanger safety, such as unstable limbs, shall be removed and the plant material replaced.
6. No plant materials may be substituted for that shown on the approved plan without first having received approval from the Borough Code Enforcement Officer.

§22-1105. Financial Security.

1. The installation of required landscaping in accordance with the approved plan shall be guaranteed by financial security in the form and manner as provided in Part 8 of this Chapter.

2. Any required planting unit or portion thereof which dies within 18 months of planting shall be replaced by the applicant or developer. Any element of a required planting unit which, within 18 months of planting, is deemed, in the opinion of the Code Enforcement Officer, not to have survived or to have grown in a manner uncharacteristic for its type and not achieving the purpose for which it was intended shall be replaced with plant material as approved in the plan by the developer or applicant.

(Ord. 1223-99, 4/12/1999, §1104)

Part 12

Mobile Home Park Design Standards and Required Improvements

§22-1201. Applicability.

1. The requirements in this Part shall apply to a mobile home park which is on a tract held in single ownership and provides mobile home spaces on a lease or rental basis.
2. Mobile home parks proposed to be developed for sale of lots shall be designed in accordance with all requirements set forth for single-family dwelling residential development.
3. Every proposed mobile home park shall be submitted, reviewed, approved and recorded as a land development, at a minimum.
4. Terms. The terms “mobile home” and “manufactured home” shall have the same meaning.

(Ord. 1223-99, 4/12/1999, §1201)

§22-1202. Exemptions.

The following shall not be considered to be a mobile/manufactured home park, but instead shall be ruled by the applicable Sections of this Chapter and the Zoning Ordinance [Chapter 27]:

- A. Mobile/manufactured home sales as a principal use, other than sales of mobile homes intended to be placed on the same property as the sales.
- B. The storage or garaging of mobile homes not being used for living or sleeping purposes within a building or structure.
- C. A single mobile home used as a residence on a lot with no other dwellings.
- D. A mobile home that is used only as a field office or work or tool house during a construction project and not for residential purposes.

(Ord. 1223-99, 4/12/1999, §1202)

§22-1203. Other Requirements of this Chapter.

All provisions of this Chapter shall apply to a mobile/manufactured home park, except provisions of this Part that specifically differ from or conflict with such provisions. A

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mobile home park in most cases will be considered a “land development” and be required to submit plans and be approved under the provisions of Parts 5 and 6. (Ord. 1223-99, 4/12/1999, §1203)

§22-1204. General Standards and Requirements.

Mobile home parks shall comply with all the provisions of Ord. 859-72, 9/11/1972, as may be amended from time to time. (Ord. 1223-99, 4/12/1999, §1204)