

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

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PART 1

AUTHORITY AND PURPOSE

§22-100. Adoption.

1. The Council of the Borough of Hulmeville hereby adopts the following regulations governing the subdivision and development of land within the Borough.
2. The Council of the Borough of Hulmeville hereby designates the Council of the Borough to administer and enforce these regulations and to review and approve all plats and applications submitted thereunder in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended.
3. These regulations shall become effective on July 2, 1979, and shall remain in effect until modified, amended or rescinded by Council of the Borough of Hulmeville.

(Ord. 151, 7/2/1979, §101)

§22-101. Title.

An Ordinance establishing rules, regulations and standards governing the subdivision and land development of land within the Borough, setting forth the procedures to be followed by the Council of the Borough in administering these rules, regulations and standards and setting forth the penalties for the violation thereof.

(Ord. 151, 7/2/2979, §102)

§22-102. Short Title.

These regulations shall be known and may be cited as the "Subdivision and Land Development Regulations of the Borough of Hulmeville."

(Ord. 151, 7/2/1979, 103)

§22-103. Purpose.

The regulations are adopted for the following purposes:

- A. To assist orderly, efficient and integrated development of land.
- B. To provide for the coordination of existing streets and public utilities with new facilities.

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- C. To provide for efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.
- D. To ensure conformance of land utilization with the Comprehensive Plan of the Borough.
- E. To promote thereby the health, safety, morals, and general welfare of the residents of the County.
- F. To secure equitable handling of all subdivision and land development plans by providing uniform procedures and standards for observance by subdividers and the Commission.
- G. To encourage and promote flexibility, economy and ingenuity in the layout and design of subdivisions and land developments and to encourage other practices which are in accordance with modern and evolving principles of site planning and development.

(Ord. 151, 7/2/1979, §103)

§22-104. Interpretation.

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

(Ord. 151, 7/2/1979, §105)

§22-105. Separability.

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. If a court of competent jurisdiction finds the application of any provision or provisions of this Chapter to any lot, building or other structure, or tract of land, to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property or situation immediately involved in

the controversy, and the application of any such provision to other person, property or situations shall not be affected.

(Ord. 151, 7/2/1979, §106)

PART 2
JURISDICTIONS

§22-200. Jurisdictions.

1. It shall be unlawful for any person, firm, partnership, corporation or other legal entity or agent thereof owning, controlling or possessing any lot, tract or parcel of land in the Borough, to subdivide any lot, tract or parcel of land, to conduct land development, or to lay out, construct, open or dedicate for public use or travel any street, sanitary or storm sewer, drainage facility or other facility in connection therewith, for the common use of occupants of buildings located within the subdivision or land development, or erect any building(s) or improvements thereon, unless final plans of such subdivision or land development shall (a) have been prepared and signed by or sealed by a professional engineer or land surveyor duly and currently registered in the State of Pennsylvania; (b) submitted to and approved in writing thereon by the Council of the Borough of Hulmeville; and (c) recorded in the Bucks County Recorder of Deeds Office in Doylestown, Pennsylvania.
2. Before the approval of a plat by the Borough the Secretary of the Borough shall transmit a copy of the proposed plat to the County Planning Commission, and the Commission shall make a report thereon to such local authority. Pending the receipt and consideration of such report, the Borough shall defer action thereon; but if such report is not received within thirty days from the submission of the plat to the County Planning Commission, or within such further time as may be agreed upon by the Borough, the Borough may proceed to final action thereon.
3. It shall be unlawful to issue permits or to issue or record any plan required to be approved by the Borough unless the same shall bear thereon by endorsement or otherwise the approval of the Council of the Borough of Hulmeville.

(Ord. 151, 7/2/1979, §201)

§22-201. Preventive Remedies.

1. In addition to other remedies, the Borough may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
2. The Borough may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. This

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authority to deny such a permit or approval shall apply to any of the following applicants:

- A. The owner of record at the time of such violation.
 - B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
3. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Borough may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

(Ord. 151, 7/2/1979, §202; as amended by Ord. 223, 1/7/2002)

§22-203. ENFORCEMENT REMEDIES.

1. Any person, partnership or corporation who or which has violated the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce 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 this Chapter 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.
2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Borough the right to commence any action for enforcement pursuant to this Section.
4. District justices shall have initial jurisdiction in proceedings brought under this Section.

(Ord. 151, 7/2/1979, §202; as added by Ord. 223, 1/7/2002)

PART 3

DEFINITIONS

§22-300. General.

1. Unless a contrary intention clearly appears, the following words and phrases shall have for the purpose of this Chapter the meanings in the following clauses.
2. For the purpose of this Chapter, words and terms used herein shall be interpreted as follows:
 - A. Words used in the present tense include the future.
 - B. The singular includes the plural.
 - C. The word "person" includes a corporation, partnership, and association as well as the individual.
 - D. The word lot includes the word "plot" or "parcel."
 - E. The word "Commission" and the words "Planning Commission" always mean the Hulmeville Planning Commission.
 - F. The word "Municipality" always means the Borough of Hulmeville.
 - G. The word "Council" always means the Council of the Borough of Hulmeville.
 - H. The words "applicable Zoning Ordinance" always refers to the "Zoning Ordinance of the Borough of Hulmeville."
3. Any word or term not defined herein shall be used with a meaning of standard usage.

(Ord. 151, 7/2/1979, §300)

§22-301. Specific.

AGENT - any person, other than the subdivider, who, acting for the subdivider, submits to the Council subdivision plans for the purpose of obtaining approval thereof.

ALLEY - a right-of-way providing secondary service access for vehicles to the side or rear of abutting properties.

ALLUVIAL SOILS - areas subject to periodic flooding as defined in "Soil Survey of Bucks and Philadelphia Counties, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service, July 1975."

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APPLICANT - any person who submits to the Council subdivision or land development plans for the purpose of obtaining approval thereof.

BLOCK - an area divided into lots and usually bounded by streets.

BUILDING - a structure having a roof which is used or intended to be used for the shelter or enclosure of persons, animals or property. The word "building" shall include any part thereof.

BUILDING SETBACK LINE - the rear lines of the minimum front yards, as herein designated for each district, measured from the street line as defined in "street line." The building setback line on a cul-de-sac is a parallel line of the minimum front yard measured along the curve of the street line.

CARTWAY - the hard or paved surface portion of any street, or that portion of a street customarily used by vehicles in the regular course of travel over the street.

CLEAR-SIGHT TRIANGLE - an area of unobstructed vision at street intersections defined by the lines of sight between points at a given distance from the intersection of the street right-of-way lines. (See §27-504 of the Hulmeville Zoning Ordinance [Chapter 27].)

COMMISSION STAFF - The technical personnel retained by the Hulmeville Planning Commission.

CROSSWALK OR INTERIOR WALK - a right-of-way or easement for pedestrian travel across or within a block.

CUL-DE-SAC - a street intersecting another street at one end and terminating at the other in a vehicular turn-around.

DENSITY -

NET DENSITY - the maximum density permitted on the buildable portion of the site as determined in §22-602, "Site Capacity Calculation." The net density is controlling for all subdivisions or developments with density requirements. "Net density" is calculated by dividing the total number of dwelling units by the net buildable site area.

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

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

DRIVEWAY - a minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

DWELLING UNIT - any room or group or rooms located within a residential building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one family.

ENGINEERING CONSIDERATIONS - all engineering responsibilities as herein defined shall be those of the Engineer for the Borough of Hulmeville; hereafter referred to as the Municipal Engineer. The Borough Engineer will review the plan and any accompanying material for the proposed subdivision or land development and make his findings known in a report to the county Planning Commission and the Council. The report will be considered by the Council when reviewing the proposal. For the purpose of clearly identifying the extent of the engineer's responsibility in the review of subdivision and land development proposals, the following engineering considerations are defined: The engineer shall make recommendations concerning approval or disapproval of the application based upon these considerations as they are reflected in the plans submitted:

- A. Dimensions and areas of lots or parcels.
- B. Existing and proposed contours in relation to the proposed use and that of adjacent properties.
- C. Soil conditions and proposed erosion controls.
- D. Surface and subsurface drainage conditions and proposed storm drainage plans.
- E. Lighting plans.
- F. Utility plan, easement requirements.
- G. Road specifications, widths, cross-sections, alignment, profiles, and intersections.
- H. Location and design of entrance and existing accessways.
- I. Sewage disposal system.
- J. Conformance to the Zoning Ordinance.
- K. Acceptability of materials, construction indicated in final plans and specifications.

EASEMENT - a grant of the use of parcel of land to the use of the public, a corporation, or a person, for a specified purpose.

EROSION - the removal of surface by the action of natural elements.

FLOOD - a temporary inundation of normally dry land areas.

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- A. **FLOOD, ONE HUNDRED YEAR** - a flood that, on the average, has a 1% chance of occurring in any given year; for the purposes of this Chapter, the regulatory flood.
- B. **FLOOD, REGULATORY** - the flood which has been selected to serve as the basis upon which the floodplain management provisions of this Chapter and other ordinances have been prepared; for the purposes of this Chapter, the one-hundred year flood.
- C. **FLOOD ELEVATION, REGULATORY** - the one-hundred year flood elevation.
- D. **FLOOD LINE, ONE-HUNDRED YEAR** - the line which represents the one-hundred year flood.

FLOOD DISTRICT DEVELOPMENT - any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, maining, dredging, filling, grading, paving, excavation or drilling operations; any use or activity in the Flood District defined as a subdivision or land development in the applicable Subdivision and Land Development Ordinance [Chapter22].

FLOODPLAIN - a relatively flat or low-lying area usually adjoining a stream or watercourse which is subject to partial or complete inundation; an area subject to the unusual and rapid accumulation of runoff or surface waters from any source; and for the purpose of this Chapter, the one-hundred year floodplain as delineated by the most recent Flood Insurance Study.

- A. **ALLUVIAL SOILS** - (See "alluvial soils.")
- B. **FLOODPLAIN, ONE-HUNDRED YEAR** - the area of land which is likely to be inundated during a one-hundred year flood.
- C. **FLOODWAY** - the designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purpose of this Chapter, the floodway shall be capable of accommodating a flood of the one-hundred year magnitude.
- D. **FLOODWAY LINE** - the line which represents the limits of the floodway.
- E. **FLOOD FRINGE** - that portion of the floodplain which lies between the one-hundred year flood line and the floodway line which can be regarded as suitable to accommodate limited building construction without significant effect upon one-hundred year flood elevations.

FOREST - areas, groves, or stands of mature or largely mature trees (i.e., greater than 8 inches caliper) consisting of 10 individuals or more covering an area of one-quarter of an acre.

HABITABLE FLOOR - any floor useable for living purposes, which includes working, sleeping, eating, cooking or recreation or a combination thereof. A basement is considered a habitable floor. A floor used only for storage purposes is not a habitable floor.

HALF OR PARTIAL STREET - a street parallel and adjacent to a property line having a lesser right-of-way width than required for satisfactory improvement and use of the street.

IMPERVIOUS SURFACES - impervious surfaces are those that do not absorb precipitation and surface water. All buildings, parking area, driveways, roads, sidewalks, and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.

IMPERVIOUS SURFACE RATIO - the impervious surface ratio is a measure of the intensity of the use of a piece of land. It is measured by dividing the total area of all impervious surfaces within the site by the net buildable site area.

IMPROVEMENTS - those physical additions, installations and changes required such as streets, curbs, sidewalks, water mains, sewers, drainage facilities, public utilities, and any other appropriate items required to render land suitable for the use proposed.

LAND DEVELOPMENT - the improvement of one or more lot(s), tract(s), or parcel(s) of land for any purpose involving:

- A. The planning or erection of a building or group of buildings for the following uses: residential or multi-family residential. The erection of a single residential unit on a single lot is specifically excluded.
- B. The division or allocation of land or space between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, parking driveways, building groups or other features, whether such division is by leasehold, condominium, homeowners associations, cooperatives, partnership or sale.
- C. Any subdivision as herein defined in "subdivision, major and minor."

LOT - a parcel of land used or set aside and available for use as the site of one or more buildings and buildings accessory thereto or for any other purpose, in one ownership and not divided by a street, nor including any land within the right of way of a public or private street upon which said lot abuts, even if the ownership to such way is in the owner of the lot. A lot for the purpose of this Chapter may or may not coincide with a lot of record.

LOT AREA - the area contained within the property lines of the individual parcels of land as shown on a subdivision plan, excluding any area within a street right-of-way, but including the area of any easement.

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MARGINAL ACCESS STREET - minor streets, parallel and adjacent to major traffic streets, providing access to abutting properties and control of intersections with the major traffic street.

MULTIPLE DWELLING BUILDING - a building providing separate living quarters for two or more families.

MUNICIPALITY - Borough of Hulmeville.

OPEN SPACE - open space is land used for recreation, resource protection, or amenity, freely accessible to all residents, and protected by the provisions of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22] to ensure that it remains in such uses. Open space does not include land occupied by buildings, buffers, roads, single or multi-family dwelling units or parking areas as required by the provisions of this Chapter. Open space shall be left in a natural state except in the case of recreation uses which may contain impervious surfaces. Such impervious surfaces shall be included in the calculation of the impervious surface ratio.

OPEN SPACE RATIO - the open space ratio is a measure of the intensity of land use. It is arrived at by dividing total amount of open space within the site by the base site area.

OWNER - the owner of record of a parcel of land.

PLAN, FINAL - a complete and exact subdivision plan, prepared as for official recording, to define property rights and proposed streets and other improvements.

PLAN, PRELIMINARY - a tentative subdivision plan, in lesser detail than a final plan, showing the salient existing features of a tract and its surroundings and approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

PLAN RECORD - an exact copy of the approved final plan on opaque linen of standard size, prepared for necessary signatures and recording with the Bucks County Recorder of Deeds.

PLAN, SKETCH - an informal plan, to scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision for discussion purposes only and not to be presented for approval.

RESUBDIVISION - any subdivision or transfer of land, laid out on a plan which has been approved by the Council, which changes or proposes to change property lines and/or public rights-of-way not in strict accordance with the approved plan.

REVERSE FRONTAGE LOT - a lot extending between and having frontage on a major street and a minor street with vehicular access solely from the latter.

RIGHT-OF-WAY - a strip of land occupied or intended to be occupied by a street, alley, crosswalk, sanitary or storm sewer, stream, drainage ditch, or for another special use. The

usage of the term "right-of-way" for land plotting purposes in the Borough shall mean that every right-of-way hereafter established and shown on a final record plan is to be separated and distinct from lots or parcels adjoining such right-of-way, and not included with the dimensions or areas of such lots or parcels.

RIGHT-OF-WAY, FUTURE - the right-of-way deemed necessary to provide adequate width for future street improvements. Future right-of-way widths are designated in the Hulmeville Borough Zoning Ordinance [Chapter 27].

RUNOFF - the surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

SEDIMENTATION - the process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment."

SEWAGE FACILITY - any sewer, sewage system, sewage treatment works or part thereof designed, intended or constructed for collection, treatment or disposal of liquid waste including industrial waste.

SIGHT DISTANCE - the length of street, measured along the center line, which is continuously visible from any point three feet above the center line.

SITE - the site shall be defined as a parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

SITE AREA - all land area within the site as defined in the deed. Area shall be from an actual site survey rather than from a deed description.

SITE AREA, BASE - The total area of a site, minus existing road and utilities rights-of-way, and:

- A. Land which is not contiguous or is cut from the parcel by a road or railway.
- B. Land shown on previous subdivisions or land development plans as reserved from the development for natural resource reasons, such as floodplain lands.

SITE AREA, NET BUILDABLE - the area of a site remaining for development after the amount of open space necessary for resource protection and recreation has been calculated.

SLOPE - the face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical distance in feet per 100 feet of horizontal distance.

STEEP SLOPES - areas where the average slope exceeds 8% which, because of this slope, are subject to high rates of stormwater runoff and, therefore, erosion.

STREET -

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- A. A public or private way used or intended to be used for passage or travel by automotive vehicles. If private, such way must be used or intended to be used as the principal means of access to abutting lot or lots or to more than 2 dwelling units on a lot on which a private way is exclusively used.
- B. Streets are further defined and classified as follows:
- (1) **EXPRESSWAYS** - designed for large volume of high-speed through traffic with access limited to selected intersections, either grade-separated or at grade.
 - (2) **ARTERIAL STREET** - designed for large volumes of thru traffic with access to abutting properties generally controlled.
 - (3) **COLLECTOR STREET** - designed to carry a moderate to heavy volume of traffic from primary and secondary streets to arterial streets and expressways with access to abutting properties frequently controlled.
- C. **LOCAL STREETS** -
- (1) **PRIMARY RESIDENTIAL STREET** - designed to carry a moderate volume of traffic to intercept secondary (residential) streets, to provide routes to collector streets and community facilities, and to provide access to the abutting properties.
 - (2) **SECONDARY RESIDENTIAL STREET** - designed to provide access to the abutting properties and a route to primary residential streets.
 - (3) **MARGINAL ACCESS OR FRONTAGE STREET** - a secondary street parallel and adjacent to an expressway, arterial or collector street, which provides access to abutting properties and separation from through traffic.
 - (4) **ALLEY OR SERVICE STREET** - a minor way used primarily for service-vehicle access to the rear or sides of properties otherwise abutting directly onto another street.
 - (5) **DRIVEWAY** - generally a private way for the use of vehicles and pedestrians providing access between a public street and an interior area within a lot or property.

STREET LINE - the dividing line between the street right-of-way and the lot. The street line shall be the same as the legal right-of-way line, provided that the street right-of-way shall not be less than required in §22-506 of this Chapter and where a future right-of-way width for a street has been officially established, the street right-of-way so established.

SUBDIVISION, MAJOR AND MINOR -

- A. **MAJOR SUBDIVISION** - the division of a lot, tract or parcel of land or part thereof into two or more lots, tracts, or parcels of land for the purpose, whether immediate or future, of transfer of ownership or of building development. Provided, however, that divisions of land for agricultural purposes in parcels of more than 10 acres, not involving any new streets or easements of access, shall be exempted.
- B. **MINOR SUBDIVISION** - the division of a single lot, tract or parcel of land into two lots, tracts, or parcels of land, for the purpose, whether immediate or future of ownership or of building development, providing the proposed lots, tracts, or parcels of land thereby created have frontage on an improved public street or streets, and providing further that there is not created by the subdivision any new street or streets, the need of required improvements, easement or access or the need therefor.

UNDEVELOPED LAND - land in parcels sufficiently large for future subdivision which is presently in agriculture, woodland or lying fallow.

WATER FACILITY - any water works, water supply works, water distribution system or part thereof designed, intended or constructed to provide or distribute potable water.

YARD - an open space unobstructed from the ground up, on the same lot with a structure, extending along a lot line or street line and inward to the structure. The size of the required yard shall be measured as the shortest distance between the structure and the lot line or street line.

(Ord. 151, 7/2/1979, §§300-359)

PART 4

GENERAL PROCEDURES

§22-400. General Procedures.

1. In order to discharge the duties imposed by law, the Borough has adopted the following procedures which shall be observed by all applicants and their agents.
2. The review process for the plans required by this Chapter shall include no more than 90 days following the date of the regular meeting of the Planning Commission next following the date the application is filed, provided that should said next regular meeting occur more than 30 days following the filing of the application, the said ninety day period shall be measured from the thirtieth day following the day the application has been filed. The applicant may agree to waive the time requirement by written request.
3. The presentation of a sketch plan, a preliminary plan or final plan shall each be considered a separate submission, and the maximum 90-day review period may be required for each such plan.
4. The submission of revised sketch, preliminary or final plan shall constitute a new and separate submission. The review process for revised plans by the Borough shall include no more than 90 days following the date of the regular meeting of the Planning Commission next following the date the application is filed, provided that should said next regular meeting occur more than 30 days following the filing of the application, the said 90 day period shall be measured from the thirtieth day following the day the application has been filed. The applicant may agree to waive the time requirement. A revised plan must be accompanied by a completed application form, all required information and appropriate fees. With a revised plan, the applicant must submit a written withdrawal of the previously submitted plan.
5. The separate stages of approval may require the submission of Preliminary Plans and Final Plans. These plans differ in their purpose and required level of detail. The tables below indicate the required plan for the different types of submission.

Plan	Minor Subdivision	Major Subdivision	Land Development
Sketch	Recommended	Recommended	Recommended
Preliminary	Not required	Required	Required
Final	Required	Required	Required
Record	Required	Required	Required

6. The owner of the parcel of land to be subdivided or developed shall submit a written statement granting the Borough Council, its authorized agents and representatives the Planning Commission and the representatives of the County and Borough

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departments and agencies having responsibility for review and/or approval under this Chapter the right to enter the parcel of land for the purpose of inspection and enforcement of the requirements, terms and conditions imposed herein.

7. The Borough shall have the sole responsibility to forward the plans to other reviewing agencies. Plans are not to be delivered to any reviewing agency by the applicant or his agent.
8. Applications for all stages of the review process shall be submitted to the Borough Secretary. Proper fees and all other plan requirements of this Chapter shall be included. The Borough Secretary shall check the application for completeness. If the application is complete, the applicant will be notified in writing and the application shall be formally submitted at the next Borough Council meeting. If the application is found to be incomplete, the applicant will be notified in writing of the deficiencies. The application will not be presented to the Planning Commission for formal acceptance nor will the review period begin until the application is complete.
9. A public hearing may be required by the Borough Council or Planning Commission prior to taking action on a plan for Subdivision or Land Development. In the absence of a special public hearing after public notice, all regular meetings of the Borough Council or the Planning Commission shall be considered public hearings.

(Ord. 151, 7/2/1979, §400)

§22-401. Sketch Plan.

1. Purpose.

- A. The purpose of the sketch plan is to afford the applicant the opportunity to consult early and informally with both the Hulmeville Borough Planning Commission and the Bucks County Planning Commission before the preparation of the preliminary plan and formal application for approval.
- B. During the sketch plan procedure, the applicant can advantageously make use of the services of both Planning Commissions to help him analyze the problem of the development and plan more adequately for its sound coordination with the community.
- C. The sketch plan procedure also affords both Planning Commissions the opportunity to give informal guidance to the applicant at a stage which potential points of difference can be more easily resolved. It can also simplify official action and save unnecessary expense and delay.

2. Sketch Plan Procedures.

- A. Applicant shall submit a complete submission to the Borough Secretary including:

- (1) Ten copies of the sketch plan.
- (2) Complete Borough application form.
- (3) Appropriate Borough fee.
- (4) Completed Bucks County Planning Commission application form.
- (5) Appropriate Bucks County Planning Commission fee.

If the submission is incomplete, it will be returned promptly indicating deficiencies. Written notice of such deficiencies will be given as indicated in §22-400(8). A complete submission will be accepted.

B. The Borough Secretary shall distribute copies of the sketch plan and applications to:

Hulmeville Borough Council	2 copies
Hulmeville Borough Planning Commission	2 copies
Bucks County Planning Commission	2 copies
Borough Engineer	1 copy
Fire Marshall	1 copy
Zoning Officer	1 copy
PennDOT (State Highway only)	1 copy 10 copies

If there are 5 members on the board, why 2 copies?

Which copy does he/she get/see?

- C. Comments and recommendations should be forwarded to the Planning Commission by the Borough Secretary, the Bucks County Planning Commission, the Engineer, the Fire Marshall, the Zoning Officer and PennDOT (if applicable) within 45 days following the starting date of the review process.
- D. Within 90 days following the starting date of the review process as set forth in §22-400, the Planning Commission shall:
 - (1) Determine whether the sketch plan meets the general objectives of the Comprehensive Plan and the requirements of this Chapter.
 - (2) The Planning commission shall communicate its comments and recommendations to the applicant by mail at the address supplied on his application within 15 days of the Planning Commission meeting at which the comments and recommendations were discussed.

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(Ord. 151, 7/2/1979, §401)

§22-402. Minor Subdivision Plan.

1. Purpose.

In the case of minor subdivisions, as defined in §22-301, it is the purpose of this section to provide a simplified procedure by which said minor subdivisions may be submitted and approved. In all other cases, the provisions of this section on minor subdivisions shall not be applicable and the owner shall be required to comply with the requirements of §§22-403 and 22-404.

2. Procedure.

A. Applicant shall submit a complete submission to the Borough Secretary. A complete submission shall include:

- (1) Fourteen copies of the minor subdivision plan.
- (2) Three copies of the planning module for land development for the Sewage Facilities Act (Act 537) reviewing agencies. Appropriate forms should be secured from the Bucks County Department of Health.
- (3) Completed Borough application form.
- (4) Appropriate Borough fee.
- (5) Completed Bucks County Planning Commission application form.
- (6) Appropriate Bucks County Planning Commission fee.

If the submission is incomplete it will be returned promptly indicating deficiencies. Written notice of such deficiencies will be given as indicated in §22-400(8). A complete submission will be accepted.

B. The Borough Secretary shall distribute copies of the plan and application to:

Hulmeville Borough Council	2 copies
Hulmeville Borough Planning Commission	2 copies
Hulmeville Borough Engineer	2 copies
Fire Marshall	1 copy
Zoning Officer	1 copy

Bucks County Dept. of Health
3 copies and
three copies of the planning module for land development must
also be completed and submitted to supply necessary information
for the Act 537 (Sewage Facilities Act) reviewing agencies

14 copies

Only adds to 11

- C. Upon receipt of the plans, the Borough Engineer shall:
- (1) Review the engineering considerations in the applicant's submission; and
 - (2) Prepare and submit a report to the Borough Council and Planning Commission.
- D. The Borough Planning Commission shall, within 60 days of the start of the review period as indicated in §22-400(2):
- (1) Review reports submitted by the other reviewing agencies and officials.
 - (2) Determine whether the minor subdivision plan meets the requirements of this and other applicable ordinances.
 - (3) Recommend approval or denial of the minor subdivision plan in a written report to the Borough Council. When denial is recommended, the written report shall specify the defects found in the application and describe the requirements which have not been met and, in each, cite the provisions of the statute or ordinance relied upon.
- E. The Borough Council shall, within 90 days of the start of the review period as indicated in §22-400(2):
- (1) Review reports submitted by the other reviewing agencies and officials. Council shall not act until the written comments of the Borough Planning Commission have been received or until a period of 60 days has expired from the date of the start of the review period. Council also shall not act until the report of the Bucks County Planning Commission has been received or until a period of 45 days has expired from the date of the start of the review period.
 - (2) Listen to the applicant's presentation if requested by the applicant.
 - (3) Determine whether the minor subdivision plan meets the requirements of this Chapter and other applicable ordinances.
 - (4) Render its decision in writing. A report of the decision shall be mailed to the applicant at the address supplied on his application within 15 days of its action. When the application is not approved in terms as filed,

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Why not silk?

the decision shall specify the defects found and describe the requirements which have not been met and shall in each case cite the provisions of the ordinance that has been relied upon.

- F. If approved by the Borough Council, 2 exact copies of the approved plan on linen shall be submitted for the required signatures as specified in §22-301.

(Ord. 151, 7/2/1979, §402)

§22-403. Preliminary Plan; Major Subdivisions and Land Developments including Conversions and Dwellings in Combination.

1. Purpose.

The purpose of the preliminary plan is to minimize changes and revisions to the final plans. The preliminary plan and all information and procedures relating thereto shall in all respects be in compliance with the provisions of this Chapter.

2. Procedure.

A. Applicant shall submit a complete submission to the Borough Secretary. A complete submission shall include:

- (1) Fourteen copies of the preliminary plan.
- (2) Three copies of the planning module for land development for the Sewage Facilities Act (Act 537) reviewing agencies. Appropriate forms should be secured from the Bucks County Department of Health.
- (3) Completed Borough application form.
- (4) Appropriate Borough fee.
- (5) Completed Bucks County Planning Commission application form.
- (6) Appropriate Bucks County Planning Commission fee.

If the submission is incomplete, it will be returned promptly indicating deficiencies. Written notice of such deficiencies will be given as indicated in §22-400(8). A complete submission will be accepted.

B. The Borough Secretary shall distribute copies of the plan and application to:

Hulmeville Borough Council	2 copies
Hulmeville Borough Planning Commission	2 copies

Hulmeville Borough Engineer	2 copies
Fire Marshall	1 copy
Zoning Officer	1 copy
Bucks County Planning Commission	2 copies
PennDOT (State Highway only)	1 copy
Bucks County Dept. of Health	3 copies and three copies of the Planning Module for Land Development must also be completed and submitted to supply necessary information for the Act 537(Sewage Facilities Act) reviewing agencies.
	<hr/> 14 copies

- C. Upon receipt of the plans, the Borough Engineer shall:
- (1) Review the engineering considerations in the applicant's submission; and
 - (2) Prepare and submit a report to the Borough Council and Planning Commission.
- D. The Borough Planning Commission shall, within 60 days of the start of the review period as indicated in §22-400(2):
- (1) Review reports submitted by the other reviewing agencies and officials.
 - (2) Determine whether the preliminary plan meets the requirements of this Chapter and other applicable ordinances.
 - (3) Recommend approval or denial of the preliminary plan in a written report to the Borough Council. When denial is recommended, the written report shall specify the defects found in the application and describe the requirements which have not been met and, in each case, cite the provisions of the statute or ordinance relied upon.
- E. The Borough Council shall, within 90 days of the start of the review period as indicated in §22-400(2):
- (1) Review reports submitted by the other reviewing agencies and officials. Council shall not act until the written comments of the Borough Planning Commission have been received or until a period of 60 days has expired from the date of the start of the review period. Council also shall not act until the report of the Bucks County Planning Commission has been received or expired from the date of the start of the review period.

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- (2) Listen to the applicant's presentation if requested by the applicant.
 - (3) Determine whether the preliminary plan meets the requirements of this Chapter and other applicable ordinances.
 - (4) Render its decision in writing. A report of the decision shall be mailed to the applicant within 15 days of its action. When the application is not approved in terms as filed, the decision shall specify the defects found and describe the requirements which have not been met and shall in each case cite the provisions of the ordinances that has been relied upon.
- F. Approval of the preliminary plan shall constitute conditional approval of the Subdivision or Land Development, but shall not constitute approval of the final plan or authorize the sale of lots or construction of buildings. The applicant may proceed with final plan submission.

(Ord. 151, 7/2/1979, §403)

§22-404. Final Plan; Major Subdivision and Land Developments including Conversions and Dwellings in Combination.

1. Purpose.

The purpose of the final plan is to require formal approval by the Borough Council before plans for all subdivisions and land developments are recorded as required by this Chapter. A final plan shall be submitted conforming to the changes recommended during the preliminary plan procedures. The final plan and all information and procedures relating thereto shall in all respects be in compliance with the provisions of this Chapter, except where variation therefrom may be specifically approved in writing by the Borough Council with preliminary plan approval.

2. Procedure.

- A. Applicant shall submit a complete submission to the Borough Secretary. A complete submission shall include:
- (1) Fourteen copies of the final plan.
 - (2) Three copies of the planning module for land development for the Sewage Facilities Act (Act 537) reviewing agencies. Appropriate forms should be secured from the Bucks County Department of Health.
 - (3) Completed Borough application form.
 - (4) Appropriate Borough fee.
 - (5) Completed Bucks County Planning Commission application form.

- (6) Appropriate Bucks County Planning Commission fee.

If the submission is incomplete, it will be returned promptly indicating deficiencies. Written notice of such deficiencies will be given as indicated in §22-400(8). A complete submission will be accepted.

- B. The Borough Secretary shall distribute copies of the plan and application to:

Hulmeville Borough Council	2 copies
Hulmeville Borough Planning Commission	2 copies
Hulmeville Borough Engineer	2 copies
Fire Marshall	1 copy
Zoning Officer	1 copy
Bucks County Planning Commission	2 copies
PennDOT (State Highway only)	1 copy
Bucks County Department of Health	3 copies and three copies of the Planning Module for Land Development must also be completed and submitted to supply necessary information for the Act 537 (Sewage Facilities Act) reviewing agencies.
	<hr/> 14 copies

- C. Upon receipt of the plans, the Borough Engineer shall:

- (1) Review the engineering considerations in the applicant's submission; and
- (2) Prepare and submit a report to the Borough Council and Planning Commission.

- D. The Borough Planning Commission shall, within 60 days of the start of the review period as indicated in §22-400(2):

- (1) Review reports submitted by the other reviewing agencies and officials.
- (2) Determine whether the final plan meets the requirements of this Chapter and other applicable ordinances.
- (3) Recommend approval or denial of the final plan in a written report to the Borough Council. When denial is recommended the written report shall specify the defects found in the application and describe the

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requirements which have not been met and, in each case, cite the provisions of the statute or ordinance relied upon.

- E. The Borough Council shall, within 90 days of the start of the review period as indicated in §22-400(2):
- (1) Review reports submitted by the other reviewing agencies and officials. Council shall not act until the written comments of the Borough Planning Commission have been received or until a period of 60 days has expired from the date of the start of the review period.
 - (2) Listen to the applicant's presentation if requested by the applicant.
 - (3) Determine whether the final plan meets the requirements of this Chapter and other applicable ordinances.
 - (4) Render its decision in writing. A report of the decision shall be mailed to the applicant at the address supplied on his application within 15 days of its action. When the application is not approved in terms as filed, the decision shall specify the defects found and describe the requirements which have not been met and shall in each case cite the provisions of the ordinance that has been relied upon.
- F. If approved by Borough Council, two exact copies of the approved plan on linen be submitted for the required signatures as specified in §22-301. The applicant shall submit all required contracts as specified in Part of this Chapter. The linen copies of the plan for recording purposes shall not be signed by Borough Council until the guarantees and contracts specified in Part have been approved by Borough Council.

(Ord. 151, 7/2/1979, §404)

§22-405. Record Plan.

1. The action of the Borough Council or of the Court on appeal in approving any subdivision or land development plan and approved duplicate copy of such plan shall, within 90 days of the date of approval, be recorded by the Borough in the Office of the Recorder of Deeds of Bucks County. The Borough shall notify the applicant in writing of the date of such recording and the plan book and page wherein such subdivision or land development is recorded. If the plan is not recorded within the 90 day period, the approval shall lapse and become void.
2. **Effect of Recording.**
 - A. After a subdivision or land development has been duly recorded, the streets, parks and other public improvements shown thereon shall be considered to be a part of the official plan of the Borough.

- B. Streets, parks and other public improvements shown on a Subdivision or land Development Plan to be recorded may be offered for dedication to the Borough by formal notation thereof on the Plan that such improvements have not been offered for dedication to the Borough.
- C. 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, park or improvement until such time as the same has been offered for dedication to the Borough and accepted, by resolution, and recorded in the Office of the Clerk of the Court of Common Pleas of Bucks County, or until it has been condemned for use as a public street, park or improvement.

(Ord. 151, 7/2/1970, §405)

PART 5
DESIGN STANDARDS

§22-500. Application.

1. The following land subdivision and land development principles, standards and requirements will be applied by the Commission in evaluating plans for proposed subdivisions and land developments.
2. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals and general welfare.
3. Whenever Borough or other applicable regulations impose more restrictive standards and requirements than those outlined herein, such other regulations shall control.
4. Where literal compliance with the standards specified herein is clearly impractical, the Commission may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of these regulations.

(Ord. 151, 7/2/1979, §501)

§22-501. General Standards.

1. All portions of a tract being subdivided shall be taken up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created.
2. Reserve strips controlling access to lots, public rights-of-way, public lands or adjacent private lands are prohibited.
3. In general, lot lines shall follow Borough and County boundary lines rather than cross them.
4. Wherever possible, developers shall preserve trees, groves, waterways, scenic points, historic spots and other community assets and landmarks.
5. Subdivisions and land developments shall be laid out so as to avoid the necessity for excessive cut or fill.
6. Land subject to flooding or other hazards to life, health or property, and land deemed to be topographically unsuitable, shall not be platted for residential occupancy nor for such other uses as may increase danger to health, life, or property, not aggravate erosion or flood hazard until all such hazards are provided by the subdivision plans. Such land within the subdivision or land development shall be set aside on the plot

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for uses as shall not be endangered by periodic or occasional inundation and shall not produce unsatisfactory living conditions.

7. Where flooding is known to have occurred within the area shown on the Plan, such area shall be clearly marked "subject to periodic flooding." and no building or streets shall be permitted in this area except as set forth and in conformity with the requirements of the Zoning Ordinance [Chapter 27].

(Ord. 151, 7/2/1979, §502)

§22-502. Community Facilities.

1. In reviewing subdivision and land development plans, the Council will consider the adequacy of existing or proposed community facilities. Should it be determined that there is a need for additional or improved community facilities, and additional open space, the applicant or Council may propose such improvements under §27-619, "Community Improvement Premium" of the Zoning Ordinance Chapter.
2. Areas provided or reserved for such community facilities shall be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed.
3. **Standards for community facilities.** The following standards shall apply to the provisions of recreation space and open space:
 - A. Areas set aside for recreational purposes, such as playgrounds or playfields, shall be of adequate size and configuration to accommodate the intended use. Access shall be provided from a street.
 - B. Open space shall be provided as required by the Zoning Ordinance [Chapter 27].
 - C. Open space and recreation areas shall be usable open space rather than residual land remaining after the lot, structure and street layout. Open spaces shall have a minimum dimension of 20 feet and a minimum area of 10,000 square feet.

(Ord. 151, 7/2/1979, §503)

§22-503. Streets; General.

1. Proposed streets shall conform in all respects to the Official Map and General Development Plan of the Borough, if one has been adopted, or to such other street plans or parts thereof as have been officially prepared and adopted.

2. Proposed streets shall further conform to such County and State street and highway plans as have been prepared, adopted and/or filed as prescribed by law and to the requirements of a general plan of the area.
3. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.
4. Residential streets shall be so laid out as to discourage through traffic; however, the arrangement of streets shall provide for continuation of existing or platted streets and for proper access to adjoining undeveloped tracts suitable for future subdivision.
5. If lots resulting from original subdivision are large enough to permit resubdivision, or if a portion of the tract is not subdivided, adequate street rights-of-way to permit further subdivision shall be provided as necessary.
6. Dead end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sacs.
7. Stub streets greater in length than one lot depth, shall be provided with a temporary turn-around to the standards required for cul-de-sacs, or shall be paved to the full width of the right-of-way for the last 75 feet of their length.
8. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets. Street names shall not be repeated within the Borough, and all street names shall be subject to the approval of Council.
9. Private streets may be approved if such private streets are designed to meet Borough street standards.

(Ord. 151, 7/2/1979, §504)

§22-504. Cul-del-sac Streets.

1. A permanent or temporary cul-de-sac exceeding 500 feet in length may be approved by the Planning Commission only if conditions of the tract warrant a longer cul-de-sac.
2. Cul-de-sacs shall have at the closed end a turnabout with a right-way having a minimum outside radius of not less than 60 feet and shall be paved to a radius of not less than 48 feet.
3. Drainage of cul-de-sacs shall preferably be toward the open end.
4. A temporary cul-de-sac shall be designed so that the cartway is widened to a 50 foot width for a distance of 75 feet at the turnaround.

FD access road requires min of 96 ft on cul-de-sac > 150 ft length

(Ord. 151, 7/2/1979, §505)

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§22-505. Street Standards.

1. The following chart is a general guide to the dimensional standards for the various classifications of roads as defined in §22-301:

	R/W (feet)	Cartway (feet)	Curb	Sidewalks
Arterial Street	100-120	*	*	*
Collector Street	80	40	*	*
Primary	60	36	**	**
Secondary	50	26	**	**
Marginal Access Street				
Residential	35	22	**	**
Other Districts	50	30	yes	

* As recommended by the Pennsylvania Department of Transportation.

** Curbs and sidewalks shall be installed when required by the Council.

2. Additional rights-of-way and cartway widths may be required by the Commission in order to lessen traffic congestion, to secure safety from fire, panic and other dangers, to facilitate the adequate provision for transportation and other public requirements, and to promote the general welfare.
3. Short extension of existing streets with lesser right-of-way and/or cartway widths than prescribed above may be permitted; provided, however, that no section of new right-of-way be less than 50 feet in width.
4. Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width shall be dedicated to conform to the standards set by the Borough.
5. New half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.
6. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.

(Ord. 151, 7/2/1979, §506)

§22-506. Street Alignment.

1. Whenever street lines are deflected in excess of 5 degrees, connection shall be made by horizontal curves.

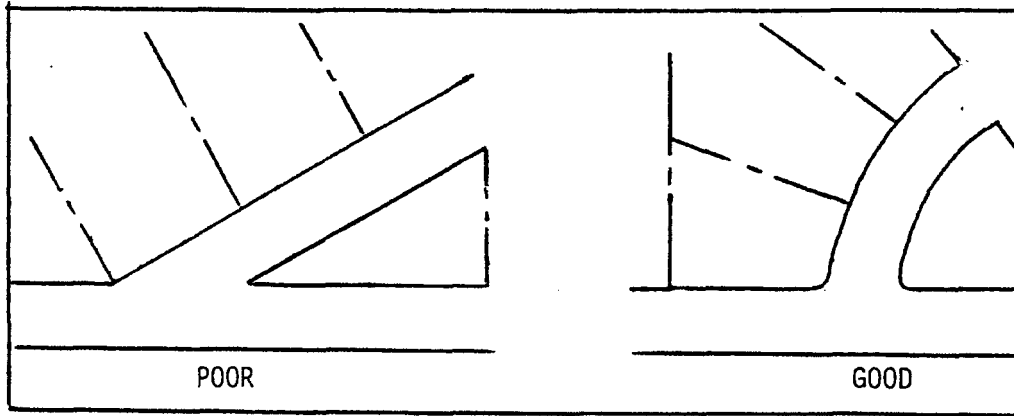
2. To ensure adequate sight distance, minimum center line radii for horizontal curves shall be as follows:
 - A. Secondary Streets: 100 feet.
 - B. Primary Streets: 200 feet.
 - C. Collector Streets: 300 feet.
3. Except on minor streets, a minimum tangent of 100 feet shall be required between curves.
4. A long, radius curve shall be preferred in all cases to a series of curves and tangents.
5. The approaches to an intersection shall follow a straight course for at least 50 feet.
6. Any applicant who encroaches within the legal right-of-way of a State highway is required to obtain a highway occupancy permit from the Pennsylvania Department of Transportation, Permits Office, Doylestown, Pennsylvania.

(Ord. 151, 7/2/1979, §507)

§22-507. Street Grades.

1. Center line grades shall not be less than 0.5%.
2. The maximum street grades shall be as follows:
 - A. Secondary Streets: 10%.
 - B. Primary and Collector Streets: 6%.
3. Vertical curves shall be used at changes of grade exceeding 1% and shall be designed in relation to the extent of the grade change and to provide the following minimum sight distances:
 - A. For over crests (summits), each 4% difference in gradients use 125 foot length of curve.
 - B. For under crests (sags), each 4% difference in gradients use 100 foot length of curve.
4. Where the grade of any street at the approach to an intersection exceeds 7%, a leveling area shall be provided having not greater than 4% grades.
5. Maximum grade within any intersection shall not exceed 1%.

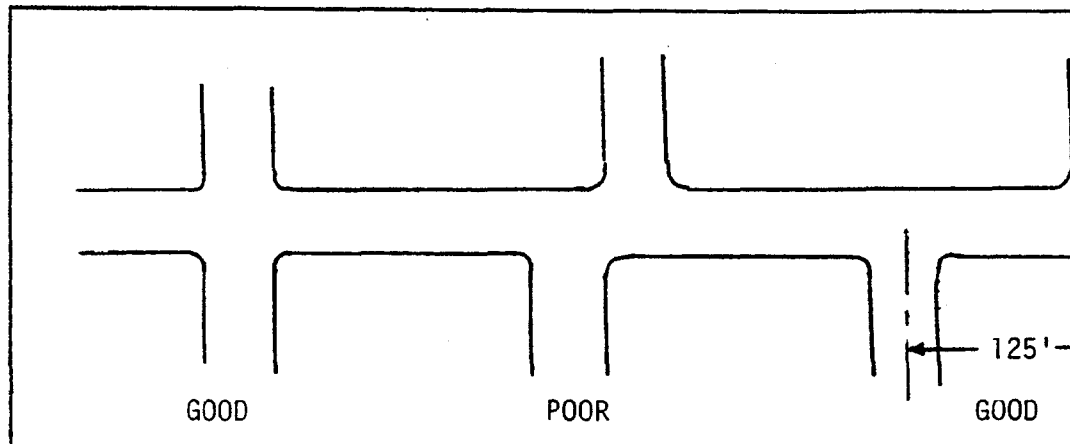
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(Ord. 151, 7/2/1979, §508)

§22-508. Street Intersections.

1. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 60 degrees.
2. Multiple intersections involving junction of more than two streets shall be avoided. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.
3. Clear sight triangles of 50 feet measured along street right-of-way lines from their points of junction shall be provided at all intersections; and no building, structure, grade or planting higher than 2 feet above the center line of the street shall be permitted within such sight triangles.
4. Primary and secondary residential streets shall not intersect on the same side of a major thoroughfare at an interval of less than 800 feet.



5. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 125 feet between their center lines.
6. Minimum curb radii at street intersections shall be 15 feet; and at the property line, radius shall be 10 feet.

(Ord. 151, 7/2/1979, §509)

§22-509. Street Access.

1. Where a subdivision abuts or contains an existing or proposed expressway, arterial or collector street, the Commission may require marginal-access streets or reverse-frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major street, and separation of local and through traffic.
2. Access of parking areas on commercial and industrial sites shall be controlled and shall be so located as to provide a minimum of 200 feet between points of access.
3. Private driveways, where provided, shall be located not less than 40 feet from the intersection corner of corner lots and shall provide access to the street of lower classification when a corner lot is bounded by streets of two different classifications as defined herein.

(Ord. 151, 7/2/1979, §510)

§22-510. Grading and Drainage.

1. Blocks and lots shall be graded to secure proper drainage away from buildings and to prevent the collection of storm water in pools.
2. All drainage provisions shall be of such design as to carry surface waters to the nearest practical and adequate street, storm drain, or natural water course. Subdividers must carry surface waters to the nearest practical storm drain or natural water course.
3. The subdivision owner shall construct and/or install such drainage structures and/or pipes as are necessary to prevent erosion damage and to satisfactorily carry off surface waters.
4. No excavation shall be made with a cut face steeper than 3:1, except under one or more of the following conditions:
 - A. The excavation is located so that a line having a slope of 3:1 and passing through any portion of the cut face will be entirely inside the property lines of the property on which the excavation was made.

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- B. The material in which the excavation is made is sufficiently stable to sustain a slope of steeper than one horizontal to one vertical. A written statement to that effect from a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control, is submitted to the County Engineer and approved by him. The statement shall affirm that the site has been inspected and that the deviation from the slope will not result in injury to persons or damage to property.
 - C. A concrete or stone masonry wall constructed in accordance with approved standards is provided to support the face of the excavation.
5. No fill shall be made which creates any exposed surface steeper in slope than one and one-half horizontal to one vertical, except under one or more of the following conditions:
- A. The fill is located so that settlement, sliding, or erosion will not result in property damage or be a hazard to adjoining property, streets, alleys or buildings.
 - B. A written statement from a civil engineer licensed by the Commonwealth and experienced in erosion control, certifying that he has inspected the site and that the proposed deviation from the slope specified above will not endanger any property or result in property damage, is submitted to and approved by the County Engineer.
 - C. A concrete or stone masonry wall constructed in accordance with approved standards is provided to support the face of the excavation.
6. The top of bottom edge of slopes shall be a minimum of 5 feet from property or right-of-way lines of streets or alleys in order to permit the normal rounding of the edge without encroaching on the abutting property.
7. In view of the need for erosion and sediment control, the Council may request a review of development plans by the Bucks County Soil and Water Conservation District and ask for technical assistance in determining water run-off and solutions for water problems as they relate to erosion and soil control.
8. Storm drains and appurtenances shall be required to be constructed by the owner to take surface water from the bottom of vertical grades, to lead water away from springs and to avoid excessive use of cross gutters at street intersections and elsewhere.
9. Unless otherwise directed by Council, water courses shall remain open and shall not be piped or incorporated into a storm sewer system.
10. In the design of storm sewerage systems, the future use of undeveloped areas upstream shall be taken into account in calculating pipe size.

(Ord. 151, 7/2/1979, §511)

§22-511. Blocks.

1. Provision of adequate sites for type of buildings proposed.
2. Zoning requirements as to lot size, dimension, and minimum lot area per dwelling unit.
3. The limitations and opportunities of the topography.
4. Requirements for safe and convenient vehicular and pedestrian circulation and access.
5. Blocks shall have a maximum length of 1,600 feet, and so far as practical, a minimum length of 500 feet. In the design of blocks longer than 1,100 feet, special consideration shall be given to the requirements of satisfactory fire protection.
6. Residential blocks shall be of sufficient depth to accommodate two tiers of lots, except where reverse frontage lots bordering a major traffic street are used.
7. Pedestrian interior walks may be required where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a right-of-way width of not less than 10 feet and a paved walk of not less than 4 feet.

(Ord. 151, 7/2/1970, §512)

§22-512. Lots.

1. Lot dimensions and areas exclusive of easements shall be not less than specified by provisions of the Zoning Ordinance [Chapter 27] for the Borough in which the subdivision is located.
2. Corner lots shall provide for equal setbacks on both streets.
3. Residential lots shall front on a Borough street, existing or proposed.
4. Double-frontage lots are prohibited, except where employed to prevent vehicular access to major traffic streets.
5. Side lot lines shall be substantially at right angles or radial to street lines.
6. Building setback lines shall be not less than specified by provisions of the Zoning Ordinance [Chapter 27] for the Borough in which the subdivision is located.

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7. If remnants of land exist after subdividing, they shall be incorporated into existing or proposed lots, or dedicated to public use for recreation or open space, if acceptable to the Borough.
8. The subdivision of a tract which creates nonconforming side and rear yard requirements for existing buildings will not be approved. Nonconforming front yards may be approved if necessary to obtain proper street alignment.

(Ord. 151, 7/2/1979, §513)

§22-513. Alleys.

1. Alleys are prohibited in developments of single-family detached residences, but may be permitted in other types of residential developments, provided the applicant procures evidence satisfactory to the Council of the need for such alleys, and provided these are not primary means of access.
2. Where permitted, alleys in residential developments shall have a minimum paved surface of 22 feet.
3. Dead end alleys shall be avoided; but where this proves impossible, shall be terminated with a paved circular turn-around of adequate dimensions.
4. Alley intersections and sharp changes in alignment shall be avoided; but where necessary, corners shall be rounded or cut back sufficiently to permit safe vehicular circulation.

(Ord. 151, 7/2/2970 §514)

§22-514. Easements.

1. Easements with a minimum width of 20 feet shall be provided as necessary for utilities.
2. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
3. Nothing shall be permitted to be placed, planted, set or put within the area of an easement. The area shall be kept as lawn.
4. Where a subdivision or land development is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage but not less than 20 feet, or as may be required or directed by the Department of Environmental Protection. The owner shall properly grade and seed

slopes and fence any open ditches when it is deemed necessary by the Borough. [Ord. 223]

5. Where storm water or surface water will be gathered within the subdivision or land development and discharged or drained in volume over lands within or beyond the boundaries of the subdivision or land development, the applicant or owner shall reserve or obtain easements over all lands affected thereby, which easements shall be adequate for such discharge of drainage and for the carrying off of such water, and for the maintenance, repair and reconstruction of the same, including the right of passage over and upon the same by vehicles, machinery and other equipment for such purposes, and which shall be of sufficient width for such passage and work. The owner shall convey, free of charge or cost, such easements to the Borough upon demand.
6. No right-of-way or easement for any purpose whatsoever shall be recited or described in any deed unless the sale has been shown on the approved plan.

(Ord. 151, 7/2/1979, §515; as amended by Ord. 223, 1/7/2002)

§22-515. Curbs.

1. Curbs shall be provided along streets when required by the Borough.
2. Along the existing street on which a subdivision or land development abuts (hereinafter called boundary streets), curbs shall be constructed and the existing paved cartway shall be widened to the curb. The location of curbing along a boundary street shall be determined by the width of the required cartway of the road as established by the Borough.
3. Curbs shall be designed and constructed in accordance with the Borough's specifications.

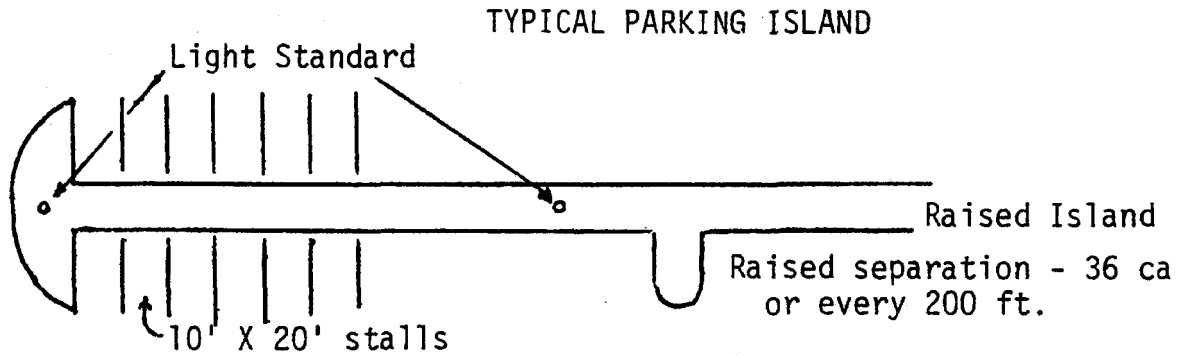
(Ord. 151, 7/2/1979, §516)

§22-516. Automobile Parking Facilities.

1. Automobile parking facilities shall be provided off street in accordance with the requirements of the applicable Zoning Ordinance [Chapter 27].
2. At no time shall angle or perpendicular parking be permitted along public streets. All parking lots and bays permitting parking other than parallel shall be physically separated from the street and confined by curbing or other suitable separating device.

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- No one area for off-street parking of motor vehicles shall exceed 36 cars in capacity. Separate areas on a parcel shall be physically separated from one another by 10 foot planting strips.



- No less than 20 feet of open space shall be provided between the edge of any parking area and the outside wall of the nearest building.
- Parking area dimensions shall be no less than those listed in the following table:

Angle of Parking	Parking		Driveway	
	Stall Width	Stall Depth	One-Way	Two-Way
90°	10'	20'	20'	24'
60	10	21	18	21
45	10	20	15	18
30	10	18	12	15
Parallel	8	22	12	18

- All dead-end parking areas shall be designed to provide sufficient back-up area for the end stalls of the parking area.
- Parking areas shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle.
- No less than a 5 foot radius of curvature shall be permitted for all curblines in all parking areas.
- Except at entrance and exit drives, all parking areas shall be set back from the future right-of-way and all property lines at least 15 feet. The distance between this required setback and the future cartway shall be maintained as a planting strip.

10. All automobile parking areas shall be paved and constructed in accordance with the standards established by the Borough in which the development is located.
11. The depth and width of lots reserved or laid out for commercial and industrial uses shall be adequate to provide for the off-street parking generated by the use.
12. The layout of every parking area shall be such as to permit safe and efficient internal circulation, in accordance with accepted traffic engineering principles and standards.
13. Entrances and exits to and from off-street parking areas shall be located so as to avoid interference with street traffic.
14. Every off-street parking area shall include sufficient reservoir space to accommodate entering and exiting vehicles without overflowing out onto adjacent streets or service roadways.
15. Pedestrian crosswalks and refuge islands shall be provided at intervals not exceeding 200 feet along the length of each parking area.
16. All public parking areas shall be adequately lighted during after-dark operating hours. All light standards shall be located on the raised parking islands and not on the parking surface. (See "Typical Parking Island Sketch.")

(Ord. 151, 7/2/1979, §517)

§22-517. Sidewalks.

1. The minimum width of all sidewalks shall be 4 feet. There shall be a **minimum 6 foot wide planting strip between the curb and sidewalk**. This planting strip can be used for the location of the underground utilities.
2. The grades and paving of the sidewalks shall be continuous across driveways except in non-residential and high-density residential developments and in certain other cases where heavy traffic volume dictates special treatment.
3. The thickness and type of construction of all sidewalks shall be in accordance with the standards established by the Borough in which the development is located.
4. Sidewalks shall be laterally pitched at a slope no less than 1/8 inch per foot to provide for adequate surface drainage.
5. At corners and pedestrian street-crossing points, sidewalks shall be extended to the curblines with an **adequate apron area** for anticipated pedestrian traffic.

any max?

Is this supposed to be an accessible access?

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6. Sidewalks shall not exceed a 7% grade. Steps or a combination of steps and ramps shall be utilized to maintain the maximum grades where necessary. Where sidewalk grades exceed 5%, a non-slip surface texture shall be used.
7. Sidewalks adjacent to angle parking areas shall be set back a minimum of 5 feet to prevent car overhang from restricting pedestrian movement along the sidewalk.

(Ord. 151, 7/2/1979, §518)

§22-518. Multi-Family Developments.

1. The density, parking, lot area and building requirements shall in all respects conform to the applicable Zoning Ordinance [Chapter 27] for multi-family developments.
2. Preliminary approval of the site plan must be obtained for the entire proposed multi-family development. Final approval may be obtained section by section, but such development sections shall be specified on the preliminary plan and must be numbered in the proposed order that they are to be developed. Such order of development must be adhered to, and if changes are required, plans must be refiled and reviewed and approved.
3. If the Borough requires bonding procedures, they shall be resolved before final approval of the land development plan, and shall guarantee the improvements by the builder of the streets, sidewalks, curbs, street lighting, street trees, drainage facilities, utilities and other facilities that the Planning Commission and Borough may deem necessary.
4. **Arrangement of Buildings and Facilities.**
 - A. All of the elements of the site plan shall be organized harmoniously and efficiently in relation to topography, the size and shape of the plot, the character of the adjoining property, and the type and size of the buildings, in order to produce a usable, efficient and economical land use pattern.
 - B. Arrangements of buildings shall be in favorable relation to the natural topography, existing desirable planting, bodies of water, views within and beyond the site, and exposure to the sun and other buildings on the site.
5. **Access and Circulation.**
 - A. Access to the dwellings and circulation between buildings and other important project facilities for vehicular and pedestrian traffic shall be comfortable and convenient for the occupants.

- B. Access and circulation for firefighting and other emergency equipment, moving vans, fuel trucks, garbage collection, deliveries and snow removal shall be planned for efficient operation and convenience.
- C. Walking distance from the main entrance of building to a street, driveway or parking area shall usually be less than 100 feet; exception to this standard should be reasonably justified by compensating advantages, such as desirable views and site preservation through adaptation to topography. In no case shall the distance exceed 250 feet.

6. Yards.

Yards shall assure adequate privacy, desirable outlook, adequate natural light and ventilation, convenient access to and around the dwellings and other essential uses.

7. Grading.

- A. Grading shall be designed for buildings, lawns, paved areas and other facilities, to assure adequate surface drainage, safe and convenient access to and around the buildings and for the screening of parking and other service areas and the conservation of desirable existing vegetation and natural ground forms.
- B. Grading around buildings shall be designed to be in harmony with natural topography.

8. Streets.

- A. Streets shall be provided on the site where necessary to furnish principal trafficways for convenient access to the living units and other important facilities on the property.
- B. Streets proposed to be dedicated for public use and maintenance shall conform to the design requirements and specifications of this Chapter and local Borough standards.

9. Driveways.

- A. Driveways shall be provided on the site where necessary for convenient access to the living units, garage compounds, parking areas, service entrances of buildings, collection of refuse and all other necessary services. Driveways shall enter public streets at safe locations.
- B. Driveways shall be planned for convenient circulation suitable for traffic needs and safety.
- C. All driveways shall be paved and constructed in accordance with local Borough standards.

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10. **Parking Areas.**

- A. Paved parking areas shall be provided to meet the needs of the residents and their guests without interference with normal street traffic.
- B. Parking areas shall conform to the standard and requirements of §22-517 and those of the Zoning Ordinance [Chapter 27].

11. **Sidewalks.**

- A. Street sidewalks and on-site walks shall be provided for convenience and safe access to all living units from streets, driveways, parking areas or garages and for convenient circulation and access to all facilities.
- B. Width, alignment and gradient of walks shall provide safety, convenience and appearance for pedestrian traffic. Small jogs in the alignment shall be avoided.
- C. The alignment and gradient of walks shall be coordinated with the grading plan to prevent the passage of concentrated surface water on or across the walk and to prevent the pocketing of surface water by walks.
- D. Sidewalks shall be constructed in accordance with the requirements of §22-517.

12. **Refuse Collection Stations.**

- A. Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided.
- B. Collection stations shall be located so as to be separated adequately from habitable buildings to avoid being offensive, but at the same time be convenient for both collectors and residents and shall be screened and landscaped adequately.

13. **Planting.**

The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen out objectionable features.

(Ord. 151, 7/2/1979, §519)

§22-519. Planting.

- 1. Within any land development or subdivision consisting of over 10 lots, street trees shall be planted along all streets where suitable street trees do not exist.

2. Street trees shall be planted at intervals of not more than 45 feet, or an equivalent number shall be planted in an informal arrangement.
3. Street trees shall not be planted opposite each other but shall alternate.
4. At intersections trees shall be located no closer than 30 feet from the intersection of the street right-of-way lines.
5. Where the planting strip between the curb and sidewalk is less than 7 feet wide, the street trees shall be planted on the lots.
6. Street trees and other required plants shall be of nursery stock. They shall be of symmetrical growth, free of insects, pests and disease, and suitable for street use and durable under the maintenance contemplated.
7. The minimum trunk diameter measured at a height of 6 inches above the finished grade level shall be a minimum of 2½ inches.
8. In particular, approved trees for street planting include the following:

Acer ginnala - Amer Maple

Acer platanoides - Norway Maple

Acer saccharum - Sugar Maple

Fraxinus americana, - White Ash

Fraxinus pennsylvanica lanceolata - Green Ash

Ginkgo biloba - Ginkgo (male)

Liquidambar styraciflua - Sweet Gum

Liriodendron Tulipifera - Tulip Tree

Phellodendron amurense - Amur Cork Tree

Platanus acerifolia - London Plane Tree

Quercus alba - White Oak

Quercus borealis - Red Oak

Quercus coccinea - Scarlet Oak

Quercus phellos - Willow Oak

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Tilia-Linden - All species hardy to the area

Zalkova Serrata - Japanese Zelkova

9. Where buffer strips are required along two different land uses and along the rear of reverse-frontage lots, an evergreen planting screen shall be used to provide an adequate visual barrier. The plant material used shall be of a minimum height of 4 feet at the time of planting and shall be planted in a staggered arrangement in order to provided an immediate effect. Deciduous and semi-deciduous shrubs may be used with evergreens to provide an immediate effect and to provide accent and color. It is recommended that a landscape architect licensed by the Commonwealth of Pennsylvania be employed to insure the proper use and arrangement of plant material and to provide an aesthetically pleasing effect. The following are evergreens recommended for screening purposes:

Pinus strobus - White Pine

Picea abies - Norway Spruce

Pinus nigra - Austrian Pine

Thuja orientalis - Oriental Arbor-vitea

Tsuga canadensis - Canadian Hemlock

Asuga caroliniana - Caroline Hemlock

(Ord. 151, 7/2/1979, §520)

§22-520. Erosion and Sediment Controls.

1. General.

- A. No changes shall be made in the contour of the land, and no grading, excavating, removal nor destruction of the topsoil, trees or other vegetative cover of the land shall be commenced, until such time that a plan for minimizing erosion and sedimentation has been processed with and reviewed by the Council, or there has been a determination by the Council that such plans are not necessary.
- B. No subdivision or land development plan shall be approved unless (i) there has been a plan approved by the Council that provides for minimizing erosion and sedimentation consistent with this §22-520 and an improvement bond or other acceptable security is deposited with the Borough in the Form of an escrow guarantee which will ensure installation and completion of the required improvements, or (ii) there has been a determination by the Council that a plan for minimizing erosion and sedimentation is not necessary.

- C. Measures used to control erosion and reduce sedimentation shall as a minimum meet the standards and specifications of the Bucks County Soil and Water Conservation District. The Engineer shall ensure compliance with the appropriate specifications, copies of which are available from the District.

2. Performance Principles.

- A. The following measures are effective in minimizing erosion and sedimentation and shall be included where applicable in the control plan:
 - (1) Stripping of vegetation, regrading or other development shall be done in a way that will minimize erosion.
 - (2) Development plans shall preserve salient natural features, keep out-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.
 - (3) Whenever feasible, natural vegetation shall be retained, protected and supplemented.
 - (4) The disturbed area and the duration of exposure shall be kept to a practical minimum.
 - (5) Disturbed soils shall be stabilized as quickly as practicable.
 - (6) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
 - (7) The permanent (final) vegetation and mechanical erosion control and drainage shall be installed as soon as practical in the development.
 - (8) Provisions shall be made to effectively accommodate the increased run-off caused by changed soil and surface conditions during and after development. Where necessary, the rate of surface water run-off will be mechanically retarded.
 - (9) Sediment in the run-off water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps or similar measures.

3. Grading for Drainage.

- A. In order to provide more suitable sites for building and other uses, improve surface drainage and control erosion, the following requirements shall be met:
 - (1) All lots, tracts or parcels shall be graded to produce proper drainage away from buildings and dispose of it without ponding, and all land

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within a development shall be graded to drain and dispose of surface water without ponding, except where approved by the Council.

- (2) All drainage provisions shall be of such design as to adequately handle the surface run-off and carry it to the nearest suitable outlet such as a curbed street, storm drain, or natural water course. Where drainage swales are used to divert surface waters away from buildings, they shall be sodded or planted as required and shall be of such slope, shape and size as to conform with the requirements of the Borough.
- (3) Concentration of surface water run-off shall only be permitted in swales of watercourses.
- (4) **Excavations and Fills.**
 - (a) Cut and fill slopes shall not be steeper than 5:1 unless stabilized by a retaining wall or curbing, except as approved by the Council when handled under special conditions.
 - (b) Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations and the sloping surfaces of fills.
 - (c) Cut and fill shall not endanger adjoining property.
 - (d) Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
 - (e) Fills shall not encroach on natural water courses or constructed channels.
 - (f) Fills placed adjacent to natural water courses or constructed channels shall have suitable protection against erosion during periods of flooding.
 - (g) Grading shall in no case be done in such a way so as to divert water onto the property of another landowner.
 - (h) During grading operations, necessary measures for dust control must be exercised.
 - (i) Grading equipment will not be allowed to cross live streams. Provision shall be made for the installation of temporary culverts or bridges.

4. **Responsibility.**

- A. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expense as quickly as possible.
- B. Maintenance of all drainage facilities and watercourses, both existing and proposed, within any proposed subdivision or land development shall be the responsibility of the developer until such time as one of the following is accomplished:
 - (1) A right-of-way for these facilities is offered for dedication by the developer and is accepted by the Borough; it shall then be the responsibility of the Borough.
 - (2) An easement acceptable to the Borough is established. In the case of a subdivision, the maintenance shall then be the responsibility of the individual lot owners over whose property the easement passes. For land developments, the maintenance shall then be the responsibility of the owner.
 - (3) A homeowners association, approved by the Borough, assumes responsibility for the maintenance of the development, including the maintenance of the watercourses and/or drainage facilities.
- C. It is the responsibility of any person, corporation or other entity doing any act on or across a communal stream, watercourse or swale, or upon the floodplain or right-of-way during the period of the activity, to return it to its original or equal condition after such activity is completed.
- D. No person, corporation, or other entity shall block, impede the flow of, alter, construct any structure or deposit any material or thing or commit any act which will affect normal or flood flow in a communal stream or watercourse without having obtained prior approval from the Borough and/or Department of Environmental Protection, whichever is applicable.[Ord. 223]
- E. Each person, corporation or other entity which makes any surface changes shall be required to:
 - (1) Collect on-site surface runoff and dispose of it to the point of discharge into the common natural watercourse of the drainage area.
 - (2) Handle existing off-site runoff through his development by designing it to adequately handle storm runoff from a fully developed area upstream.
 - (3) Pay his proportionate share of the total cost of off-site improvements to the common natural watercourse, based on a fully developed drainage area.

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- (4) Provide and install at his expense, in accordance with Borough requirements, all drainage and erosion control improvements (temporary and permanent) as required by the erosion and sediment control plan.

5. **Compliance with Regulations and Procedures.**

- A. The Council in its consideration of all preliminary plans of subdivision and land development shall condition its approval upon the execution of erosion and sediment control measures as contained in Subsections (2), (3) and (4) of this §22-520.
- B. The installation and design of the required erosion and sediment control measures shall be in accordance with standards and specifications found in the "Erosion and Sediment Control Handbook" available through the District Planning Commission or Borough.

Debris basin

Grade stabilization structure

Grassed waterway or outlet

Mulching

Sodding

Temporary cover on critical areas

Temporary diversion (urban)

Permanent diversion (urban)

Permanent grass and legume cover on critical areas with prepared seedbed

Permanent grass and legume cover on critical areas with unprepared seedbed

Stream channel construction, bank erosion structures, bench terrace and other temporary or permanent measures deemed appropriate by the Borough.

- C. Stream channel construction on watersheds with a drainage area in excess of 320 acres or in those cases where downstream hazards exist, shall be approved by the Pennsylvania Department of Environmental Protection prior to development.[Ord. 223]
- D. Final plans for minimizing erosion and sedimentation as approved will be incorporated into the agreement and bond requirements as required by the Borough.

- E. The approval of plans and specifications for the control of erosion and sedimentation shall be concurrent with the approval of the final plats of subdivision or land development and become a part thereof.
- F. At the time a building permit is applied for, a review shall be conducted by the Engineer to insure conformance with the plan as approved. During the construction, further consultative technical assistance will be furnished, if necessary, by the County Engineer and the Bucks County Soil and Water Conservation District. During this development phase, the Engineer shall inspect the development site and enforce compliance with the approved plans.

(Ord. 151, 7/2/1979, §521; as amended by Ord. 223, 1/7/2002)

§22-521. Site Capacity Calculation.

1. Each site is unique; it has physical features which are rarely duplicated precisely on another site. Portions of some sites may not be usable, and a minimum amount of buildable land should be retained for recreation. The purpose of this Section is to determine the appropriate intensity of use to which a specific tract may be put. For single-family cluster developments, the following calculation shall be submitted by the developer:

2. **BASE SITE AREA:** Certain portions of tracts may not be usable for the activities proposed for the site; these shall therefore be subtracted from the site area to determine BASE SITE AREA.

A. Site Area as determined by actual on-site survey _____Ac.

B. Subtract - land within ultimate right-of-way of existing roads, or utility rights-of-way or easements _____Ac.

C. Subtract - land which is not contiguous, i.e.;

(1) a separate parcel which does not abut or adjoin, nor share common boundaries with, the rest of the development; and/or

(2) land which is cut off from the main parcel by a road, railroad, existing land uses, or major stream so as to serve as a major barrier to common use, or so that it is isolated and unavailable for building purposes _____Ac.

D. Subtract - land which in a previously approved subdivision was reserved for resource reasons such as flooding, or for recreation _____Ac.

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E. Subtract - land used or zoned for another use _____ Ac.

=BASE SITE AREA _____ Ac.

2. **Resource Protection Land:**

All land within the base site area shall be mapped and measured for the purpose of determining the amount of open space needed to protect it.

Resource	Open Space Ratio	Acres of Land in Resource	Acres Resource Protection Land (Acres x Open Space Ratio)
Floodplains	1.00		
Alluvial Soils	1.00		
Wetlands	1.00		
Steep Slope (25% or more)	.85		
Forest	.60		
Steep Slope (15 - 25%)	.70		
Steep Slope (8 - 15%)	.60		
TOTAL LAND WITH RESOURCE RESTRICTIONS		_____	_____
TOTAL RESOURCE PROTECTION LAND		_____	_____

3. **Recreation Land:**

While some of the open space required by the Zoning Chapter may be resource protection land, the intent is to provide for usable public or common open space as near to each unit as possible. Thus there is a need for specific guidelines insuring that a minimum amount of land not restricted by Subsections (A) and (B) is retained for this purpose. (This Recreation land provision is applicable only for the Performance Standard Development. Single-family cluster, skip to Subsection (4).)

BASE SITE AREA _____

subtract TOTAL LAND WITH RESOURCE RESTRICTIONS -- _____

equals Total Unrestricted Land = _____

multiply Total Unrestricted land by x _____

equals TOTAL RECREATION LAND = _____

4. Determination of Site Capacity:

Individual site capacity is found by calculating net buildable site area. In single-family cluster or performance development, the number of allowable dwelling units is determined by multiplying the density by net buildable site area. The calculations are as follows:

Single-Family Cluster or Performance Development

take RESOURCE PROTECTION LAND _____
Ac.

add RECREATION LAND + _____
Ac.

equals TOTAL OPEN SPACE _____
Ac.

take BASE SITE AREA _____
Ac.

multiply by Open Space Ratio x .25

equals MINIMUM REQUIRED OPEN SPACE = _____

take BASE SITE AREA _____

subtract TOTAL OPEN SPACE or MINIMUM REQUIRED
OPEN SPACE, whichever is greater - _____
Ac.

equals NET BUILDABLE SITE AREA = _____
Ac.

multiply by Net Density x _____

equals Number of Dwelling Units = _____
DU's

(Ord. 151, 7/2/1979, §522)

§22-522. General Open Space Standards.

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Performance standard developments, single-family cluster developments and other uses with open space requirements shall meet the open space standards of the Zoning Ordinance [Chapter27]. The plan shall contain or be supplemented by such material as required to establish the method by which open space shall be perpetuated, maintained and administered. The plan and other materials shall be construed as a contract between the landowner(s) and the Borough, and shall be noted on all deeds.

(Ord. 151, 7/2/1979, §523)

§22-523. Layout of Open Space.

The open space shall be laid out in accordance with the best principles of site design. It is intended that the open space shall be as close to all residences as possible, with green ways leading to major recreation spaces. Major recreation areas shall be located to serve all residents. The open space is most needed in areas of highest density.

(Ord. 151, 7/2/1979, §524)

§22-524. Open Space Designation.

All land held for open space shall be so designated on the plans. The plans shall contain the following statement: "Open space land may not be separately sold, nor shall such land be further developed or subdivided." The subdivision plans shall further designate the use of open space, the type of maintenance to be provided and a planting plan or schedule. In designating use and maintenance, the following classes may be used:

- A. **Lawn.** A grass area with or without trees which may be used by the residents for a variety of purposes and which shall be mowed regularly to insure a neat and tidy appearance.
- B. **Natural Area.** An area of natural vegetation undisturbed during construction or replanted; such areas may contain pathways. Meadows shall be maintained as such and not left to become weed infested. Maintenance may be minimal but shall prevent the proliferation of weeds and undesirable plants such as honeysuckle and poison ivy. Litter, dead trees and brush shall be removed, and streams shall be kept in free-flowing condition.
- C. **Recreation Area.** An area designated for a specific recreation use, including but not limited to tennis, swimming, shuffle board, playfield and tot lot. Such areas shall be maintained so as to avoid creating a hazard or nuisance and shall perpetuate the proposed use.

(Ord. 151, 7/2/1979, §525)

§22-525. Open Space Performance Bond.

Designated planting and recreation facilities within the open space areas shall be provided by the developer. A performance bond or other securities shall be required to cover costs of installation in accordance with provisions of this Chapter.

(Ord. 151, 7/2/1979, §526)

§22-526. Ownership and Preservation of Open Space.

Any of the following methods may be used to preserve, own or maintain open space: condominium, homeowners association, dedication in fee simple or dedication of development rights. The following specific requirements are associated with each of the various methods.

- A. **Condominium.** The open space may be controlled through the use of condominium agreements. Such agreements shall be in conformance with the Unit Property Act of 1963. All open space land shall be held as "common element." Such land shall not transfer to another method of ownership permitted under this §22-527, and then only where there is no change in the open space ratio. I think this should be 22-526?
- B. **Homeowners Association.** The open space may be held in common ownership by a homeowners association. This method shall be subject to all of the provision for homeowners associations set forth in Article VII of Act 247. Poor reference. Who is ever going to know what Act 247 is?
- C. **Fee-Simple Dedication.** The Borough may, but shall not be required to, accept any portion or portions of the open space, provided (a) such land is freely accessible to the public, (b) there is no cost involved, and (c) the Borough agrees to and has access to maintain such lands.
- D. **Dedication of Development Rights.** The Borough or County may accept, but shall not be required to accept, title to the development rights or easements to any portion or portions of the open space. In such cases, the land remains in the ownership of the individual, condominium or homeowners association while the development rights are held in public ownership. The County shall accept ownership only in accordance with the provisions of Act 442 and county plans. The Borough may accept such land as it sees fit. In either case, there shall be no cost to County or Borough for acquisition or maintenance. The Borough may require this method where it deems this the most appropriate way of maintaining land in open space, particularly in single-family cluster developments.

(Ord. 151, 7/2/1979, §527)

§22-527. Varying Design Standards.

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1. The Council, in accordance with the provision of this §22-527, is authorized to alter dimensional requirements for building spacing, front, side or rear yards, lot widths, building size or height, requirements, number of units in a structure and other design standards.
 2. The burden of proof shall be upon the builder or developer wishing to have the standards varied. The builder or developer shall submit drawings, models or plans, including alternatives as specified by the Council. The builder may be required to post bond to insure compliance with the decision and any conditions imposed by the Council.
 3. **Standards:**

- A. **Building Spacing.** The requirement for building spacing or side yards as they are often defined, is based on several related factors.
- (1) **Privacy.** The minimum building spacing requirement is intended to provide privacy within the dwelling unit. Where windows are placed in only one or two facing walls or there are no windows, or where the builder provides adequate screening for windows, or where the windows are at such a height or location to provide adequate privacy, the building spacing may be reduced.
 - (2) **Light and Air.** The building spacing provides one method of insuring that each room has adequate light and air. Building spacing may be reduced where there are no windows or very small window areas, and where rooms have adequate provisions for light and air from another direction, or where building orientation, layout and shapes are such that adequate light and air are available.
 - (3) **Use.** Areas between buildings are often used as service yards for storage of trash, clotheslines, or other utilitarian purposes. Where this area is similar for both houses, a reduction of building space permitting effective design of a utility space shall be permitted. Kitchens and garages are suitable uses for rooms abutting such utility yards.
- B. **Front Yards.** The minimum front yard is intended to provide privacy and usable yard area for residents. In practice, however, front yards are rarely used, so that only the privacy factor is important. Where the developer provides privacy by reducing traffic flow through street layouts such as cul-de-sacs, or by screening or planting or by facing the structure toward open space or a pedestrian way, or through the arrangement of rooms and design of the front of the building, it is possible to reduce the front yard requirement. Where garages are placed on the lot, these need not meet the minimum setback although adequate visibility must be provided for safe backing onto the street.

- C. **Lot Width.** A minimum lot width is intended to prevent the construction of long, narrow buildings with inadequate privacy, light and air. There are situations as in cul-de-sacs, steep slopes or offset lots, where because of lot configuration or topography, narrow or irregular lots provide the best possible design. Where the design is such that adequate light, air and privacy can be provided, especially for living spaces and bedrooms, a narrower lot width may be permitted.
- D. **Building Size or Number of Units in Structure.** These requirements are intended to prevent monotony in developments. In fact, these requirements often prevent the land planner from utilizing interesting types of layout and working with unique site conditions; or they lead to a dull repetition of similar units. Where it can be demonstrated by presenting alternative site plans that a superior and less monotonous plan will result by granting relief from these standards, this may be done.
- E. **Height.** Limitations on height are often used to regulate the light available in limited yard areas and to prevent fire losses where inadequate equipment is available. For the individual dwelling unit types, only the former is important. Where unique site condition and design permit height standards to be relaxed without adverse effects on light and air or privacy, then this may be done.
- F. **Parking.** Parking requirements are set for typical family situations. Only where subsidized housing for the elderly is being built shall these standards be relaxed. In no case shall there be less than one (1) parking space per two (2) dwelling units. Where these standards are relaxed, the Borough shall insure that adequate parking is provided at the owner's expense if the building's use is changed. A notation to this effect shall be required on the plot plan.
- G. **Lot Size and Coverage.** The required lot area for individual dwelling units is small, to encourage the provision of housing at reasonable costs. Where larger dwellings or garages are provided, larger lots are required. If the plan and lot layout are good and the parking problem is properly solved, then the on-lot impervious surface ratio for the total site shall not be changed. This Section shall apply to duplexes, patio houses, atrium, multiplex and town-houses only, not to any type of apartment or single-family detached unit. In any case, the absolute amount of private open space required by the standards shall not be reduced.
- H. **Roads.** Standards for roads expressed in this Chapter are intended to provide for safe and intelligent layout of streets which can easily be maintained. There are several aspects which may lead to the varying of size or design of specific streets.
- (1) **Road Width.** The width of roads has been established to insure adequate movement of traffic in times of greatest parking loads. Where a road is designed so that all units face onto secondary streets, and where overflow parking of three spaces per dwelling unit is provided, the

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road width may be reduced by Council. The overflow parking is a requirement to insure adequate parking since the street normally provides this function.

- (2) **Right-of-Way Width.** Right-of-way width is intended to provide enough land for roads, sidewalks or other utilities. Secondly, it is intended to provide an additional buffer between home and street. Where sidewalks are not run along streets, cartway widths are reduced (See subsection (A) above) where utilities are located outside of the right-of-way, or where houses do not front on the street, a reduction in the width of the right-of-way may be permitted. Where atrium or patio houses are present the need for this buffer is reduced.
 - (3) **Curbs.** Curbs are used to channel water to stormwater systems and to keep cars off the grass. In low-intensity developments, natural drainage should be encouraged. The soils and topography shall be considered. Swales should be saucer-shaped in profile and seeded to prevent erosion. Steep slopes for swales should be avoided.
- I. **Sidewalks.** Sidewalks are intended to provide a separate means of movement for pedestrians. Modern design practice encourages moving sidewalks away from streets. In doing so, the function of sidewalks must be kept in mind. First, the walks must be all-weather and easily cleared of snow. Second, they must be convenient for the most frequent trips such as children walking to school bus stops. Where deemed appropriate, one or both sidewalks within street rights-of-way may be eliminated.

(Ord. 151, 7/2/1979, §528)

PART 6
REQUIRED IMPROVEMENTS

§22-600. Purpose.

1. The purpose of this Part is to establish and define the public improvements which will be required by the Council to be constructed or cause to be constructed by the applicant. Inspection of improvements shall be the responsibility of the Borough in which the subdivision or land development is located.
2. All improvements shall be constructed in accordance with the specifications of the Borough.

(Ord. 151, 7/2/1979, §601)

§22-601. Application.

1. The improvements included in this Part are minimum requirements. However, the Council reserves the right in any case to increase the same if conditions so warrant.
2. If any mandatory provision of this Chapter are shown by the applicant to be unreasonable and cause undue hardship as they apply to his proposed subdivision, the Council may grant a variance to such applicant from such mandatory provision, so that substantial justice may be done and the public interest secured; provided that such variations will not have the effect of nullifying the intent and purpose of this Chapter, and that the full enforcement of the provisions is not necessary to maintain or protect the public interest.
3. In granting variances and modifications, the Council may impose such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements so varied or modified.

(Ord. 151, 7/2/1979, §602)

§22-602. Revision of Plans.

When changes from the accepted drawings and specifications become necessary during construction, written acceptance by the Council with the advice of the Engineer shall be secured before the execution of such changes.

(Ord. 151, 7/2/1979, §603)

§22-603. Maintenance.

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Adequate provisions for the satisfactory maintenance of all streets shall be made by dedication to, and acceptance for maintenance by, the Borough or by other acceptable means.

(Ord. 151, 7/2/1979, §604)

§22-604. Streets.

1. The construction of streets, roads, lanes and driveways, as shown upon final plans and as contained in contract agreements, shall in every respect conform to such requirements as the Borough may by resolution require for the construction of streets.
2. **Specifications.** The minimum requirements for improvements shall be those contained in the Pennsylvania Department of Transportation's Specifications (Form 408) as last revised.
3. All streets shall be graded to:
 - A. The grades shown on the street profiles and cross-section plan submitted and approved with the final plan.
 - B. The full width of the right-of-way.
4. Along the existing street on which a subdivision or land development abuts (hereinafter called a boundary street) improvements shall be made to the street. The improvements to the boundary street shall be determined by the width of the required cartway and built to the specifications established by the Borough.

At the discretion of the Borough, an escrow account may be established to be used by the Borough for the improvement of the cartway to the required standards.

(Ord. 151, 7/2/1979, §605)

§22-605. Street Signs.

1. The developer shall erect at every street intersection a street sign or street signs having thereon the names of the intersecting streets. At intersections where streets cross, there shall be at least two such street signs and at the intersections where one street ends or joins with another street, there shall be at least one such street sign.
2. Street signs are to be erected when the first dwelling on the street is occupied. Temporary street signs may be erected on the approval of the Borough but shall be made permanent before final offer for the dedication of roads is made.

(Ord. 151, 7/2/1979, §606)

§22-606. Street Lights.

Where appropriate, the owner shall install or cause to be installed, at the owner's expense, metal pole street lights serviced by underground conduit in accordance with a plan to be prepared by the owner's engineer and approved by the Philadelphia Electric Company and by the Council. The equipment of metal poles may be waived in such instances as approved by the Council due to the existence of wooden poles already in place. Provision shall be made for energizing said lighting after 50% or more of the dwellings in a given subdivision have been occupied. The owner shall be responsible for all costs involved in lighting the streets until such time that the streets are accepted or condemned as public streets by the Borough.

(Ord. 151, 7/2/1979, §607)

§22-607. Monuments.

1. Monuments shall be placed at each change in direction of boundary; two to be placed at each street intersection and one on one side of each street at angle points and at the beginning and end of curves. Utility easement shall be monumented at their beginning and at their end; and areas to be conveyed for public use shall be fully monumented at their external boundaries.
2. Monuments shall be placed in the ground after final grading is completed, at a time specified by the County Engineer. The monument shall be concrete, the size and length as may be approved by the County Engineer.
3. All monuments shall be checked for accuracy by the Engineer, or their accuracy certified by the owner's engineer. Accuracy of monument shall be within 3/100 of a foot.

(Ord. 151, 7/2/1979, §608)

§22-608. Sidewalks.

1. Sidewalks shall be constructed as required by §22-506. These standards shall apply on all new streets and on existing streets, unless in the opinion of the Council and Borough they are unnecessary for public safety and convenience.
2. All sidewalks shall be constructed in accordance with §22-517 of this Chapter and Borough specifications.
3. It is required to install sidewalks, onsite walks and curbs for convenience and access to all living units from streets, driveways, parking areas or garages and for convenient circulation and access to all project facilities.

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4. Width, alignment and gradient of walks shall provide safety, convenience and appearance for pedestrian traffic. Small jogs in the alignment shall be avoided.
5. The alignment and gradient of walks shall be coordinated with the grading plan to prevent the passage of concentrated surface water on or across the walk and to prevent the pocketing of surface water by walks.

(Ord. 151, 7/2/1979, §609)

§22-609. Curbs.

1. Curbs shall be provided as required in §22-515, unless in the opinion of the Engineer they are unnecessary.
2. All curbs shall be designed and constructed in accordance with the standards and specifications of the Borough.

(Ord. 151, 7/2/1979, §610)

§22-610. Storm Sewerage System.

The owner shall construct storm water drainage facilities, including curbs, catch basins and inlets, storm sewers, culverts, road ditches, open channels and other structures in order to prevent erosion, flooding and other hazards to life and property. All such facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow; and size, type and installation of all storm drains and sewers shall be constructed in accordance with the plans.

(Ord. 151, 7/2/1979, §611)

§22-611. Public Water Supply.

1. The owner shall construct water mains in such a manner as to make adequate water service available to each lot or dwelling unit within the subdivision or land development. A minimum pressure of 20 pounds per square inch shall be provided at each house or other building to be connected to the water supply main. The water supply must comply with the regulations and standards of the State Department of Environmental Protection. [Ord. 223]
2. The system shall also be designed with adequate capacity and appropriately spaced fire hydrants for firefighting purposes. Review and approval by the appropriate municipal or volunteer fire official shall be required in order to insure that adequate fire protection is provided.

3. **Conditions for Approvals and Issuance of Permits.** The Borough Council may also, as a condition to approval of a land development or subdivision, or the issuance of a permit by the Borough's Zoning Officer to construct or erect any principal building in a subdivision or land development, require water distribution facilities to be planned, designed and constructed by the developer under the circumstances and in the manner hereinafter set forth.
4. **Construction of Water Distribution Facilities Required.** A developer shall provide a subdivision or land development with complete water distribution facilities which shall be extended to and connected with (or installed in a manner suitable for connection with) the existing or proposed public water system at the expense of the developer and in accordance with the Borough's and Authority's design and construction requirements in the following circumstances:
 - A. Where an adequate public water system is within 1,000 feet of the proposed subdivision or land development; or
 - B. Where construction or development plans approved by the Borough and/or the Authority provide for the installation of an adequate public water system in the vicinity of the location of the proposed subdivision or land development and where, in the Borough Council's opinion, it is practicable.
5. **Construction of Capped Water Distribution Facilities.**
 - A. If the preceding subsection of this Section are inapplicable or not practicable, in the opinion of the Borough Council, then in either such case, if the Borough is of the opinion that an adequate public water system will become available within a reasonable time, the developer shall be required to install capped water distribution facilities in accordance with the Borough's design and construction requirements, together with all necessary service lines extending from the water main to the street right-of-way line, and the termini of all such service lines shall be capped by the developer pending the availability of an adequate public water system to which they can be connected.
 - B. Whenever capped water distribution facilities are required by the preceding subparagraphs, the service line shall be so installed as to avoid placing house connections under any paved areas or driveways, and all the water mains and service lines shall be installed before the streets shown on the subdivision or land development plan are constructed.
6. **Determination of Practicability of Construction of Water Distribution Facilities.** The Borough Council when determining whether or not the installation of water distribution facilities is practicable or whether or not an adequate public water system will become available within a reasonable time, shall consider all relevant factors including the proximity of the subdivision or land development to an existing or proposed public water system, the projected date for the construction of a proposed public water system and whether the installation can be affected without prohibitive expense or undue hardship. The Council may require a

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developer to submit such additional information as it reasonably needs to determine the practicability of installing water distribution facilities in a subdivision or land development.

7. A water impact study is required for all major subdivisions and all wells intended for non-residential use (i.e., industrial, commercial, agriculture) unless waived by the Borough Council. The water impact study shall be prepared by a hydrologist or professional engineer qualified to conduct groundwater investigations. The purpose of the study will be to determine if there is an adequate supply of water for the proposed use and to estimate the impact of the additional water withdrawals on existing nearby wells, underlying aquifers and streams. The Borough Engineer shall be involved in the study as the Borough feels is necessary and appropriate. A water system which does not provide an adequate supply of water for the proposed use, considering both quality and quantity, adversely affects nearby wells and streams, or does not provide for adequate groundwater recharge considering withdrawals shall not be approved by the Borough. The adequacy of water supply shall be determined based upon the assumption that there are 3.5 persons per dwelling unit using 75 gallons of water per person per day. The quality of the water supply for systems servicing less than 15 service conditions, should, at a minimum, achieve the following test results:

Physical Characteristics

Turbidity	5 units
Color	15 units
Threshold Odor Number	3 units
pH	6.5 - 8.5

Chemical Characteristics

Chloride	250 mg/l (ppm)
Nitrate/Nitrite Nitrogen	10 mg/l (ppm)
Iron	0.300 mg/l (ppm)
Sodium	20.00 mg/l (ppm)
Manganese	0.50 mg/l (ppm)
Copper	1.00 mg/l (ppm)
Hardness	150 mg/l (ppm)
Detergent (MBAS)	0.50 mg/l (ppm)
Total Dissolved Solids	500.00 mg/l (ppm)
TCE (Trichloroethylene)	4.5 mg/l (ppm)
Phenol	5.00 mg/l (ppm)

Bacteriological Characteristics

Total Plate Count	less than 500 counts per ml
Fecal Coliform	less than 1 colony per 100 ml

- A. The water impact study shall be signed by the person(s) preparing the study and shall include the following information:
- (1) Calculations of the projected water needs using the criteria set forth in the following references:
 - (a) PUBLIC WATER SUPPLY MANUAL, Bureau of Water Quality Management Publication No. 15 by the Pennsylvania Department of Environmental Resources, Harrisburg, Pennsylvania.
 - (b) GUIDE FOR DETERMINATION OF REQUIRED FIRE FLOW by the Insurance Services Office (ISO) as modified.
 - (c) AMERICAN WATER WORKS ASSOCIATION Standards and Manuals for the American Water Works Association, Denver, Colorado.
 - (2) A geologic map of the area within a 1.0 mile radius of the site.
 - (3) The location of all faults, lineaments and fracture traces within 1/4 mile of the site.
 - (4) The locations of all existing and proposed wells within 1/4 mile of the site, and all large withdrawal wells (10,000 gpd +) within 1.0 mile of the site.
 - (5) The location of all streams, perennial and intermittent, within 1/4 mile of the site.
 - (6) A discussion of the aquifers underlying the site and their long-term drought recharge capability based on accepted published data or detailed site specific investigations.
 - (7) Based on the drought recharge capability of the underlying aquifer and the calculated daily groundwater withdrawals of the project, a hydrologic budget shall be calculated for the site property itself, and for the area within 1/4 mile of the site.
 - (8) Based on the results of the hydrologic budget, a determination shall be made on whether or not the potential exists for adverse effects on the hydrologic environment caused by the project.
 - (9) The study shall include a brief statement of the qualifications of the person(s) preparing the study.
- B. The following additional requirements, unless waived by the Borough, shall apply to projects including any of the following:

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Residential subdivisions of 15 units or more on ½ acre lots or less, single family clusters, performance standard developments, and nonresidential proposals using over 4,000 gallons per day.

- (1) For each well that is constructed:
 - (a) An accurate geologic log should be constructed during the drilling of the well giving a detailed description of the type and thickness of rocks encountered. Additionally, the log should contain information on the depth and thickness of all water bearing zones encountered and the yield from each zone. Yield from the well must be measured using a quantitative method.
 - (b) Samples shall be collected every 20 feet during drilling, or at each change in rock type. Each sample shall be placed in a non-breakable container. The container, in a sturdy box, shall be made available to the Borough.
- (2) A pumping test of not less than 48 hours duration shall be conducted at a rate of not less than 150% of the intended long-term withdrawal from the well. The 48 hour test shall be conducted at a constant pumping rate that should not deviate greater than +/- 5% during the test.
- (3) In order to determine the impact of the project well on existing wells, evenly spaced around the pumping well, shall be monitored for changes in water level. The number and location of monitoring wells shall be subject to approval by the Borough. Sufficient well monitoring shall be performed to allow for the construction of hydrographs showing a continuous record of well levels before, during and after the pumping test.
- (4) A means of accurately measuring the well discharge shall be provided subject to approval by the Borough.
- (5) Well discharge shall be directed away from the site by a method suitable to the Borough and to a point suitable to the Borough.
- (6) The applicant shall be required to promptly provide an adequate supply of potable water to any person adversely affected by any well test upon being notified by the Borough or the affected well owner (and verified by the municipal engineer). This duty shall continue until the affected well is capable of producing an adequate supply of potable water to the well owner or the applicant has provided an alternate source of water supply acceptable to the well owner and the Borough.
- (7) Records shall be compiled in typewritten form to include the following information:

- (a) Name of driller and personnel conducting test.
 - (b) Description of test well to include horizontal and vertical dimensions, casing installed and grouting details.
 - (c) List of formation samples.
 - (d) Static water level immediately prior to yield testing.
 - (e) Hydrograph of depth to water surface during test pumping and recovery period at the test well showing corresponding pump and discharge rate in gallons per minute and time readings were taken.
 - (f) Log of depth to water surface at existing and monitoring wells during test pumping period showing time readings were taken.
- (8) A report shall accompany the test well data which analyzes and interprets all of the data as to the impacts on the groundwater supply and existing wells. Conclusions shall be drawn from the analysis. The credentials of the individual(s) preparing the report shall be included.
- (9) The submission to the Borough shall include any and all applications, reports, or supplemental information submitted to the Pennsylvania Department of Environmental Resources and/or the Delaware River Basin Commission.
8. **Improvement Guarantees.** Security satisfactory to the Council and/or the Authority shall be furnished by the developer to guarantee completion of all improvements and installations required by this Chapter and to guarantee payment of all engineering services required by this Chapter.
9. **Appointment of Engineer.** The Council and/or the Authority shall appoint an engineer or engineering firm having experience and a favorable repute in the field of public water supply and distribution engineering, appropriately licensed by the Commonwealth of Pennsylvania, to review the design of and inspect the construction of all water distribution facilities to be constructed by the developer in order to give assurance that said water facilities will coordinate and have congruity with the existing or proposed public water system. After review of the design, said engineer or engineering firm will recommend the action to be taken by the Council and/or the Authority. The design of such water distribution facilities must be approved by the Council and/or the Authority prior to beginning the construction thereof.
10. **Payment for Engineering Services.** The costs of engineering services which are rendered for the review of design and inspection of construction shall be paid by the developer. The costs for services shall be in accordance with said engineer's or said engineering firm's standard per diem rates. The procedure for payment will be

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decided upon by the Council and/or the Authority, the engineer and the developer prior to the beginning of work by the engineer or engineering firm.

11. **Violation.** It shall be deemed a violation of this ordinance for any developer to fail or refuse to extend the public water system or to fail or refuse to install water distribution facilities in a subdivision or land development in the manner which the Council shall direct pursuant to the terms of this Chapter.
12. **Additional Remedies.** In addition to the remedies provided above, any continued violations of this ordinance may be abated by proceeding against the violator in a court of equity for relief.

(*Ord. 151, 7/2/1979, §612; by Ord. 184, 1/7/1991, §612; and by Ord. 223, 1/7/2002*)

§22-612. Private Water Supply.

Where no public water is accessible water shall be furnished by the owner on an individual lot basis. If wells are installed on each lot, and the lot also contains its own sewage disposal facilities, the well shall be of the drilled type, cased and grout sealed into the bedrock. The well will be required to have a production of not less than 6 gallons per minute as established by bailor tests, and certified by the well driller. Before being placed in consumer use, it shall be disinfected by the use of sodium hypochlorite or other acceptable solutions and a sample bacteriological examination collected by a licensed water analyst.

(*Ord. 151, 7/2/1979, §613*)

§22-613. Public Sanitary Sewers.

1. Wherever practical, sanitary sewers shall be installed and connected to the Borough sanitary sewer system. Where a sanitary sewer is not yet accessible, but is planned for extension to the subdivision, the subdivider shall install sewer lines, including lateral connections, as may be necessary to provide adequate service to each lot when connection with the Borough sanitary sewer system is made. The sewer lines shall be suitably capped at the limits of the subdivision and the laterals shall be capped at the right-of-way line. The sewer installation shall include the construction within rights-of-way or easements to bring the sewer to the future connection with the Borough sanitary sewer system.
 - A. A sewer shall be considered to be planned for extension to a given area any time after preliminary engineering and related studies have been completed and the construction of facilities adequate to serve the area containing the subdivision has been programmed for completion within a reasonable time.
 - B. When capped sewers are provided, onsite disposal facilities shall also be provided.

2. All public sanitary sewers shall be designed and constructed in accordance with the "Sewerage Manual" issued by the Pennsylvania Department of Environmental Protection.[*Ord. 223*]
3. No public sanitary sewer or treatment plant shall be constructed until plans and specification have been submitted to the State Department of Environmental Protection and the municipal authority and approved in accordance with existing laws.[*Ord. 223*]

(*Ord. 151, 7/2/1979, §614; as amended by Ord. 223, 1/7/2002*)

§22-614. Private Sewage Disposal Systems.

1. If public sewer facilities are not available, the owner shall provide for sewage disposal on an individual lot basis according to the rules, regulations, terms, definitions and conditions of the individual sewage disposal system application and certification procedure for Bucks County, Pennsylvania, adopted by the Bucks County Board of Commissioners on March 24, 1971, and any amendments made thereto.
2. When onlot sewage disposal facilities are proposed, a satisfactory Bucks County Health Department feasibility report must be received by the Council before approval of the final plan.

(*Ord. 151, 7/2/1979, §615*)

§22-615. Onlot Sewer and Water Locations.

The dimensioned location of the onlot sewage system and the well must be shown on the plan prior to the issuance of a building permit.

(*Ord. 151, 7/2/1979, §616*)

§22-616. Capped Sewers.

If, at the time of final approval, public sanitary sewer facilities are not available to the subdivision or land development, but will become available within a period of 5 years the owner shall be required to install or cause to be installed at his expense sanitary sewers and sewer laterals to the street line in accordance with the requirements and standards of the Borough Authority and shall cap all laterals.

(*Ord. 151, 7/2/1979, §617*)

§22-617. Electric, Telephone and Communication Facilities.

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1. All electric, telephone and communication service facilities, both main and service lines, shall be provided by underground cables, installed in accordance with the prevailing standards and practices of the utility and other companies providing such services, except where it is demonstrated to the satisfaction of the Council that the underground installation required herein is not feasible because of the physical condition of the lands involved.
2. Where practicable, all utilities shall be located within the street right-of-way; otherwise, easements or rights-of-way of sufficient width for installation and maintenance shall be provided.
3. Final plans shall show locations of all utilities and shall be coordinated with required street tree planting.

(Ord. 151, 7/2/1979, §618)

§22-618. Grading.

Grading shall conform in all respects to the final plan.

(Ord. 151, 7/2/1979, §619)

§22-619. Planting.

1. Street trees and other required planting shall be in accordance with §22-520 of this Chapter.
2. Street trees and other required plant material shall not be planted until the finished grading of the subdivision or land development has been completed.
3. Plans for proposed street tree planting or buffer zone plantings shall be reviewed and approved by the Council.

(Ord. 151, 7/2/1979, §620)

§22-620. Community Facilities.

Additional community facilities may be required to serve the proposed lots or dwellings in a subdivision or land development. Where a proposed park, playground or other public facility shown in the Comprehensive Plan or Community Facilities Plan or parts thereof is located in whole or in part in a subdivision or land development, the dedication or reservation of such area may be required by the Council in those cases in which it deems such requirements to be reasonable.

(Ord. 151, 7/2/1979, §621)

§22-621. Special Drainage Problems; Floodplain Area.

1. The Council may, when it deems necessary for the health, comfort, safety or welfare of the present and future population of the area and necessary to the conservation of water, drainage and sanitary facilities, prohibit subdivision of any portion of the property which lies within the flood plain of any stream or drainage course.
2. The areas referred to in subsection (1) of this Section shall be preserved from any and all destruction or damage by clearing, grading, or dumping of earth, waste material, stumps or other material of any kind.
3. Special exceptions may be granted by the Council when in its opinion certain fill, structures, parking areas, loading areas, recreational sites, or other specific use will not be detrimental to the health, comfort, safety or welfare of the public.
 - A. **Building Elevation.** Every permitted building or structure shall be so placed that the basement floor or the main floor of buildings or structures without basements, shall be 3 feet above the known high-water mark of the maximum flood of record.
 - B. All other uses shall be so constructed that the finished elevation of the improvement will conform to subsection (3)(A) of this Section.
 - C. The subdivision must show, before the granting of permission to use any part of a floodplain area, that the proposed improvement will not adversely affect any property above or below the proposed improvement.
4. Whenever a stream or important drainage course is located within or along a proposed subdivision, the Council shall determine the method of treatment of such stream or drainage course, whether it shall remain in its natural state, whether it shall be straightened, widened or otherwise left open in an appropriately constructed channel, or whether closed drainage structures shall be required. Said determination shall be incorporated into the plan. The Council may request dedication of a right-of-way or establishment of an easement along such stream or drainage course, sufficient in extent and width (but not less than 20 feet wide) to provide proper space for the necessary public uses involved in such treatment, including extra space for a street if needed or for protection of the stream if it is to be left in the natural state and for protection of the health and safety of abutting property owners and the public generally from flood waters.

(Ord. 151, 7/2/1979, §622)

PART 7
PLAN REQUIREMENTS

§22-700. Sketch Plan.

A subdivision sketch plan may be submitted by the subdivider as a basis for informal discussion with the Council. Data furnished in a sketch plan shall include the following information:

- A. Name of subdivision or land development.
- B. Name and address of the owner/applicant.
- C. Name and address of engineer, surveyor or architect.
- D. Tract boundaries.
- E. Municipality in which the subdivision is located.
- F. North point.
- G. Location map.
- H. Streets on and adjacent to the tract.
- I. Significant topographical and physical features.
- J. Proposed general street layout.
- K. Proposed general lot layout.
- L. Contours-basis for topography; vertical datum base
- M. An encroachment map which illustrates (a) all the natural features as required by the Zoning Ordinance [Chapter 27]; and (b) a preliminary regrading plan which illustrates all disturbances of the identified natural feature areas. The amount of each natural feature disturbed shall be calculated and illustrated on the encroachment map. The applicant shall submit the calculation required in §22-521 of this Chapter.

(Ord. 151, 7/2/1979, §701)

§22-701. Preliminary Plan. The preliminary plan shall show or be accompanied by the following information:

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1. **Drafting Standards.**

- A. The plan shall be drawn at a scale of 1"= 50' or 100'.
- B. Dimensions shall be set in feet and decimal parts thereof; and bearings in degrees, minutes and seconds.
- C. Each sheet shall be numbered and shall show its relationship to the total number of streets.
- D. Where any revision is made, or when the Plan is a revision of a previously approved plan, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the currently proposed features.
- E. The Plan shall be so prepared and bear an adequate legend to indicate clearly which features are existing and which are proposed.
- F. The boundary line of the subdivision shall be shown as a solid heavy line.

2. **General Information to be Shown.**

- A. Name of subdivision or land development.
- B. Name and address of the owner/applicant.
- C. Name and address of the registered engineer, surveyor or architect responsible for the Plan.
- D. Municipality in which the subdivision or land development is located.
- E. Type of water supply and sewage disposal facilities proposed, i.e., onlot or public.
- F. Zoning requirements including applicable district, lot size and yard requirements and proof of any variances or special exceptions which may have been granted.
- G. A location map for the purpose of locating the site to be subdivided at a scale of not less than 800 feet to the inch showing the relation of the tract to adjoining property and to all streets, roads and Borough boundaries existing within 1,000 feet of any part of the property proposed to be subdivided.
- H. Total acreage of the tract.
- I. Date, north point and scale.

3. **Existing Features.**

- A. Complete outline survey of the property to be subdivided or developed shall be provided, showing all courses, distances and area, and tie-ins to all adjacent intersections.
- B. The location, names and widths of streets, the location of property lines and names of owners, the location of watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided or developed.
- C. Location of all existing monuments.
- D. Location, size and ownership of all underground utilities, and any rights-of-way or easements within the property.
- E. Contours at vertical intervals of 2 feet for land with average natural slope of 4% or less, vertical intervals of 5 feet for more steeply sloping land. Datum to which contour elevations refer. Where reasonably practicable, data shall refer to known, established elevations.
- F. Location of existing buildings, species and size of large trees standing alone, the outline of all wooded areas, quarries, marshy areas, and areas subject to inundation.

4. **Proposed Layout.**

- A. The layout of streets, including width of the streets, alleys and crosswalks.
- B. The layout and approximate dimensions of lots.
- C. The arrangement of buildings and parking areas in commercial and multi-family developments with all necessary dimensions shall be noted on the plan.
- D. For multi-family developments, the total areas, total dwelling units, number of buildings, proposed density, total parking spaces, building coverage and the bedroom ratio shall be on the plan.
- E. A plan for the surface drainage of the tract to be subdivided shall be provided. A plan to control erosion during and after the construction period may be required. This plan will receive approval if it has been prepared by the Bucks County Soil and Water Conservation District and reviewed by the Council.
- F. Tentative typical cross-sections and centerline profiles shall be provided for each proposed street shown on the preliminary plan. These plans may be submitted as separate sheets.
- G. Lots for which other than a residential use is intended shall be indicated.

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- H. A plan of proposed planting shall be provided, showing the locations for street trees and the landscape treatment and reverse frontage lots and any required buffer strips.
- I. For subdivisions, the total area, number of lots, lot area for each lot and length of proposed streets shall be noted on the plan and each lot numbered.
- J. Building setback lines, established by the Zoning Ordinance [Chapter 27] or other ordinances.
- K. An indication of any lots in which other than a residential use is intended.
- L. Rights-of-way and/or easement proposed to be created for all drainage purposes, utilities or other reasons.
- M. Tentative typical cross-sections and centerline profiles for each proposed street shown on the preliminary plan. These plans may be submitted as separate sheets.
- N. Where the preliminary plan covers only a part of the applicant's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.
- O. An encroachment map which illustrates (a) all the natural features as required by the Zoning Ordinance [Chapter 27]; and (b) a preliminary regrading plan which illustrates all disturbance of the identified natural feature areas. The amount of each natural feature disturbed shall be calculated and illustrated on the encroachment map. The applicant shall submit the calculation required in §22-521 of this Chapter.

(Ord. 151, 7/2/1979, §702)

§22-702. Final Plan. The final plan shall show or be accompanied by the following information:

1. Drafting Standards.

- A. The plan shall be drawn at a scale of 1"= 50' or 1001.
- B. Dimensions shall be set in feet and decimal parts thereof; and bearings in degrees, minutes and seconds.
- C. Each street shall be numbered and shall show its relationship to the total number of streets.

- D. Where any revision is made, or when the Plan is a revision of a previously approved plan, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the currently proposed features.
- E. The boundary line of the subdivision or land development shall be shown as a solid heavy line.
- F. Final plans shall be on sheets whether 18" x 22" or 36" x 44", and all lettering shall be so drawn as to be legible if the plan should be reduced to half size.

2. General Information to be Shown.

- A. Name of subdivision or land development.
- B. Name and address of the owner/applicant.
- C. Name and address of the registered engineer, surveyor or architect responsible for the Plan.
- D. Municipality in which the subdivision or land development is located.
- E. Type of water supply and sewage disposal facilities proposed, i.e., onlot or public.
- F. Zoning requirements including applicable district, lot size and yard requirements, and proof of any variances or special exceptions which may have been granted.
- G. A location map for the purpose of locating the site to be subdivided at a scale of not less than 800 feet to the inch showing the relation of the tract to adjoining property and to all streets, roads and Borough boundaries existing within 1,000 feet of any part of the property proposed to be subdivided.
- H. Total acreage of the tract.
- I. Date, north point and scale.

3. Existing Features.

- A. Complete outline survey of the property to be subdivided or developed shall be provided, showing all courses, distances and area, and tie-ins to all adjacent intersections.
- B. The location, names and widths of streets, the location of property lines and names of owners, the location of watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided or developed.

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- C. Location of all existing monuments.
- D. Location, size and ownership of all underground utilities and any rights-of-way or easements within the property.
- E. Contours at vertical intervals of 2 feet for land with average natural slope of 4% or less; vertical intervals of 5 feet for more steeply sloping land.
- F. Location of existing buildings, species and size of large trees standing alone, the outline of all wooded areas, quarries, marshy areas, and areas subject to inundation.

4. **Proposed Layout.**

- A. The layout of streets, including width of the streets, alleys and crosswalks.
- B. The layout and approximate dimensions of lots.
- C. The arrangement of buildings and parking areas in commercial and multi-family developments with all necessary dimensions shall be noted on the plan.
- D. For multi-family developments, the total areas, total dwelling units., number of buildings, proposed density, total parking spaces, building coverage and the bedroom ratio shall be on the plan.
- E. A Plan for the surface drainage of the tract to be subdivided shall be provided. A plan to control erosion during and after the construction period may be required. This plan will receive approval if it has been prepared by the Bucks County Soil and Water Conservation District and reviewed by the Council.
- F. Tentative typical cross-sections and centerline profiles shall be provided for each proposed street shown on the preliminary plan. These plans may be submitted as separate sheets.
- G. Lots for which other than a residential use is intended shall be indicated.
- H. A plan of proposed planting shall be provided, showing the locations for street trees and the landscape treatment and reverse frontage lots and any required buffer strips.
- I. A satisfactory Bucks County Health Department feasibility report for all proposed lots.
- J. For subdivisions, the total area, number of lots, lot area for each lot; length of proposed streets shall be noted on the plan and each lot numbered.
- K. Building setback lines, established by the Zoning Ordinance [Chapter 27] or other ordinances.

- L. An encroachment map which illustrates (1) all the natural features as required by the Zoning Ordinance [Chapter 27]; and (2) a preliminary (regrading) plan which illustrates all disturbance of the identified natural features disturbed shall be calculated and illustrated on the encroachment map. The applicant shall submit the calculation required in §22-521 of this Chapter.

5. **Improvement Construction Plan (drainage and construction).**

- A. The improvement construction plan shall be at any of the following scales:

Horizontal	Vertical
20'/inch	2'/inch
50'/inch	5'/inch
100'/inch	10'/inch

6. **Horizontal Plan (streets).** The horizontal plan shall show details of the horizontal layout including:

- A. Centerline with bearings, distances, curve data and stations corresponding to the profile.
- B. Right-of-way and curb lines with radii at intersections.
- C. Beginning and end of proposed construction.
- D. Tie-ins by courses and distances to intersection of all public roads, with their names and widths.
- E. Location and size of all drainage structures, sidewalks, public utilities, lighting standards and street name signs.

7. **Horizontal Plan (storm drains and sanitary sewers).**

- A. Location and size of line with stations corresponding to the profile.
- B. Location of manholes or inlets with grade between and elevation of flow line and top of each manhole or inlet.
- C. Property lines and ownership, with details of easements where required.
- D. Beginning and end of proposed construction.
- E. Location of laterals.
- F. Location of all other drainage facilities and public utilities in the vicinity of storm and/or sanitary sewer lines.
- G. Hydraulic design data for culverts and/or bridge structures.

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8. **Profile (streets).**
 - A. Profile of existing ground surface along centerline of street.
 - B. Proposed centerline grade with percent on tangents and elevations at 50 intervals, grade intersection and either end of curb radii.
 - C. Vertical curve data including length, elevations and minimum sight distance as required by the Engineer.
9. **Cross-Section (streets).**
 - A. Right-of-way width and location and width of paving.
 - B. Type, thickness and crown of paving.
 - C. Type and size of curb.
 - D. Grading of sidewalk area.
 - E. Location, width, type and thickness of sidewalks.
 - F. Typical location of sewers and utilities with sizes.
10. **Profile (storm drains and sanitary sewers).**
 - A. Profile of existing ground surface with elevations at top of manholes or inlets.
 - B. Profile of storm drain or sewer showing type and size of pipe, grade, cradle, manhole, and inlet locations and elevations along flow line at 50 foot intervals.

(Ord. 151, 7/2/1979, §703)

§22-703. Minor Subdivision Plan. The minor subdivision plan shall show or be accompanied by the following information:

1. **Drafting Standards.**
 - A. The Plan shall be drawn at a scale of 1" - 50' or 100'.
 - B. Dimensions shall be in feet and decimal parts thereof and bearings in degrees, minutes and seconds.
2. **General Information to be Shown.**
 - A. Name of subdivision.

- B. Municipality in which the subdivision is located.
- C. Name and address of owner.
- D. Name and address of the Engineer or Surveyor responsible for the Plan.
- E. Zoning classification and requirements.
- F. Date, north point and scale.
- G. A location map for the purpose of locating the site at a scale of not less than 800 feet to the inch.

3. **Existing Features.**

- A. Complete outline survey of the property to be subdivided, showing all courses, distances and area and tie-ins to all adjacent street intersections.
- B. The location, names and widths of streets, the location of property lines and names of adjacent owners, the location of watercourses, sanitary sewers, storm drains, easements or right-of-way, and similar features.
- C. The location and character of existing buildings, wooded areas and other features.

3. **Proposed Layout.**

- A. Proposed lot layout.
- B. Lots numbered.
- C. Building setback lines.
- D. Total area of the tract lot size for each lot.
- E. An encroachment map which illustrates (1) all the natural features as required by the Zoning Ordinance [Chapter 27]; and (2) a preliminary regrading plan which illustrates all disturbance of the identified natural feature areas. The amount of each natural feature disturbed shall be calculated and illustrated on the encroachment map. The applicant shall submit the calculation required in §22-521 of this Chapter.

(Ord. 151, 7/2/1979, §704)

§22-704. Record Plan.

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1. The record plan shall be a clear and legible blue or black line print on white opaque linen and one paper print, and shall be an exact copy of the approved final plan on a sheet of the size required for final plans.
2. The following information shall appear on the record plan, in addition to the information required in §22-702 for the final plan.

A. **Seals.**

- (1) The impressed seal of the licensed engineer or surveyor who prepared the plan.
- (2) The impressed corporation seal, if the subdivider is a corporation.
- (3) The impressed seal of a notary public or other qualified officer acknowledging owner's statement of intent.
- (4) The impressed seal of the municipality within which the subdivision is located, if the municipality has a seal.

B. **Acknowledgments.**

- (1) A statement to the effect that the applicant is the owner of the land proposed to be subdivided and that the subdivision shown on the Final Plan is made with his or their free consent and that it is desired to record the same.
- (2) An acknowledgment of said statement before an officer authorized to take acknowledgments.

C. The following signatures shall be placed directly on the plan in black ink:

- (1) The signatures of the owner or owners of the land. If the owner of the land is a corporation, the signatures of the President and Secretary of the corporation shall appear.
- (2) The signature of the Notary Public or other qualified officer acknowledging the owner's statement of intent.
- (3) The signatures of the licensed engineer or surveyor who prepared the Plan.
- (4) The signature of the Chairman and Secretary of the Borough's Planning Commission.
- (5) The signature of the Engineer.

- (6) The endorsement of the Borough in the form of the following signatures: the President and Secretary of Borough Council.
- (7) The signatures of the Chairman and the Executive Director of the Bucks County Planning Commission, acknowledging that the Plan has been reviewed by the Commission. All of the above signatures shall appear on the plan when presented for the Chairman/s and Executive Directors' endorsement.

(Ord. 151, 7/2/1979, §705)

§22-705. Modification of Requirements.

1. The requirements in §22-704 for preliminary and final plans and for supporting data may be modified by the Commission as warranted by special circumstances.
2. In subdivisions requiring no new streets, and in case of resubdivision, the requirements for the contours may be waived at the discretion of the Council.

(Ord. 151, 7/2/1979, §706)

PART 8
ADMINISTRATION

§22-800. Hardship.

1. If any mandatory provisions of these regulations are shown by the applicant, to the satisfaction of a majority of the Councilmen present at a regular meeting, to be unreasonable and to cause undue hardship as they apply to his proposed subdivision, the Council shall grant a variance to such applicant from such mandatory provisions, so that substantial justice may be done and the public interest secured, provided that such variance will not have the effect of nullifying the intent and purpose of these regulations.
2. In granting variances and modification, the Council may compose such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements so varied or modified.

(Ord. 151, 7/2/1979, §800)

§22-801. Fees.

The applicant for a subdivision and land development approval shall at the time of making application, pay to the Borough for the use of the Borough a fee in accordance with a fee schedule, adopted by resolution of the Council, upon the enactment of those regulations or as such schedule may be amended by resolution of the Council.

(Ord. 151, 7/2/1979, §801)

§22-802. Council Records.

1. The Council shall keep a record of its findings, decisions and recommendations relative to all subdivision plans filed with it for review or approval.
2. All records of the Council shall be public records.

(Ord. 151, 7/2/1979, §802)

PART 9

AMENDMENTS

§22-900. Power of Amendment.

The Council of the Borough of Hulmeville may from time to time amend, supplement, change, modify or repeal this Chapter. When doing so, the Council shall proceed in the manner prescribed in this Part.

(Ord. 151, 7/2/1979, §900)

§22-901. Definition.

The words "amend," "amendment," "amendments" or "amended" in this Chapter shall be deemed to include any modification of the text or phraseology of any provision or amendment thereof, or any repeal or elimination of any such provision or part thereof, or any addition of the Chapter or to an amendment thereof.

(Ord. 151, 7/2/1979, §901)

§22-902. Initiation of Amendments.

Proposals for amendment, supplement, change, modification or repeal may be initiated by the Council.

- A. **Proposals Originated by Council.** The Council shall refer every proposed amendment, supplement, change, modification or repeal originated by said Borough to the Borough Planning Commission and Bucks County Planning Commission. Within 30 days of the submission of said proposal, the Planning Commission shall submit to the Council a report containing the Commission's recommendations, including and additions or modifications to the original proposal.
- B. **Proposals Originated by the Planning Commissions.** The Bucks County Planning Commission or Borough Planning Commission may at any time transmit to the Council any proposal for the amendment, supplement, change, modification or repeal of this Chapter.

(Ord. 151, 7/2/1979, §902)

§22-903. Hearings.

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1. Before voting on the enactment of an amendment, the Council shall hold a public hearing thereon. No amendment shall become effective until after such hearing at which parties in interest and citizens shall have an opportunity to be heard. 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, the Council shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.
2. Notice shall be given not more than 30 days, and not less than 14 days, in advance of such hearing, and shall be published in a newspaper of general circulation in the County, once each week for two successive weeks. Such notice shall state the time and place of the hearing and shall include either the full text of the proposed amendment, or a brief summary setting forth the principal provisions in reasonable detail, with reference to a place where copies of the proposed amendment may be examined.
3. No hearing shall be held before or during the 30 day period in which the Planning Commission has been directed to review its recommendations to the Council.

(Ord. 151, 7/2/1970, §903)