
City of Chester

Subdivision and Land

Development Ordinance

Title One of the Codified Ordinances of the City of Chester.

Delaware County, Pennsylvania

As Enacted by the Chester City Council on
May 11, 2016.

This project was partially funded by a grant from the Pennsylvania
Department of Community and Economic Development.

Development Regulation Consultant

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Article 1301
Enactment and General Provisions

101. TITLE. An Ordinance of the City of Chester, Delaware County, Pennsylvania providing for: the regulation and control of the subdivision of lots and the development of land; the approval of plans, plots, or replots of land laid out in building lots; standards for the design of streets, lots, easements, blocks and other improvements; certain minimum improvements and construction standards on streets and improvements; financial security requirements for improvements; the administration of this Ordinance by the City of Chester Planning Commission and City Council; and penalties for the violation of this Ordinance.
102. SHORT TITLE. This Ordinance shall be known and may be cited as "The City of Chester Subdivision and Land Development Ordinance" of 2016. This Ordinance shall serve as Title One of the Codified Ordinances of the City of Chester.
103. PURPOSES. The purpose of these regulations is to create conditions favorable to the health, safety, and general welfare of the citizens by assisting in the orderly and efficient integration of subdivisions; Ensuring conformance of subdivision plans with the public improvements plans of the City; Ensuring sites suitable for building purposes and human habitation; Facilitating the efficient movement of traffic and avoiding traffic hazards and congestion; Securing equitable handling of all subdivision plans by providing uniform procedures and standards; Improving land records by establishing standards for surveys and plans; Safeguarding the interests of the public, the homeowner, the subdivider and the municipality; Preserving natural and historic features; and Carrying out the goals and objectives of the Comprehensive Plan and the Pennsylvania Municipalities Planning Code.
104. APPLICABILITY.
- 104.A. No subdivision or land development of any lot, tract, or parcel of land shall be made, and no street, sanitary sewer main, water main or other improvements required in connection with a proposed subdivision or land development shall be constructed, opened or dedicated for use of the public or the occupants of the proposed subdivision or land development, and no building that first needs land development approval shall be constructed, except in accordance with this Ordinance.
- 104.B. A lot or parcel that was not a legal lot of record prior to adoption of this Ordinance shall not be created, sold or transferred, and no land development may occur on a lot unless and until:
1. the subdivision of the lot and/or the approval of the land development, as applicable, has been granted Final Plan approval and any subdivision has been recorded and
 2. either of the following occurs, as provided in Section 801:
 - a. the City has been assured by means of a Development Agreement and guarantees acceptable to the City Council that the improvements will subsequently be installed, or
 - b. the required improvements in connection therewith have been entirely completed.
- 104.C. Previous Subdivisions. If a parent tract of land has been the subject of the creation of 2 or more new lots within the previous 5 years, then any subdivision submittal involving that parent tract shall be required to meet the requirements for a major subdivision.

104.D. Landowner. No subdivision or land development shall be submitted to the City for review except by the landowner of such land or his/her specifically authorized agent (see definition of "landowner" in Article 1302, which includes equitable owner).

104.E. Zoning. All subdivisions and land developments shall comply with the City Zoning Ordinance and other relevant City codes and ordinances.

105. EXEMPTIONS.

105.A. Revisions to City Regulations After Submittal of an Application. Section 508(4) of the MPC shall apply.

106. INTERPRETATION.

106.A. Standards.

1. The provisions of this Ordinance shall be interpreted and applied as minimum requirements for the promotion of the public health, safety, convenience and general welfare.
2. Where provisions, standards, and specifications of this Ordinance conflict with those of any State statute, other ordinance or regulations, the more restrictive requirement shall apply, regardless of its source, unless specified to the contrary.

106.B. Illustrations. The illustrations in this Ordinance are for general illustrative purposes, and are not part of the regulations of this Ordinance.

107. MODIFICATIONS AND WAIVERS.

107.A. An applicant seeking a modification or waiver to this Ordinance shall submit to the City staff a request in writing that states: a) the specific Ordinance section(s) involved and b) the reasons for the request. The staff shall provide the request to the Planning Commission for a recommendation. After the Planning Commission has had an opportunity for review at a meeting, the Planning Commission may in writing grant a waiver or modification to the specific requirements of this Ordinance.

1. This Section is established under Section 503(8) of the MPC, which authorizes waivers and modifications “when the literal compliance with mandatory provisions is shown to the satisfaction of the” Planning Commission “to be unreasonable, to cause undue hardship or when an alternative standard can be demonstrated to provide equal or better results.” (Note - A variance to a zoning ordinance requirement needs to be decided by the Zoning Hearing Board.)
2. A modification involves the Planning Commission approving a specific alternative standard, while a waiver involves the Planning Commission removing a specific requirement as it pertains to an application.

107.B. The applicant must prove that the request will meet one or more of the following conditions:

1. avoid an undue hardship that was not self-created and that is not financial in nature, and that results from the peculiar and uncommon conditions of the property; or
2. avoid a clearly unreasonable requirement; or
3. allow an alternative standard that is clearly proven by the applicant to provide equal or better results.

107.C. Additional Modifications Allowed.

1. In addition to the authority granted above, the Planning Commission shall have the authority to modify specific requirements of this Ordinance listed in subsection “2.” below for an application to result in a higher quality site design, including a design that is more pedestrian-friendly, encourages lower speed traffic on residential streets and/or promotes patterns of development. A modification under this Section may include the following:
 - a. Reduction in the minimum horizontal curve radius of streets to promote lower-speed traffic.
 - b. Variations in the design of cul-de-sac street ends.
 - c. Reduction of street cartway widths and provisions for alleys to provide rear access to properties, considering the expected traffic volumes, on-street parking and traffic speeds.
 - d. Variations in landscaping and buffer yard requirements that still achieve a similar effect to what would otherwise be required.
 - e. Allowance of shared driveways where necessary to minimize impacts upon natural resources and to manage traffic access onto through-streets.

108. FEES.

108.A. The City Council has established a schedule of fees, requirements for escrow accounts, and a collection procedure for all applications and other matters pertaining to this Ordinance, including a review fee for a sketch plan. The applicant shall also pay the reasonable charges by the City’s Engineer and other professional consultants, including legal professionals, for review of the proposed project and for related preparation of reports and meeting time.

1. An escrow account shall be funded by the applicant at the time of submittal of a preliminary or final plan. A plan submittal shall not be considered to be complete until all fees have been paid and the escrow account has been funded. Expenses of the City Engineer and any other authorized consultants that are directly related to the review of the applicant’s project shall be paid from the escrow account. The City shall require that the escrow account be replenished by the applicant if it is in danger of becoming depleted. Any unused funds shall be returned to the applicant. A plan shall not be approved for recording if such costs remain unpaid.
2. At the time of submittal of a final plan, the applicant shall also be required to deposit funds into the escrow account to pay the anticipated costs of the City’s Engineer and other professional consultants, including legal professionals, to oversee the system of financial security of improvements and for inspections.
3. The schedule of fees may be amended by resolution of the City Council.

- 108.B. The applicant is also required to pay any review fees and/or permits required by the County Planning Commission, utility providers and the Delaware County Conservation District, as well as any other applicable agencies.
- 108.C. Plans shall not be considered filed until all City fees are paid and the applications are properly signed as required.
- 108.D. If the expenses of the City for reviews of a subdivision or land development exceed the total fees that have been paid or placed in escrow by an applicant, additional funds shall be required to be deposited by the applicant. If expenses exceed the amount placed into escrow, such excess expenses shall be paid by the applicant prior to release of the Final Plans by the City for recording. If the funds exceed the amount of the expenses, the excess shall be refunded to the applicant.

1. In the event the applicant disputes the amount of any review fee, the applicant shall, no later than 100 days after the date of transmittal of the bill to the applicant, notify the City and the City's professional consultant that such fees are disputed. A fee dispute shall not delay or be cause for plan disapproval. Failure of the applicant to dispute a bill within 100 days shall be a waiver of the applicant's right to arbitration of that bill under Section 510(g) of the MPC.

2. In the event the applicant and the City cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the City shall follow the procedure for dispute resolution, as set forth in Sections 503(1) and 510(g) of the MPC, provided that the professionals resolving such dispute shall be of the same profession or discipline as the consultants whose fees are being disputed.

109. REVISED PLANS, ALTERNATE PLANS, AND RESUBDIVISIONS.

109.A. Alternate Plans. Only one preliminary or final plan concerning any one specific area of land shall be before the City as part of an official approval process at any one moment in time, unless specifically allowed in advance by the Planning Commission. An applicant may submit multiple sketch plan alternatives or plans showing various phases.

109.B. Revisions and Resubdivisions.

1. Until a submission is approved or rejected by the Planning Commission, the Applicant may withdraw the submission and submit a Revised Plan following the submission and review procedures which apply to that Plan. For any submittal of a revision of a previously submitted plan, the City may require the applicant to submit additional amounts into an escrow account or other fees if needed based upon the City's expenditures on the review up to that time.
2. The Planning Commission may approve a revision of a previously approved subdivision or land development, provided that the revised aspects comply with current City ordinances. However, if the City Planning Director determines that a submittal is substantially different from the previously approved plan, then a complete new submittal shall be required that shall comply with all current City ordinances.

3. If the City Planning Director determines that a revision of a previously approved plan is only to correct erroneous data or minor omissions or revise engineering details or supporting documentation, the plan may be submitted under the simplified requirements and procedures of Section 704.
110. CITY RECORDS. The City Staff shall keep accurate written records of all actions by the City Planning Commission and City Council involving the administration of this Ordinance. Such records shall be open for public review.
111. AMENDMENTS TO THIS ORDINANCE.
 - 111.A. Amendments. The regulations set forth in this Ordinance may, from time to time, be amended by the City Council, following the procedures of the MPC, including a City Council public hearing (with public notice required by the MPC) and the required legal advertisement.
 - 111.B. Reviews. The City shall submit each proposed amendment (other than an amendment prepared by or under the direction of the Planning Commission) to the Planning Commission for recommendations at least 30 days prior to the date set for the City Council public hearing. The City shall submit any proposed amendment to the County Planning Commission at least 30 days before the public hearing on such amendment.
112. APPEALS TO COURTS. Decisions of the Planning Commission and City Council may be appealed in accordance with the MPC, as amended.
112. ENFORCEMENT.
 - 113.A. Inspectors. The Mayor shall authorize one or more persons, which may include the Zoning Officer, Planning Director, City Solicitor and the City Engineer and his/her representatives, to enforce the provisions of this Ordinance and accompanying improvement specifications.
 - 113.B. Inspection. Any action under this Ordinance is subject to on-site inspection by the City or its authorized representatives to ensure compliance with this Ordinance, other City Ordinances and the approved plans.
 - 113.C. Remedies. Any action inconsistent with the provisions of this Ordinance shall be subject to an Enforcement Notice, which may include a cease and desist order, and other appropriate measures by the City Council or their authorized representatives.
114. PENALTIES.
 - 114.A. Any person, partnership or corporation who or which has violated any provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the City Council or their authorized representatives, pay a judgement of not more than \$500 plus all court costs, including reasonable attorneys fees incurred by the municipality as a result thereof, unless a higher penalty is established under State law. This shall include, but not be limited to, any person, partnership or corporation that accomplishes

any act listed under Section 104 "Applicability" without following the applicable procedures of this Ordinance.

- 114.B. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- 114.C. If the defendant neither pays nor timely appeals the judgment, the City may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. Imprisonment shall not be authorized as a penalty under this Ordinance.
- 114.D. See also the "Remedies" provisions of Section 113.C. of this Ordinance. All fines collected for such violations shall be paid over to the City.
115. LIABILITY. Neither the approval nor the granting of any building permit, floodplain permit, site plan review, subdivision approval, land development approval, zoning permit, erosion review, storm water runoff review, wetland delineation or wetland review, steep slope review or any other review or permit of this Ordinance, involving any land governed by the provisions of this Ordinance, by an officer, employee, consultant or agency of the City, shall constitute a representation, guarantee or warranty of any kind by the City or its employees, consultants, officials or agencies of the practicality or safety of any structure, use or subdivision and shall create no liability upon, nor a cause of action against any City body, consultant, official or employee for any damage that may result pursuant thereto.
116. SEVERABILITY. It is hereby declared to be the legislative intent that:
- 116.A. If a court of competent jurisdiction declares any provisions of this Ordinance 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 Ordinance shall continue to be separately and fully effective.
- 116.B. The City Council hereby declares that it would have adopted this Ordinance, but without including a part declared invalid, if City Council had advance knowledge that such part would be declared invalid.
117. REPEALER. All other City ordinances or parts thereof that were adopted prior to this Ordinance and are clearly in conflict with this Ordinance, including the pre-existing Chester City Subdivision and Land Development Ordinance (SALDO), as amended, are hereby repealed. However, the fees stated in the pre-existing SALDO shall continue to be in effect until they are replaced by a new fee ordinance or resolution.
118. PA MUNICIPALITIES PLANNING CODE AMENDMENTS. The provisions of this Ordinance that only repeat, summarize or reference provisions of the MPC shall be deemed

to be automatically superceded and replaced by any applicable amendments to such provisions of the MPC at the date such amendments become effective as State law.

- 119. AUTHORITY. This Ordinance is enacted under the authority and procedures of the Pennsylvania Municipalities Planning Code, as amended, and the City Code, as amended, and constitutes a new Subdivision and Land Development Ordinance for the City of Chester.
- 120. EFFECTIVE DATE AND ENACTMENT. This Ordinance shall become effective five calendar days after enactment.

THIS ORDINANCE IS HEREBY DULY ENACTED AND ORDAINED this 11th day of May, 2016, by City of Chester City Council in public session duly assembled.

CITY COUNCIL OF THE CITY OF CHESTER

ATTEST:

Mayor

City Clerk

Article 1302 Definitions

201. GENERAL INTERPRETATION.

201.A. For the purposes of this Ordinance, words and terms used herein shall be interpreted as listed in Section 202 of this Ordinance.

201.B. **If a word is not defined by this Ordinance, but is defined by the Zoning Ordinance as amended, then the Zoning Ordinance definition shall apply to this Ordinance. If a word is not defined by this Ordinance or the Zoning Ordinance, and is defined by the Stormwater Management Ordinance (SWMO), then the SWMO definition shall apply to this Ordinance.**

201.C. The word "includes" shall mean to specifically include an item but not necessarily be limited to such items.

201.D. Any word or term not defined in this Article or the Zoning Ordinance has a meaning of standard usage as determined by the Planning Director, within the context of the word's use within the applicable section of this Ordinance. A standard reference dictionary should be consulted.

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

Abutting Lots. Two lots that are directly contiguous and/or are only separated from each other by a railroad or a creek. See also "Adjacent Lots."

Access Drive. A type of private vehicular accessway providing access from a lot which does not have frontage on a public or approved private street. This term shall not include a "driveway" or a "street."

Adjacent Lots. Two lots that are abutting or that are only separated by a street.

Administrator. See Planning Director.

Alley. A right-of-way of less than 20 feet right-of-way width, privately or publicly owned, that primarily provides vehicular access to the rear of properties and does not serve through traffic.

Applicant. A landowner or developer, as defined in this section, who has filed an application for development including his/her heirs, successors, and assigns.

Average Daily Traffic Volume. The total number of motor vehicles traveling on a street or street during an average weekday, other than a Friday, Saturday or Sunday.

Block. An area of land or a lot or group of lots, bounded by streets, public parks, railroad rights-of-way, watercourses or bodies of water, boundary lines of the City or by any combination of the above.

Building. The definition in the Zoning Ordinance shall apply.

City. Chester City, Delaware County, Pennsylvania. Unless otherwise stated, this shall mean the City Council and their authorized agents.

City Council. The City Council of the City of Chester.

Best Management Practice (BMP). Activities, facilities, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim, and restore the quality of waters and the existing and designated uses of waters within the Commonwealth of Pennsylvania before, during, and after earth disturbance activities.

Boundary Line Adjustment. Shall have the same meaning as "lot line adjustment."

Buffer. The definition in the Zoning Ordinance shall apply.

Cartway. The paved portion of a street used for vehicular travel and vehicle parking, not including an unpaved shoulder.

Clear Sight Triangle. A triangular area required to be established at street intersections to avoid the placement of certain types of sight obstructions. This triangular area is defined by lines along each street, connected by a third longer leg of the triangle, as regulated by the Zoning Ordinance.

Commission. The Planning Commission of the City of Chester.

Common Open Space. The definition in the Zoning Ordinance shall apply.

Condominium. A type of ownership arrangement, (not a land use), wherein parts of a building are owned separately, and other parts such as halls, stairs, parking areas and recreation areas are owned jointly by such persons. A condominium may be residential, commercial, or industrial in nature. See also the definition in the State Uniform Condominium Act and the definition of "Unit" in the State Planned Communities Act.

Conservation District. The Delaware County Conservation District.

Cross Section. A profile of existing ground at right angles to the centerline.

Crosswalk. A specifically paved or marked path for pedestrians crossing a street, access drive or travel lane.

Crown. The height of the center of a roadway surface above its edges.

Culvert. A pipe, conduit or similar structure including appurtenant works, which carries surface water.

Curb. The raised edge of a pavement that confines surface water to the pavement and protects the abutting land from vehicular traffic.

Cut. To lower the level of the surface of an existing grade, or the vertical distance from the existing ground surface to the planned grade line at a given point.

Days. Calendar days.

DCPC. The Delaware County Planning Commission, or its successor entity.

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

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

Development. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, mining, dredging, filling, grading, excavation or drilling operations and the subdivision of land.

Driveway. A privately owned vehicle travelway that provides access from a public street or approved private street to one or two lots, and which is not an “Access Drive” or a “Street.”

Driveway Apron. The sloped area between the sidewalk and the curb of a driveway that provides reinforcement for vehicular traffic while allowing pedestrians to cross at grade from the adjoining sidewalk area.

Driveway, Shared. A driveway that provides access to two lots.

Dwelling Types. The definitions in the City Zoning Ordinance shall apply.

Easement. A limited right of use granted on private land for public or private use by another party or parties, or a protective condition, as in the case of drainage easements for protection and/or preservation of a specified area.

Engineer, Professional. A person licensed in the Commonwealth of Pennsylvania to practice as a professional engineer in the Commonwealth of Pennsylvania.

Engineer, City. The licensed professional engineer in the Commonwealth of Pennsylvania designated by the City Council to perform the duties of the City Engineer.

Finished Grade. The proposed elevation of the land surface of a site after the completion of all site improvement work.

Floodplain. The definition in the Zoning Ordinance or any separate Floodplain Ordinance shall apply.

Grade. The elevation of ground, paving or another improvement.

Grading. All construction operations between site clearing and building or paving. Grading includes excavating, hauling, spreading and compacting operations.

Green Infrastructure. Small-scale stormwater management practices, nonstructural techniques, and site planning practices to mimic natural hydrologic runoff characteristics and minimize the impact of development on water resources.

Improvement Agreement or Development Agreement. An agreement in a form and manner acceptable to the City requiring a developer to install the improvements required by this Ordinance or which appear on the official approved plans.

Improvements. Physical changes to the land associated with a subdivision or land development plan, including, but not limited to a building(s) and building additions, structures, streets, gutters, curbs, street lights, signs, water, sanitary and storm sewer mains and appurtenances, stormwater structures, walkways, sidewalks, recreational facilities, open space improvements, shade trees, buffers and landscaping and all other additions to the tract which are deemed necessary to result in a complete project.

Land Development. Land Development shall include any of the following activities, unless such definition is revised by a later amendment of the Pennsylvania Municipalities Planning Code:

1. The improvement of 1 or 2 or more contiguous lots, tracts or parcels of land for any purpose involving either or both of the following:
 - a. A group of 2 or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single principal nonresidential building on a lot or lots regardless of the number of occupants or tenure, or
 - b. The division or allocation of land or space, whether initially or cumulatively, between or among 2 or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups, or other features.
2. A subdivision of land.
3. The following activities are excluded from the definition of land development only when such land development involves the following:
 - a. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than 3 residential units, unless such units are intended to be a condominium; or

- b. The addition of an accessory structure including a farm building on a lot or lots subordinate to an existing principal building if less than 5,000 square feet of new imperviousness and earth disturbance are proposed.

Land Development, Major. A Land Development that does not meet the definition of a “Minor Land Development.”

Land Development, Minor. A Land Development which only involves a maximum of 10,000 square feet of new building floor area, only involves an existing lot, and does not include more than three new dwelling units.

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

Landscape Architect. A person registered as a Landscape Architect by the Commonwealth of Pennsylvania.

Level of Service. A qualitative measure used to relate the quality of traffic service and delay.

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

Lot Line Adjustment. The revision or deletion of one or more lot lines in such a way that all of the following are true:

- A. no new lots will be created beyond what was previously approved,
- B. no additional road/street segments or significant changes in alignment are proposed other than what was previously approved,
- C. no additional nonconformities will be created under the City Zoning Ordinance, and
- D. no new land development will occur other than a land development that was previously approved or buildings to support "crop farming."

Lot, Reverse Frontage. A lot extending between and having frontage on a minor street and either an arterial or collector street, with vehicular access solely from the minor street. The front setback regulations of the zoning district in which the lot is located shall apply to both street frontages.

Maintenance Agreement. An agreement in a form and manner acceptable to the City Council requiring the developer of required improvements to make any repairs or reconstructions and to maintain such improvements for a certain period.

Maintenance Guarantee. Financial security which is acceptable to the City to secure the promise made by a developer in the Maintenance Agreement that required improvements shall be maintained by the developer. (Note: These guarantees typically include acceptable

letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements).

Major and Minor Subdivisions. See Subdivision, Major and Subdivision, Minor.

Modification. A process authorized under Section 107 that allows the City Planning Commission to approve a specific alternative standard.

MPC. The Pennsylvania Municipalities Planning Code, as amended.

Municipalities Planning Code. The Pennsylvania Municipalities Planning Code, as amended.

One Hundred Year Flood. A flood that is estimated, on the average, to have a 1 percent chance of occurring each year. See additional definitions in the Zoning Ordinance or any separate Floodplain Ordinance.

Open Space, Common. The definition in the Zoning Ordinance shall apply.

Open Space, Public. Common open space owned by the City or another government agency for public recreation.

Ordinance, This. The Chester City Subdivision & Land Development Ordinance, as amended, and any provisions thereof, enacted by the City Council.

Pathway. A pedestrian accessway which is not adjacent to a road/street or access drive and conforms with this Ordinance.

PennDOT. The Pennsylvania Department of Transportation.

Performance Guarantee. Financial security which is acceptable to the City Council to ensure that the developer will install required improvements. (Note: This typically includes acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements).

Plan. A map of a land development or subdivision and accompanying notations.

1. Sketch Plan. An informal plan, identified with the title "Sketch Plan" on the map, indicating the general layout of the proposed subdivision or land development.
2. Preliminary Plan. A complete plan identified with the title "Preliminary Plan" accurately showing proposed roads/streets and lot layout and such other information as required by this Ordinance.
3. Final Plan. A complete and exact plan identified with the title "Final Plan" including the plan prepared for official recording as required by this Ordinance.

Planning Director or Subdivision Administrator. The staff-person(s) charged by the Mayor or City Council with the responsibility of administering subdivision applications and review

procedures. Such role shall be served by the City of Chester Planning Director or designee, unless a different person is assigned the responsibility by the Mayor or City Council.

Planning Commission. Unless otherwise stated, shall mean the Chester City Planning Commission.

Profile. A line on a drawing which shows elevations of points along a selected route. A profile usually shows both ground elevations and grade elevations.

Public Meeting, Regular Planning Commission. Shall mean a regular meeting of the City Planning Commission at which such Commission is authorized to conduct official action and which has been scheduled based upon an annual meeting schedule (as may be adjusted by the Chairperson) and which is not a workshop meeting or the official public meeting on an ordinance amendment.

Public Notice. As defined by the PA Municipalities Planning Code. (Note - As of 2015, this included the following definition: "Notice published once each week for two successive weeks in a newspaper of general circulation in the City. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.")

Public Sewage Service. Service by a sewage disposal system that is owned and/or operated by a local government, governmental authority or a public utility company regulated by the Public Utility Commission.

Public Water Service. Service by a water supply system that is owned and/or operated by a local government, governmental authority or a public utility company regulated by the Public Utility Commission.

Recreation Land. Land intended for non-commercial recreation by residents of a development or by the general public, and which meets the requirements of Section 1007.

Right-of-Way. A legal right of passage across land occupied or intended to be occupied by a street, crosswalk, railroad, street, electric or telecommunication transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. If the right-of-way involves maintenance by a public agency, it shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

Sewage Disposal System. A system designed to collect, treat and dispose of sewage from users in compliance with regulations of PA DEP and the City.

1. Public Sewage Service. Service by a sewage disposal system which collects, treats and disposes sewage from multiple lots and conveys it to a wastewater treatment plant that is owned and/or operated by an authority, other public entity or their leasee.

Sidewalk. A pedestrian accessway which is adjacent to a road/street or access drive and conforms to the regulations of this Ordinance.

Sight Triangle. See “Clear Sight Triangle” and the provisions in the Zoning Ordinance.

State or Commonwealth. The government of the Commonwealth of Pennsylvania and its relevant subparts.

State Planning Code or MPC. The Pennsylvania Municipalities Planning Code, as amended.

Steep Slope. An area of 15 percent or greater slope.

Street. A motor vehicle route (not including driveways, alleys, and access drives) that affords the principal means of access to three or more abutting properties, and which may also be accessible by pedestrians and bicyclists. A street may be publicly or privately owned and maintained, provided that the requirements of this Ordinance are met.

Street Classifications. The functional classifications of streets shall follow the Street Classification Map that is included in the Appendix. The City Engineer shall have the authority to classify any street that is proposed or that is not shown on that map. Such classifications may be amended by resolution of City Council. Streets are classified as Arterial Streets, Collector Streets and Local Streets. Interstate 95 is an Expressway. See also the definition of “alley.”

Street, Cul-de-Sac. A type of street which is terminated at one end by a permitted turn-around and which intersects another street at the other end.

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

Street Line. A line defining the edge of a road/street right-of-way and separating the road/street from abutting property or lots. This is commonly known as the street “right-of-way line”.

Street or Road, Private. A road/street that is not owned or maintained by the State or the City.

Subdivider. See "Developer."

Subdivision.

1. The division or redivision of a lot, tract or parcel of land by any means into 2 or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development.
2. The subdivision by lease of land for agricultural purposes into a parcel of more than 10 acres, not involving any new street or easement of access or residential dwellings, is not a subdivision.

Subdivision, Major. A “subdivision” that does not meet the definition of a “Subdivision, Minor.”

Subdivision, Minor. A subdivision involving not more than 3 total residential or agricultural lots and which does not involve the construction of a new street.

Subdivision Ordinance. The Chester City Subdivision and Land Development Ordinance, as amended.

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

Surveyor. A professional surveyor, registered as such by the Commonwealth of Pennsylvania.

Tree Trench. A system of trees or other landscaping connected by an infiltration system consisting of porous pavers, engineered or structural soil, underdrains or other material designed to capture and infiltrate stormwater runoff.

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

Vehicle Trip. A vehicle movement in one direction with the origin or destination within the study area.

Waiver. A process authorized under Section 107 that allows the Planning Commission to remove a specific requirement as it applies to an application.

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

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

Water, Central System or Service. Service by a water system which transmits water from a common source to more than one lot.

A. Community Water Service. Central water service that is not “Public Water Service.”

B. Public Water Service. See “Public Water Service” as defined above.

Water, On-Lot System or Service. Service by a water system which transmits water from a source on the lot to only one lot.

Article 1303
Overview of General Procedures

301. PURPOSE. This Article summarizes the general procedures for the submission and review of proposed subdivisions and land developments. This Article is only a general explanation and is not binding on the City or an Applicant. See the actual provisions of the other Articles of this Ordinance.

302. GENERAL PROCEDURE FOR SUBDIVISIONS AND LAND DEVELOPMENTS.

302.A. Review and Approval Stages. Three types of plan submissions are established: Sketch, Preliminary, and Final, as outlined below.

Stage	Article of this Ordinance	Type of Proposed Subdivision or Land Development*		
		Land Development	Major Subdivision	Minor Subdivision or Lot Line Adjustment
Sketch Plan	1304	Recommended	Recommended	Recommended
Preliminary Plan ***	1305	Required****	Required***	Not Required
Final Plan	1306	Required	Required	Required**
Guarantee of Improvements Installation	1308			
Recording of Final Plan	1309			

* See definitions in Article 1302.

** See Article 1307 for Minor Subdivision Final Plan submission and review requirements. See Section 704 for submission requirements for a lot line adjustment.

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

**** Except where exempted by Section 502.

302.B. Sketch Plan. While a Sketch Plan is not required, it is strongly recommended that it be filed to allow the Applicant to consult early and informally with the Planning Commission before preparing a Preliminary Plan. This will often avoid expensive redesign and delay to the applicant.

302.C. Preliminary Plan. Preliminary plans are required to be submitted for any major subdivision and for certain land developments, as described above.

302.D. Final Plan. After approval of the Preliminary Plan of a major subdivision or certain land developments, and to obtain approval of a minor subdivision, the Applicant files a Final Plan. A Final Plan must be approved prior to recording of the plans by the County and prior to the sale of any lots or the construction of any buildings (see Article 1309).

302.E. Guarantee of Improvements Installation. Where improvements are required by this Ordinance, in most cases, the City will require that the Applicant enter into an improvement agreement including the posting of financial security sufficient to guarantee the costs of any improvements which may be required. See Article 1308.

303. GENERAL PLAN SUBMISSION PROCEDURES.

303.A. Submission. Sketch, Preliminary and Final Plans and all required accompanying information are required to be submitted to the Planning Director or his/her designee.

303.B. Attendance. The Applicant or his/her duly authorized representative should endeavor to attend the Commission meeting to discuss the filed plans. If the applicant fails to appear at a meeting where the plans will be considered, it may result in plan disapproval, if the City determines that it resulted in insufficient information to render approval.

303.C. Action by the Planning Commission. The Planning Commission has the authority to approve or deny those plans. There are time limits in State law for approval of a subdivision or land development, unless the applicant grants a time extension.

ARTICLE 1304 Sketch Plan

401. PRE-PLAN CONSULTATION. Prior to submitting a Sketch Plan, applicants for developments are encouraged to informally discuss their proposal with the Planning Director and/or other appropriate City Staff.
402. SKETCH PLAN SUBMISSION REQUIREMENTS. Prior to the submission of a Preliminary Plan, applicants are very strongly encouraged to submit a Sketch Plan. **A Sketch Plan Review often allows an applicant to save substantial time and engineering costs, because many concerns about layout and issues concerning City Ordinances can be resolved prior to detailed engineering. This can often reduce the need for future redesign at a more detailed stage, thereby saving the applicant significant money and time.** When submitted, Sketch Plans shall include the following information:
- A. Submission Requirement. If submitted, 9 print copies of the Sketch Plan and the accompanying application should be submitted to the City Staff prior to a regular City Planning Commission meeting. It is requested that a Sketch Plan be provided at least 14 days before a Planning Commission meeting where it will be discussed. A City review fee may also be required.
- B. Drawing Requirements. Any Sketch Plan shall be drafted to approximate scale and is recommended to include the following as applicable:
1. General Information:
 - a. Tentative name of the project (may be the developer's name).
 - b. Name, mailing address, phone number and email address of person responsible for the preparation of the plan(s).
 - c. Date of plan preparation.
 - d. North arrow, graphic scale, and written scale.
 - e. A location map showing the general project location in relation to nearby roads / streets and waterways.
 - f. Words "Sketch Plan" on each plan.
 2. Existing Conditions:
 - a. Boundary lines of the parcel(s).
 - b. Acreage of the entire tract.
 - c. Zoning District and tabulation of major applicable lot area and setback requirements.
 - d. Any concentrations of steeply sloped lands (such as 15 to 25 percent, and greater than 25 percent).
 - e. Locations of watercourses (with any name), natural springs, ponds, lakes and suspected wetlands. (Note - where a detailed wetland study has not been completed, applicants are requested to review the locations of "hydric" soils in the Delaware County Soil Survey to provide an initial indication of areas that are likely to include some wetland areas.)
 - f. Any known sinkholes and topical depressions.
 - g. Any areas within the 100-year floodplain.

- h. Any major easements or proposed recreation trails, existing trails and trail easements.
 - i. Principal buildings built before 1940 that could be impacted by the project.
 - j. Major existing utility easements / rights-of-ways that might affect development layout.
 - k. Approximate locations of tree lines, significant trees with trunks 15 inches or greater, and existing forested areas.
 - l. Types of adjacent land uses (such as rowhouse) and any zoning district boundaries in the area.
3. Proposed Conditions:
- a. Boundary lines of the parcel(s).
 - b. Building footprints and entrance locations.
 - c. Proposed uses and location of uses in buildings.
 - d. Public and private streets labeled.
 - e. Driveways, parking areas, access aisles, and site entrances.
 - f. Significant proposed site features (such as retaining walls, steep slopes, etc.).
 - g. Open space.
 - h. Tentative approximate locations of any stormwater detention basins and any major stormwater drainage channels.
 - i. Note stating the general methods of providing water and sewer service.
 - j. Suggestions from the applicant regarding possible locations of any proposed common open space or recreation land or whether the applicant seeks to pay recreation fees, if applicable.
 - k. Tabulations of lot area(s).
 - l. Approximate tabulations of density, gross square feet of buildings, building height, number of units, open space, area of disturbance during construction, and proposed parking compared to zone requirements and/or limitations.

403. SKETCH PLAN REVIEW PROCEDURES.

- A. No official action shall be taken on a sketch plan. The City shall not be bound by comments made or not made as part of a sketch plan review.
- B. The City should distribute copies of the sketch plan to the City Engineer, the relevant City staff-person and the Planning Commission for advisory reviews.
- C. The sketch plan should be reviewed by the Planning Commission, with any comments reported to the applicant or his/her representative. It is recommended that the following matters be emphasized in a review of a sketch plan:
 1. The suitability of areas proposed for development and areas proposed as open space.
 2. The most suitable methods of providing street access, including access points onto existing streets, and possible interconnections with existing streets or streets within approved developments.
 3. Methods to reduce the total percentage of the site that will be re-graded, paved or de-forested.

- D. DCPC Review. The City may forward a copy of the sketch plan to the Delaware County Planning Commission, for any informal review if the City believes it may have significant impacts.

Article 1305
Preliminary Plans for Major Subdivisions
and Major Land Developments

501. INITIAL STEPS.

501.A. Pre-Submission Consultation. Applicants are encouraged to informally discuss their proposals with applicable City Staff persons or other City officials before preparing engineered plans.

501.B. Sketch Plan. Prior to the submission of a Preliminary Plan, applicants are very strongly encouraged to submit a Sketch Plan. **A Sketch Plan Review often allows an applicant to save substantial time and engineering costs, because many concerns about layout and issues concerning City Ordinances can be resolved prior to detailed engineering. This can often reduce the need for future redesign at a more detailed stage, thereby saving the applicant significant money and time.** No official action is required on a sketch plan, so it will not delay the submittal of a preliminary plan.

502. SUBMISSION AND REVIEW PROCEDURE.

502.A. Preliminary Plan Submission Required.

1. A Preliminary Plan Submission for a Major Subdivision or Land Development (except as provided in part A.2. below) meeting all of the requirements of this Article shall be filed by the Applicant and reviewed in accordance with the provisions of this Article.
2. **A Preliminary Plan Submission is not required for the following applications, which instead shall meet the requirements in Article 1307:**
 - a. a Minor Subdivision (as defined in Article 1302); or
 - b. a submission that only involves a lot line adjustment (as defined in Article 1302) or minor adjustments to a previously approved plan as specified in Section 704 or a merger or consolidation of lots (also referred as reverse subdivision); or
 - c. a “Minor Land Development.” (Note - A Minor Land Development only involves a maximum of 10,000 square feet of new building floor area, only involves an existing lot, and does not include more than three new dwelling units.)

502.B. Filing and Distribution.

1. The Applicant shall file with the City Staff at least 20 calendar days prior to a regular City Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) copies of the information and plans required under Section 503.
 - a. When the City Staff accepts a submittal for review, it is conditioned upon the Planning Commission determining that the submission is complete under Section 502.C.

2. The City Staff shall forward applicable plans and documents to the City Planning Commission prior to or at the first regularly scheduled Planning Commission meeting after a proper submission.
3. Applicant's Distribution. The applicant is fully responsible for the following:
 - a. Contacting the appropriate utility authorities/companies, as appropriate, including the sewage supplier to determine availability of service,
 - b. Seeking at least an informal review by PennDOT of any proposed access onto a State road, and providing PennDOT with sufficient information for such a review,
 - c. Determining whether any permits or approvals are needed from any agency outside of the City, including DEP (including any obstruction to a waterway) and the Army Corps of Engineers (including determining whether any "wetland" will be disturbed),
 - d. Providing a copy of the sedimentation and erosion control plans to the County Conservation District, together with their required review fees, if any earth disturbance is proposed, unless the applicant states in writing in a signed letter to the City that earth disturbance will not occur until approval of the Final Plan (in which case the erosion control plan may be submitted at Final Plan stage),
 - e. Adjacent Municipalities. If any portion of a major subdivision or land development: 1) is proposed within 200 feet of the boundary of another municipality or 2) would clearly have a regional impact upon another municipality as determined by the Planning Director, then the applicant shall provide a copy of the layout plan to that municipality for an advisory review.
 - f. Providing a copy of the plans and required fees to the Delaware County Planning Commission, unless the City agrees to forward the plans to DCPC.
 - g. Providing copies and making submittals to the City and review agencies as required under PA DEP's sewage planning module process, if applicable.
4. Revisions. A detailed list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted, except for changes that were made in response to the City Engineer or City Staff's reviews.

502.C. Review by City Engineer; Determination of Completeness.

1. After the plans are duly submitted for review (unless the plans are significantly incomplete), the City Engineer should review the engineering considerations of the Preliminary Plan and prepare a report on such considerations to the Planning Commission. A copy of findings of the City Engineer should be sent or handed in person to the applicant or his/her representative.
2. The Applicant and/or his/her engineer should make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings.
3. If the required fees have not been paid and the escrow account has not been properly funded, a submittal shall not be considered to be complete, and shall not have been considered to have been officially accepted by the City, until such amounts are paid in full.
4. Based upon an initial review by the City Staff and/or the City Engineer, at the first regular meeting where the submittal is considered, the Planning Commission shall have the

authority to determine that a submittal is incomplete. To be complete, the submission shall contain a fully completed application form and all types of documents and plans specified in the checklist. If a submission is determined to not be complete, the applicant and/or representative shall be notified, and the submission shall not be officially accepted by the City. In such case, the official acceptance of the plans shall not occur until the City Staff or City Engineer later certifies that all required information has been submitted.

5. The time limits of the MPC for action on a submittal shall not begin to apply until a complete submittal has been achieved.

502.D. Review and Action by Planning Commission. The Planning Commission should accomplish the following within the time limitations of the MPC (unless the applicant grants a written time extension).

1. Review applicable reports received from any official reviewing agencies;
2. Determine whether the Preliminary Plan Submission meets the requirements of this Ordinance and other ordinances;
3. Approve, conditionally approve or disapprove the Preliminary Plan Submission within the time limits required by the MPC. (As of adoption date of this Ordinance, this law requires:
 - a. the Planning Commission to act not later than 90 days following the date of the first regular meeting of the Commission held after the Preliminary Plan has been properly filed for review; but in no case shall the Planning Commission's decision be made later than 90 days following the date the submission was accepted as being filed for review, unless the Applicant grants a written extension of time; and
 - b. that no subdivision or land development shall be granted final approval until a report is received from the Delaware County Planning Commission or until the expiration of 30 days from the date the application was forwarded to the DCPC, whichever comes first.)

502.E. Decision by Planning Commission.

1. The decision of the Planning Commission shall be in writing and shall be communicated to the Applicant personally or by mail at his/her last known address not later than 15 days following the decision.
2. Approval of the Preliminary Plan Submission shall constitute approval of the subdivision or land development as to the character and intensity, but shall not: a) constitute approval of the Final Plan or b) authorize the sale of lots or construction of buildings.
3. If the Preliminary Plan Submission is disapproved, the decision shall: specify defects found in the Submission, describe requirements which have not been met and cite the provisions of the statute or ordinance relied upon in each case.
4. The Planning Commission may grant combined preliminary/final plan approval if: a) the preliminary plan submission also meets all of the requirements of a final plan submission and b) the Commission determines that there are no significant outstanding matters regarding the plan.

5. Acceptance of Conditions. If conditions are placed upon an approval, it shall be the responsibility of the applicant or his authorized representative, in writing, to accept or reject the conditions within a maximum of 30 days after the date of the decision. If the applicant fails to accept or reject the conditions within such time period, then it shall be presumed that the applicant has accepted all of the conditions upon the approval. If the applicant rejects any condition within such time period, then the approval shall be rescinded, unless a decision of a court determines such condition was not valid.
- a. The applicant shall be required to show compliance with all the conditions upon the final plan approval within one year after the date of the decision by the Planning Commission, unless a written extension is granted by the Planning Commission.

502.F. Final Plan Submission Deadline.

1. An applicant shall file a Final Plan within 5 years from the date of the approval of the Preliminary Plan by the Planning Commission.
2. Failure to comply with this requirement shall render the Preliminary Plan null and void, and a new Preliminary Plan submission and approval shall be required.

502.G. Development in Stages. See Section 602.I.

503. PRELIMINARY PLAN REQUIREMENTS. (See Section 502.A. regarding when a preliminary plan is required.)

503.A. All of the following information and materials listed in this section are required as part of all preliminary plan submissions for any land development and any major subdivision. **This list of requirements shall serve both:**

1. **to establish the requirements, and**
2. **as a checklist for the applicant and the City to use to ensure completeness of submissions.**

The applicant shall submit completed photocopies of Section 503.C. as part of the application.

503.B. The required information listed in Section 503 may be combined or separated onto different sheets, provided that all information is clearly readable.

**Section 503.C. City of Chester
Preliminary Plan for Major Subdivision and/or Major Land Developments**
Checklist and List of Submittal Requirements**

Project Name/Address: _____

Contact Person for Questions About Application: _____

Daytime Phone No(s): _____ Email _____

Date of Submittal: _____

Attach this checklist to a signed copy of the Application, which is included in Appendix A of this Ordinance.

* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement. A written request for any waiver or modification is also required under Section 107.

** See Section 502.A. concerning which types of "land developments" are required to submit a Preliminary Plan.

	NOT	
SUBMITTED		SUBMITTED*

A. GENERAL SUBMISSION ITEMS: (Note- the City may require the submission of additional numbers of copies)

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|-------|-------|--|
| _____ | _____ | 1. 2 copies of Completed City Application (see Appendix A). |
| _____ | _____ | 2. Required City review fee(s). |
| _____ | _____ | 3. Required City escrow funds (to fund reviews). |
| _____ | _____ | 4. 2 copies of the Preliminary Plan Checklist (using the photocopies of the pages in this Section of the Ordinance). |
| _____ | _____ | 5. 9 print copies of the complete Preliminary Plans, with original signatures and seals of Plan Preparers on one "File Copy". |
| _____ | _____ | 6. 7 additional print copies of only the Layout Plans. |
| _____ | _____ | 7. 2 sets of Supportive Documents. |
| _____ | _____ | 8. A receipt or similar notification that the applicant has provided a copy of the plan to the Delaware County Planning Commission for review. |
| _____ | _____ | 9. A PDF copy of the Plans distributed to the City on a flash storage drive (or other method acceptable to the City). |
| _____ | _____ | 10. 2 copies of a Completed Zoning Permit application, if applicable. |

B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Plans prepared on a standard sized sheet (such as 18"x24", 22"x34", 24"x36", 30"x42" or 36"x48"). All copies of plans should be folded to approximately 9"x12" size in such a manner that the title of the sheet faces out, except exceptionally large and thick sets of plans may be rolled. |
| _____ | _____ | 2. Plans drawn to a standard scale (such as 1 inch = 50 feet). |
| _____ | _____ | 3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds. |
| _____ | _____ | 4. Differentiation between existing and proposed features. |
| _____ | _____ | 5. Boundary line of the parcel clearly and distinctly shown. |
| _____ | _____ | 6. If layout plans involve 2 or more sheets, a map of the layout of the entire project at an appropriate scale on one sheet, and a key map showing how the sheets connect. |

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

NOT
SUBMITTED SUBMITTED*

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|-------|-------|---|
| _____ | _____ | 7. If the parcel(s) crosses a municipal boundary, a map showing both the portions in Chester City and the other municipality(ies), in sufficient detail for the City to determine how the parts will interrelate. |
| _____ | _____ | 8. Required profiles shown at a scale of 1"=50' horizontal and 1"=5' vertical, or other standard scale. |
| _____ | _____ | 9. All sheets numbered and listed on one page. |
| _____ | _____ | 10. Words "Preliminary Plan" and sheet title (such as "Layout Plan") on each sheet. |

C. GENERAL INFORMATION:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Name of project on each sheet. |
| _____ | _____ | 2. Name of landowner and developer (with addresses). |
| _____ | _____ | 3. Names and addresses of abutting property owners. |
| _____ | _____ | 4. Lot lines of adjacent lots, and approximate locations of any buildings, common open spaces, detention basins or drainage channels existing or approved within 50 feet of the boundaries of the proposed project. |
| _____ | _____ | 5. Notarized Owners Statement (see Appendix B). |
| _____ | _____ | 6. Surveyor and plan preparer's statement (see Appendix B). |
| _____ | _____ | 7. Approval/review signature blocks for: City and County Planning Commissions (see Appendix B). |
| _____ | _____ | 8. Location map with a graphic scale showing the boundaries of the project in relation to the approximate location of the following features within 100 feet from the boundaries of the parcel: existing and proposed streets, waterways, parks, and municipal borders. |
| _____ | _____ | 9. North arrow, graphic scale, written scale. |
| _____ | _____ | 10. Date of plan and all subsequent revision dates (especially noting if this is a revision of a previously approved plan), with space for noting future revision dates and general type of revisions. |
| _____ | _____ | 11. Property identification number for the parcel being subdivided, from County records. |
| _____ | _____ | 12. A statement on the plan of proposed principal uses that are intended for each lot. |

D. EXISTING CONDITIONS MAP:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Existing contour lines shown at the same scale as the layout plan, as follows: <ul style="list-style-type: none"> a. shall be based on a field survey or photogrammetric procedure, with an established bench mark. b. The contour interval shall be sufficient to determine compliance with City ordinances. An interval of 2 feet for slopes of less than 15 percent and 5 feet for slopes of 15 percent or greater is generally recommended. c. Note- Contours are not required to be shown within areas of lots of 10 acres or more that are clearly not intended to be altered as a result of this proposed subdivision or land development, unless needed to determine adequacy of stormwater management. |
| _____ | _____ | 2. Identification of any slopes of 15 to 25 percent, and greater than 25 percent. |
| _____ | _____ | 3. The locations and names (if any) of watercourses, natural springs, ponds, lakes and wetlands. |

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

NOT
SUBMITTED SUBMITTED*

- | | | |
|-------|-------|---|
| _____ | _____ | 4. Sinkholes and topical depressions. |
| _____ | _____ | 5. Location of any areas within the 100 year floodplain (with differentiation between floodway and floodfringe if available from official Federal floodplain maps). |
| _____ | _____ | 6. Approximate locations and abbreviated names of soil types, according to the U.S. Natural Resources Conservation Service or more accurate study, with identification of those that are alluvial, hydric, have a depth to bedrock of less than 3 feet, or a seasonally high water table of less than 3 feet. If such soils do not exist, that shall be stated on the Plan. |
| _____ | _____ | 7. Watershed boundaries. |
| _____ | _____ | 8. Area and location of any proposed common open space. |
| _____ | _____ | 9. If any common open space is proposed: method of ownership, entity proposed to be responsible for maintenance, description of intended purposes, proposed improvements (such as rough grading) and any proposed recreation facilities. |
| _____ | _____ | 10. Existing utility easements and restrictive covenants and easements for purposes which affect development. |
| _____ | _____ | 11. Locations of treelines and existing forested areas, with a description of the approximate average trunk diameter of the older trees on the parcel (such as "less than 12 inches"). |
| _____ | _____ | 12. Applicable zoning district name, district boundaries and required minimum lot area. |

E. PROPOSED LAYOUT PLAN: (with existing features graphically differentiated from proposed features).

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Existing and proposed lot lines. <ul style="list-style-type: none"> a. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced. b. The boundaries of any residual parcel which is 10 acres or more may be determined by deed (Any residual lot of less than 10 acres shall fully comply with this Ordinance). |
| _____ | _____ | 2. Location of existing monuments and markers. |
| _____ | _____ | 3. Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground. |
| _____ | _____ | 4. Existing and proposed (if known) building locations. |
| _____ | _____ | 5. Overhead electric high-voltage lines and rights-of-way/easements. |
| _____ | _____ | 6. Total acreage of site and total proposed number of lots and dwelling units. |
| _____ | _____ | 7. Identification number for each lot (and for each building if more than 1 building per lot). |
| _____ | _____ | 8. Lot width (at minimum building setback line) and lot area for each lot. |
| _____ | _____ | 9. Dimensions of each lot in feet. |
| _____ | _____ | 10. Existing and proposed rights-of-way and cartway widths and locations of existing and proposed streets, including streets within 50 feet of the parcel. |
| _____ | _____ | 11. Sight distance triangles meeting City requirements. |
| _____ | _____ | 12. Street centerline information including bearings and distances. |

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

NOT SUBMITTED	SUBMITTED*	
_____	_____	13. Horizontal curve data including radius, tangent, or arc length and delta, cord bearing and distance. Such information may be listed in a table, using reference numbers on a plan, provided that sufficient information is provided along each course (such as radius and arc length) such that each course can be reproduced in the field.
_____	_____	14. Existing and proposed utility easements and restrictive covenants and easements for purposes which affect development (stating which easements and rights-of-ways are proposed for dedication to the City).
_____	_____	15. Right-of-way and curb lines with horizontal curve radii at intersections.
_____	_____	16. Beginning and end of proposed street construction.
_____	_____	17. Street improvements proposed by the applicant, including any acceleration/ deceleration lanes, traffic signal, street realignment or widening of abutting streets.
_____	_____	18. Any proposed curbing (place No in Not Submitted column if not proposed by applicant).
_____	_____	19. Any proposed sidewalks and/or walkways (place No in Not Submitted column if not proposed by applicant), with any proposed handicapped ramps at intersections.
_____	_____	20. Names of existing streets and proposed names of new streets.
_____	_____	21. Designation which streets are proposed to be dedicated to the City or to remain private.
_____	_____	22. Evidence that any proposed or higher category new street or driveway entrance onto a State road will meet PennDOT sight distance requirements, unless a Highway Occupancy Permit has already been approved for the use.
_____	_____	23. Any proposed recreation trails, existing trails and trail easements.
_____	_____	24. Any proposed screening, buffer yards or earth berming (see Zoning Ordinance)
_____	_____	25. Areas of existing mature woods that are proposed to be protected and preserved or removed.
_____	_____	26. General types, sizes and locations of any required street trees (see Section 1019), paved area landscaping (see City Zoning Ordinance) and any other major proposed landscaping.
_____	_____	27. Any proposed fencing (including height and type) and/or landscaping around stormwater basin (see Section 1008).
_____	_____	28. Minimum setback requirements shown for each lot.
_____	_____	29. Statement of type of water and sewer service proposed (such as "private wells and public sewer").
_____	_____	30. Required and proposed building coverage and impervious coverage (may be stated as "typical proposed" for single family detached homes).

F. UTILITY PLAN:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. If applicable, locations of the following: <ul style="list-style-type: none"> - Any existing or proposed water supply well. - Any existing or proposed on-lot septic system. |
|-------|-------|---|

City of Chester Subdivision and Land Development Ordinance – As Adopted May 11, 2016

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

NOT
SUBMITTED SUBMITTED*

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|--|-------|---|
| _____ | _____ | 2. If <u>public or central sewage service</u> is proposed: |
| _____ | _____ | a. proposed contour lines on same sheet as utility layout. |
| _____ | _____ | b. location and size of mains and laterals, with locations corresponding to stationing on the profile. |
| _____ | _____ | c. locations of manholes, with invert elevation of flow line and grade at top of each manhole. |
| _____ | _____ | d. proposed lot lines and any proposed easements or rights-of-way needed for the utilities. |
| _____ | _____ | e. location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines. |
| _____ | _____ | f. type, size, length and grade of sewer lines. |
| _____ | _____ | 3. If <u>public or central water service</u> is proposed: |
| _____ | _____ | a. location and size of existing and proposed water mains. |
| _____ | _____ | b. existing and proposed fire hydrant locations. |
| _____ | _____ | c. distance noted that water lines will have to be extended to reach existing lines (if not already abutting the parcel). |
| _____ | _____ | 4. Any existing and proposed underground natural gas, electrical, telephone, cable TV or other utility lines, with any easements shown that will affect development. |
| _____ | _____ | 5. List of contacts for all underground utilities in the area, with phone numbers stated on the grading plans (as required by State Act 172/PA One Call). |
| G. <u>GRADING AND STORMWATER MANAGEMENT PLAN:</u> The information required in Article 1306 shall be required at the preliminary plan stage, unless the developer commits in writing to not construct any improvements until after final plan approval. | | |
| _____ | _____ | 1. Existing and proposed storm drainage facilities or structures, including detention basins, swales, pipes, culverts and inlets. |
| H. <u>FOR USES OTHER THAN SINGLE FAMILY DETACHED OR TWO FAMILY DWELLINGS:</u> | | |
| _____ | _____ | 1. Evidence that the project meets the density requirements of the Zoning Ordinance, stating maximum and proposed densities. |
| _____ | _____ | 2. Evidence that the project will meet the off-street parking requirements of the Zoning Ordinance, including existing, minimum and proposed numbers of spaces. |
| _____ | _____ | 3. Arrangement of off-street parking spaces, parking aisles, off-street loading areas and extent of areas to be covered by gravel or asphalt. |
| _____ | _____ | 4. For single family attached dwellings, any proposed methods to ensure privacy between outdoor semi-private areas (such as fences or walls or plantings between rear yards). |
| _____ | _____ | 5. Illustrative sketches of exteriors of proposed principal business, townhouse or apartment buildings (encouraged but not required). |
| _____ | _____ | 6. Location of any proposed outdoor storage areas. |
| _____ | _____ | 7. Note stating total square feet of paved area, including stone areas. |

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

NOT
SUBMITTED SUBMITTED*

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| _____ | _____ | | I. <u>EROSION AND SEDIMENTATION PLAN:</u> (may be submitted at the Final Plan stage if the applicant provides a written and signed statement that earth will not be disturbed until after Final Plan approval). |
| _____ | _____ | | 1. Drawings showing locations and types of proposed erosion and sedimentation control measures, complying with the regulations and standards of the County Conservation District and DEP. |
| _____ | _____ | | 2. Narrative describing proposed soil erosion and sedimentation control methods. |
| _____ | _____ | | J. <u>STREET PLAN-PROFILES:</u> The information required in Article 1306 shall be required at the preliminary plan stage, unless the developer commits in writing to not construct any improvements until after final plan approval. |
| _____ | _____ | | K. <u>LANDSCAPE PLAN.</u> |
| _____ | _____ | | 1. Show trees to be protected and preserved. |
| _____ | _____ | | 2. Include a keyed planting schedule detailing the quantity, species, and size of all plant materials. |
| _____ | _____ | | 3. Include a note committing the current and future owners to the permanent maintenance and replacement as needed of all plant materials depicted on the landscape plan, including lawn areas, fences, and retaining walls. |
| _____ | _____ | | 4. Clearly designate lawn areas. |
| _____ | _____ | | L. <u>SANITARY SEWER AND STORM DRAIN PLAN-PROFILES:</u> The information required in Article 1306 shall be required at the preliminary plan stage, unless the developer commits in writing to not construct any improvements until after final plan approval. |
| _____ | _____ | | M. <u>CONSTRUCTION DETAILS:</u> The information required in Article 1306 shall be required at the preliminary plan stage, unless the developer commits in writing to not construct any improvements until after final plan approval. |
| _____ | _____ | | N. <u>SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:</u> |
| _____ | _____ | | 1. Residual Lands Sketch. If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same landowner or under control of the same developer, then a sketch shall be submitted at an appropriate approximate scale, on one sheet, covering all such land holdings together with a sketch of a reasonable future potential street system. Such sketch shall demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands. |
| _____ | _____ | | 2. Sewage Planning. If a sewage facility planning module is required by DEP, then prior to Preliminary Plan approval, the applicant shall submit 2 complete copies for City use, plus the applicant shall submit copies of the module and required accompanying plans to various agencies as required under State regulations. The approval of a sewage planning module is not required until final plan approval, but the applicant shall provide evidence that they are forwarding complete submittals to the proper review agencies. |
| _____ | _____ | | 3. Central Water. If central water service is proposed by an existing water service provider, the applicant shall provide a letter from such provider which states that the provider expects to be able to adequately serve the development, that the proposed water system is acceptable. |

City of Chester Subdivision and Land Development Ordinance – As Adopted May 11, 2016

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

		NOT	
SUBMITTED	SUBMITTED*		
_____	_____		4. Public Sewage. If service is proposed by a Public Sewage provider, the developer shall submit a copy of a letter from the provider which states that the provider can adequately serve the subdivision, and that the proposed sanitary sewage system is acceptable.
_____	_____		5. Non-public Sewage. If service is proposed by a central sewage system that is not publicly-owned, the developer shall provide sufficient information to show that the proposed system would be feasible, within DEP regulations and maintained and operated through an acceptable system.
_____	_____		6. Access to State Roads. If access is proposed to a State road: a) copy of any information submitted to PennDOT and any correspondence from PennDOT regarding the proposed access to State roads (this requirement applies throughout the entire approval process), and b) evidence that the proposed access will meet PennDOT sight distance requirements.
_____	_____		7. Floodplain. If the project would include any area within the 100 year floodplain or any watercourse, a statement from the Zoning Officer indicating that the proposed subdivision or land development would be in compliance with the Floodplain regulations of the City.
_____	_____		8. A statement describing the organization, major officers and principal shareholders of a corporate developer or the general partner of a partnership that is the applicant.
_____	_____		9. Method of ensuring maintenance of any private street.
_____	_____		10. List of any Modifications or Waivers requested to this Ordinance.
_____	_____		11. Copies of the decisions of any approved or proposed zoning variances, or special exception use approvals that are relevant to the proposal.
_____	_____		12. With each revision of a previously submitted plan, the Plan Preparer shall either: <ul style="list-style-type: none"> a) certify in writing that no changes were made to the Plan, other than changes requested by the City, or b) list the changes that were made, other than those changes requested by the City.

504. CERTIFICATION. All certification shall comply with the State professional licensing laws. All subdivisions of land shall be certified and stamped by a Registered Land Surveyor. At least one set of all plans provided to the City, including revisions, shall bear original signatures and original seals of plan preparers, which shall be marked as a "City File Copy."

Article 1306
Final Plans for Major Subdivisions
and Major Land Developments

601. APPLICABILITY. This Article lists the requirements for final plans for a Major Subdivision or Major Land Development, except that a “Land Development” that only involves the following may be submitted under the simplified requirements of Article 1307: a) a lot line adjustment, b) up to 10,000 square feet of new building floor area with no new dwelling units on an existing lot, c) minor corrections or minor revisions to a previously approved plan as specified in Section 704, or d) a merger or consolidation of lots (also referred to as reverse subdivision).
602. SUBMISSION AND REVIEW PROCEDURE.
- 602.A. Final Plan Submission Required.
1. A Final Plan Submission for each major subdivision or land development must be filed by the Applicant and reviewed in accordance with the provisions of this Article 1306.
 2. A Final Plan shall only be submitted after a Preliminary Plan has been approved by the Planning Commission, if a Preliminary Plan is required.
- 602.B. Final Plan Submission Deadline. See Section 502.G.
- 602.C. Filing and Distribution.
1. The Applicant shall file with the City Staff at least 20 calendar days prior to a regular City Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) the information and plans required under Section 603.
 2. The City Staff shall forward applicable plans and documents to the City Planning Commission prior to or at the first regularly scheduled Planning Commission meeting after a proper submission.
 3. Applicant's Distribution. It is the applicant's responsibility to:
 - a. make agreements with the appropriate utility companies to guarantee applicable provision of service,
 - b. submit a complete application to PennDOT for any needed permit for access to or work within a State road right-of-way,
 - c. provide information to DEP or other agencies for any permits that might be required,
 - d. submit a copy of the soil erosion and sedimentation plan to the County Conservation District, and pay their required review fees, if earth disturbance is proposed, and if such erosion control plan was not approved at the preliminary plan level,
 - e. unless the City agrees to forward the plans, the applicant shall provide a copy of the plans for the Delaware County Planning Commission, with any required fee,
 - f. if a sewage facility planning module is required by DEP, the applicant shall submit 2 complete copies for City use, plus shall submit copies of the module and plans to various agencies as required under State regulations. A sewage planning module shall be completed and fully approved prior to final plan approval.

4. Revisions. A detailed list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted. The developer's plan preparer shall certify that the list of revisions is complete.

602.D. Review by City Engineer; Determination of Completeness.

1. The City Engineer should review the submission and provide a report to the Planning Commission. At least an initial review should be provided prior to the first Planning Commission meeting at which the submission will be discussed.
2. The Applicant and/or his/her plan preparer should make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings.
3. A copy of findings of the City Engineer should be sent or handed in person to the applicant or his/her representative and the Planning Commission.
4. If the required fees have not been paid and the escrow account has not been properly funded, a submittal shall not be considered to be complete, and shall not be officially accepted by the City, until such amounts are paid in full.
5. Based upon an initial review by the City Staff and/or the City Engineer, at the first regular meeting where the submittal is considered, the Planning Commission shall have the authority to determine that a submittal is incomplete. To be complete, the submission shall contain a fully completed application form and all types of documents and plans specified in the checklist. If a submission is determined to not be complete, the applicant and/or representative shall be notified, and the submission shall not have been considered to have been officially accepted by the City. In such case, the official acceptance of the plans shall not occur until the City Staff or City Engineer later certifies that all required information has been submitted.
6. The time limits of the MPC for action on a submittal shall not begin to apply until a complete submittal has been achieved.

602.E. Review and Action by Planning Commission. The City Planning Commission shall accomplish the following within the time limitations of MPC (unless the Applicant grants a written time extension):

1. Review applicable reports received from official review agencies,
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances and
3. Approve, conditionally approve or disapprove the Final Plan Submission within the time limits established by the MPC.

(As of the adoption date of this Ordinance, the MPC requires:

- a. The Planning Commission to act on the application and render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the next regularly scheduled City Planning Commission following the date the application is filed (or after a final order of the court remanding an application), provided that should the next regular meeting occur more than 30 days following the filing of the

application (or the final order of the court), the 90-day period shall be measured from the 30th day following the day the application has been filed.

- b. No subdivision or land development shall be granted final approval until a report is received from the Delaware County Planning Commission or until the expiration of 30 days from the date the application was forwarded to the DCPC (whichever comes first.)

602.F. Decision by Planning Commission.

1. Notice to Applicant. The decision of the Planning Commission shall be in writing and shall be communicated to the Applicant personally or mailed to him/her at his/her last known address not later than 15 days following the decision.
2. Dedications.
 - a. The approval of the Final Plan by the Planning Commission shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space, or area, unless the such acceptance is specified at such time.
 - b. Any such acceptance of dedication shall only occur after formal action of the City at such time.
 - c. As part of an improvements agreement, if the City elects to accept lands offered for dedication, the submission shall be accompanied by duly executed instruments of conveyance to the City. Such instruments shall state that the title thereof is free and unencumbered.
 - d. The City may require that a subdivider provide title insurance if land is to be dedicated to the City.
3. Disapproval. When a Final Plan Submission is disapproved, the decision shall specify defects found in the Submission, shall describe requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.
4. Conditions. The Planning Commission may attach reasonable conditions to an approval to ensure the carrying out of this Ordinance, other City Ordinances and State laws and regulations. If conditions are placed upon an approval, it shall be the responsibility of the applicant or his authorized representative, in writing, to accept or reject the conditions within a maximum of 30 days after the date of the decision by the Planning Commission. If the applicant fails to accept or reject the conditions within such time period, then it shall be presumed that the applicant has accepted all of the conditions upon the approval. If the applicant rejects any condition, then the approval shall be rescinded, unless a decision of a court determines such condition was not valid.
 - a. The applicant shall be required to show compliance with all the conditions upon the final plan approval within one year after the date of the decision by the Planning Commission, unless a written extension is granted by the Planning Commission.

602.G. Development in Stages.

1. If requested by the Applicant, the Planning Commission may permit the undertaking of the required improvements and the preparation of the Final Plan to be completed in a series of sections or stages, each covering a portion of the proposed subdivision or land development as shown on the Preliminary Plan.

2. If Final Plans are to be filed in sections or stages, each section or stage shall provide sufficient access, utilities and amenities to allow the development to properly function if future stages are not built.
3. The boundaries of phases and the timing of related improvements shall be subject to the approval of the Planning Commission.

602.H. Statement of Approval. At the request of the applicant, the City shall furnish the applicant with a signed copy of a resolution indicating approval of the applicant's final plan contingent upon the applicant providing a satisfactory financial security. The final plan will not be signed by City officials until a satisfactory financial security is presented. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not provided within 90 days, unless a written extension is granted by the City.

603. FINAL PLAN REQUIREMENTS.

603.A. All of the information and materials listed in this section are required as part of all final plans for: 1) a major subdivision or 2) a land development. This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the City to ensure completion of submissions. The applicant shall submit completed photocopies of this section as part of the application.

603.B. The required information listed in this Section may be combined or separated onto different sheets, provided that the plans will be clearly readable. If a particular plan or item was submitted at the Preliminary Plan stage, and is still complete and accurate, then the applicant may reference that submittal in the Final Plan submission instead of providing additional copies.

**Section 603.C. City of Chester
Final Plan for Major Subdivisions and Major Land Developments ** -
Checklist and List of Submittal Requirements**

Project Name/Address: _____
 Contact Person for Questions About Application: _____
 Daytime Phone No(s): _____ Email _____
 Date of Submittal: _____

Attach this checklist to a signed copy of the Application, which is included in Appendix A of this Ordinance.

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement. A written request for a waiver or modification is also required under Section 107.

**See Section 502.A. regarding whether a land development needs to submit a final plan under this section or under the reduced requirements of Article 1307.

NOT
SUBMITTED SUBMITTED*

A. GENERAL SUBMISSION ITEMS: (The City may require the Applicant to file additional copies.)

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| _____ | _____ | 1. 2 copies of Completed City Application (see Appendix A). |
| _____ | _____ | 2. Required City review fee(s). |
| _____ | _____ | 3. Required City escrow funds (to fund reviews). |
| _____ | _____ | 4. 2 copies of the Final Plan Checklist (using the photocopies of the pages in this Section). |
| _____ | _____ | 5. 5 print copies of the complete Final Plans, with original signatures and seals of Plan Preparers on one "File Copy". |
| _____ | _____ | 6. 5 print copies of only the Layout Plans. |
| _____ | _____ | 7. 2 sets of Supportive Documents. |
| _____ | _____ | 8. Notification that a copy of the plans were delivered by the applicant to the Delaware County Planning Commission, unless the City has agreed to forward those plans. |
| _____ | _____ | 9. If a sewage facility planning module is required by DEP, the applicant shall submit 3 complete copies for City use, plus shall prove that all copies have been sent as required to review agencies. |
| _____ | _____ | 10. A PDF copy of the Plans distributed to the City on a flash storage drive (or other method acceptable to the City). |

B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.

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| _____ | _____ | 1. Plans prepared on a standard sized sheet (such as 18"x24", 22"x34", 24"x36", 30"x42" or 36"x48"). All copies of plans should be folded to approximately 9"x12" size in such a manner that the title of the sheet faces out, except exceptionally large and thick sets of plans may be rolled. |
| _____ | _____ | 2. Plans drawn at a standard scale (such as 1 inch = 50 feet). |
| _____ | _____ | 3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds. |
| _____ | _____ | 4. Differentiation between existing and proposed features. |
| _____ | _____ | 5. Boundary line of the parcel, shown clearly and distinctly. |

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

NOT
SUBMITTED SUBMITTED*

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| _____ | _____ | 6. If layout plans involve more than one sheet, a map of the layout of the entire project at an appropriate scale on one sheet, with a key map showing how the layout sheets connect. |
| _____ | _____ | 7. If layout plans involve more than one sheet, a map of the layout of the entire project at an appropriate scale on one sheet, with a key map showing how the layout sheets connect. |
| _____ | _____ | 8. If the parcel(s) crosses a municipal boundary, a map showing both the portions in Chester City and the other municipality(ies), in sufficient detail for the City to determine how the parts will interrelate. |
| _____ | _____ | 9. Required profiles shown at a scale of 1"=50' horizontal and 1"=5' vertical, or other standard scale. |
| _____ | _____ | 10. All sheets numbered and listed on one page. |
| _____ | _____ | 11. Words "Final Plan" and sheet title (such as "Layout Plan") on each sheet |

C. GENERAL INFORMATION:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Name of project on each sheet. |
| _____ | _____ | 2. Name of landowner and developer (with addresses). |
| _____ | _____ | 3. Names and addresses of abutting property owners. |
| _____ | _____ | 4. Lot lines of adjacent lots, and approximate locations of any buildings, common open spaces, detention basins or drainage channels existing or approved within 50 feet of the boundaries of the proposed project. |
| _____ | _____ | 5. Notarized Owners Statement (See Appendix B). |
| _____ | _____ | 6. Surveyor and plan preparer's statement (See Appendix B). |
| _____ | _____ | 7. Approval/review signature blocks for: the City Planning Commission and County Planning Commission (see Appendix B). |
| _____ | _____ | 8. Location map with a graphic scale showing the boundaries of the project in relation to the approximate location of the following features within 100 feet from the boundaries of the parcel: existing and proposed streets, waterways, parks, and municipal borders. |
| _____ | _____ | 9. North arrow, graphic scale, written scale. |
| _____ | _____ | 10. Date of plan and all subsequent revision dates (especially noting if this is a revision of a previously approved plan), with space for future revision dates and notations of general type of revisions. |
| _____ | _____ | 11. Property identification numbers for parcel being subdivided from County records. |
| _____ | _____ | 12. A statement on the plan of proposed principal uses that are intended on each lot. |

D. EXISTING CONDITIONS MAP:

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|-------|-------|---|
| _____ | _____ | 1. Existing contour lines shown at the same scale as the layout plan as follows: <ul style="list-style-type: none"> a. shall be based on a field survey or photogrammetric procedure, with an established bench mark. b. The contour interval shall be sufficient to determine compliance with City ordinances. An interval of 2 feet for slopes of less than 15 percent and 5 feet for slopes of 15 percent or greater is generally recommended. |
|-------|-------|---|

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

NOT
SUBMITTED SUBMITTED*

EXISTING CONDITIONS MAP (CONT.)

- | | | |
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| _____ | _____ | c. Note- Contours are not required to be shown within areas of lots of 10 acres or more that the Plan states are clearly not intended to be altered as a result of this proposed approval, unless needed for stormwater management. |
| _____ | _____ | 2. Identification of any slopes of 15 to 25 percent, and greater than 25 percent. |
| _____ | _____ | 3. Watercourses (with any name), natural springs, lakes. |
| _____ | _____ | 4. Wetlands. Detailed delineations by a qualified professional of wetlands are required with a metes and bounds description and shall be dimensioned from lot lines. |
| | | a. The applicant may be granted Final Plan approval conditioned upon receipt of all required Federal and State wetland permits. |
| | | b. See the "supporting documentation" portion of this section regarding wetland studies. |
| _____ | _____ | 5. Location of any areas within the 100 year floodplain (with differentiation between floodway and floodfringe if available from official Federal floodplain maps). |
| _____ | _____ | 6. Approximate locations and names of soil types based upon the most current Delaware County Soil Survey or more detailed professional study, with identification of the following types of soils: alluvial, hydric, depth to bedrock of less than 3 feet or a seasonally high water table of less than 3 feet. |
| _____ | _____ | 7. Area and location of any proposed common open space (if none proposed, place "W" in Not Submitted Column). |
| _____ | _____ | 8. If any common open space is proposed: method of ownership and entity, proposed to be responsible for maintenance, description of intended purposes, proposed improvements (such as rough grading) and any proposed recreation facilities. |
| _____ | _____ | 9. Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways are proposed for dedication to the City). |
| _____ | _____ | 10. Any proposed evergreen screening, buffer yards or earth berming (if required by City Zoning Ordinance). |
| _____ | _____ | 11. Areas of existing mature woods that are proposed to be protected and preserved or removed. |
| _____ | _____ | 12. General types, sizes and locations of any required street trees (see Section 1019), paved area landscaping and any other major proposed landscaping. |
| _____ | _____ | 13. Any proposed fencing (including height and type) and/or landscaping around any stormwater basin (see Section 1008). |

E. MAN-MADE FEATURES:

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|-------|-------|--|
| _____ | _____ | 1. Existing and proposed lot lines. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced. The boundaries of any residual parcel which is 10 acres or more may be determined by deed. Any residual lot of less than 10 acres shall fully comply with this Ordinance. |
| _____ | _____ | 2. Location of existing monuments. |

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

SUBMITTED	NOT SUBMITTED*	
_____	_____	3. Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.
_____	_____	4. Existing and proposed (if known) building locations and land uses.
_____	_____	5. Overhead electrical high-voltage lines and rights-of-ways/easements.
_____	_____	6. Applicable zoning district and required minimum lot area.
_____	_____	7. Minimum setback requirements shown for each lot.
_____	_____	8. Statement of type of water and sewer service proposed (such as “public water and public sewage services”).
_____	_____	9. Required and proposed building coverage and impervious coverage (may be stated as "typical proposed" for single family detached homes).
		F. <u>PROPOSED LAYOUT:</u>
_____	_____	1. Total acreage of site and total proposed number of lots and dwelling units.
_____	_____	2. Identification number for each lot (and for each building if more than 1 principal building per lot).
_____	_____	3. Lot width (at minimum building setback line) and lot area for each lot.
_____	_____	4. Dimensions of each lot in feet.
_____	_____	5. Existing rights-of-way and cartway widths and locations of existing streets, including existing streets / roads within 200 feet of boundaries of parcel.
_____	_____	6. Proposed rights-of-way and cartway widths and locations of existing and proposed streets, including streets proposed as part of other projects within 100 feet of the boundaries of parcel.
_____	_____	7. Street centerline information, including bearings and distances.
_____	_____	8. Horizontal curve data including radius, tangent, or length and delta, cord bearing and distance. Such information may be listed in a table, using reference numbers on a plan, provided that sufficient information is provided along each course (such as radius and arc length) such that each course can be reproduced in the field.
_____	_____	9. Right-of-way and curb lines.
_____	_____	10. Beginning and end of proposed street / road construction.
_____	_____	11. Street / road improvements proposed by the applicant (such as including any acceleration/deceleration lanes, traffic signal, street re-alignment or construction improvement).
_____	_____	12. Any proposed curbing (place W in Not Submitted column if not proposed).
_____	_____	13. Any proposed sidewalks or walkways (place NA in Not Submitted column if not proposed), with any proposed handicapped ramps at intersections.
_____	_____	14. Names of existing streets and initial proposed names of new streets.
_____	_____	15. Designation of streets proposed to be dedicated to the City or to remain private.
_____	_____	16. Evidence that a proposed new street or driveway entrance to a State road will meet PennDOT sight distance requirements, unless a valid Highway Occupancy Permit has already been issued, or an entrance to a City road where sight distance requirements are established by Article 1310.

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

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G. UTILITY PLAN:

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Symbols. As applicable, the following existing and proposed items shall be shown for each lot: |
| | | - existing and proposed water supply wells. |
| | | - existing and proposed on-lot septic systems. |
| | | 2. If <u>public or centralized sewage service</u> is proposed: |
| _____ | _____ | a. proposed contour lines on same sheet as utility layout. |
| _____ | _____ | b. location and size of lines and laterals, with locations corresponding to stations on the profile. |
| _____ | _____ | c. locations of manholes, with invert elevation of flow line and grade at top of each manhole. |
| _____ | _____ | d. proposed lot lines and any proposed easements or rights-of-ways needed for the utilities. |
| _____ | _____ | e. location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines. |
| _____ | _____ | f. type, size, length and grade of sewer lines. |
| | | 3. If <u>public or centralized water service</u> is proposed: |
| _____ | _____ | a. location and size of existing and proposed waterlines. |
| _____ | _____ | b. existing and proposed fire hydrant locations. |
| _____ | _____ | c. distance noted that water lines will have to be extended to reach existing lines (if not already abutting the parcel). |
| _____ | _____ | 4. As applicable, existing and proposed underground natural gas, electrical, telephone, cable TV and any other utility lines, with any easements shown that will affect development. |
| _____ | _____ | 5. List of contacts for underground utilities in the area, with phone numbers stated on the grading plans, as required by State Act 172. |

H. GRADING AND STORMWATER MANAGEMENT PLAN:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Locations of existing and proposed storm drainage facilities or structures, including detention basins (with capacity), swales, pipes (with sizes), culverts and inlets. |
| _____ | _____ | 2. Capacity, depth, dimensions and locations of detention basins. |
| _____ | _____ | 3. Watershed areas for each drainage structure or swale (for pre and post development) or point of concentration. |
| _____ | _____ | 4. Additional information as required by the Stormwater Management Ordinance. |
| _____ | _____ | 5. Locations of any proposed or existing stormwater easements. |
| _____ | _____ | 6. Intended design year standards for culverts, bridge structures and/or other stormwater facilities. |
| _____ | _____ | 7. location of all existing and proposed underground utilities. |
| _____ | _____ | 8. Entity responsible to maintain/ own any detention basin. |
| _____ | _____ | 9. Existing and proposed contour lines (see text under "Natural Features"). |
| _____ | _____ | 10. Where cuts or fills extend beyond the right-of-way, cross-sections at 50 feet intervals shall be required unless waived by the City Engineer. |

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

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I. FOR USES OTHER THAN SINGLE FAMILY DETACHED OR TWO FAMILY DWELLINGS:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Evidence that the project meets the density requirements of the Zoning Ordinance, stating maximum and proposed densities. |
| _____ | _____ | 2. Evidence that the project will meet the off-street parking requirements of the Zoning Ordinance, including existing, minimum and proposed numbers of spaces. |
| _____ | _____ | 3. Arrangement of off-street parking spaces, parking aisles, paved areas and off-street loading areas. |
| _____ | _____ | 4. For single family attached dwellings, any proposed methods to ensure privacy between outdoor semi-private areas (such as fences between rear yard). |
| _____ | _____ | 5. Illustrative sketches of proposed buildings (encouraged not required). |
| _____ | _____ | 6. Number, sign area, height and location of proposed signs (may be addressed in future zoning application). |
| _____ | _____ | 7. Major types and locations of outdoor lighting (may be addressed in future zoning application). |
| _____ | _____ | 8. Location of any proposed outdoor storage areas. |
| _____ | _____ | 9. Square feet of paved area, including areas covered by stone. |

J. EROSION AND SEDIMENTATION PLAN:

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|-------|-------|--|
| _____ | _____ | 1. Drawings showing locations and types of proposed measures, and construction details complying with the regulations and standards of the County Conservation District and DEP. |
| _____ | _____ | 2. Narrative describing proposed soil erosion & sedimentation control methods. |

K. STREET PLAN-PROFILES: (With profile drawings on same sheet as plan drawings)

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|-------|-------|---|
| _____ | _____ | 1. Profile of existing and proposed ground surface along centerline of street. |
| _____ | _____ | 2. Proposed centerline grade with percent on tangents and elevations at 50 feet intervals. |
| _____ | _____ | 3. All vertical curve data including length, elevations and minimum sight distance as required by Article 1310. |
| _____ | _____ | 4. Cross sections as required by the City Engineer to be necessary to determine compliance with the ordinance. |

L. SANITARY SEWER AND STORM DRAIN PLAN-PROFILES: (With profile drawings on same sheet as plan drawings.)

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|-------|-------|--|
| _____ | _____ | 1. Profile of proposed ground surface with elevations at top of manholes or inlets |
| _____ | _____ | 2. Profile of storm sewer and sanitary sewer lines, corresponding to stations. |
| _____ | _____ | 3. All line crossings of other utilities. |
| _____ | _____ | 4. Slope and length of pipes. |
| _____ | _____ | 5. Invert elevation and top of grate or manhole elevation. |

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

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M. ADDITIONAL FINAL PLAN REQUIREMENTS:

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|-------|-------|---|
| _____ | _____ | 1. Protective covenants shall be placed on the land providing for: |
| _____ | _____ | a. clear sight triangle easements (see Sections 1004.H. and 1012.D). |
| | | b. all needed utility, drainage, maintenance, pedestrian, open space or other easements. |
| _____ | _____ | 2. Required Plan Notations. The following wording shall be required to be placed on any final subdivision or land development plan, as applicable: |
| | | a. If access will be provided onto a State highway and a required PennDOT Highway Occupancy Permit" has not been granted then the following or closely similar wording shall be stated: |

"NOTICE - A PennDOT Highway Occupancy Permit for Lot No(s). ____ is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law," before driveway access to a state highway is permitted. Access to the state highway shall be only as authorized by a PennDOT Highway Occupancy Permit. No Building Permits, Zoning Permits or Certificates of Occupancy shall be issued for said lot until such time as a PennDOT Highway Occupancy Permit has been secured and filed with the City. The City shall not be held liable for damages to persons or property arising out of issuance or denial of a Highway Occupancy Permit by the PA Department of Transportation, pursuant to Section 508 of the PA Municipalities Planning Code."

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| _____ | _____ | b. "Any well and sewage disposal systems shall be constructed in accordance with standards of the Pennsylvania Department of Environmental Protection." |
| _____ | _____ | c. "Individual owners of lots must receive approval from the City Sewage Enforcement Officer for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system or building that will need to be served by such a system. Additional, no development shall occur in the alternative drain field location without the prior written approval of the Zoning Officer and Sewage Enforcement Officer." |
| _____ | _____ | d. "If applicable: Chester City does not guarantee that any individual lot or location within a lot will be able to sustain any type of well or sewage disposal system." |
| _____ | _____ | e. Notations stating that the property owner is responsible for maintenance of drainage swales. |
| _____ | _____ | f. Notations stating that wetland permits may be required from the Army Corps of Engineers or PA DEP. |
| _____ | _____ | g. Notations recognizing and stating that the City of Chester is not liable and is not providing any guarantee regarding any stormwater, wetland, erosion control or any other review. |
| _____ | _____ | 3. Street Lighting: |
| | | 1. Existing street lighting. |
| | | b. Any proposed street lighting (or notation stating none is proposed), including types of poles, spacing of poles and intensity of lamps. |
| _____ | _____ | 4. Proposed monument and marker locations. |

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

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N. LANDSCAPE PLAN.

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|-------|-------|---|
| _____ | _____ | 1. Show trees to be protected and preserved. |
| _____ | _____ | 2. Include a keyed planting schedule detailing the quantity, species, and size of all plant materials. |
| _____ | _____ | 3. Include a note committing the owner to the permanent maintenance and replacement of all plant materials depicted on the landscape plan, including lawn areas, fences, and retaining walls. |
| _____ | _____ | 4. Clearly designate lawn areas. |

O. CONSTRUCTION DETAILS: (following any applicable City improvement standards).

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| _____ | _____ | 1. Typical cross-section and specifications for street construction as required by Section 1004. |
| _____ | _____ | 2. Drainage swale cross-section and materials. |
| _____ | _____ | 3. Pipe bedding details. |
| _____ | _____ | 4. Storm drainage structures details, including cross-sectional drawings, any detention basin outfall structure and spillway. |
| _____ | _____ | 5. Sanitary sewer structures. |
| _____ | _____ | 6. Curb and sidewalk details. |
| _____ | _____ | 7. Street tree and site planting details. |
| _____ | _____ | 8. Erosion and sedimentation details. |
| _____ | _____ | 9. Centralized water details, if applicable. |
| _____ | _____ | 10. Pavement sections. |
| _____ | _____ | 11. Retaining walls. Retaining walls greater than 4 feet in height require a stamp by a professional engineer or architect. |
| _____ | _____ | 12. Trash dumpster enclosures. |
| _____ | _____ | 13. Handicap parking / access facilities. |

P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:

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

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|-------|-------|--|
| _____ | _____ | 1. A copy of any "Supporting Documentation and Additional Information" that was required for the Preliminary Plan and that needed to be <u>adjusted</u> or <u>revised</u> to reflect changes between the Preliminary and the Final Plan. |
| _____ | _____ | 2. <u>If</u> the subdivision or land development was not required to submit a preliminary plan, a copy of any supporting information listed in Section 503 that is applicable to this project. |
| _____ | _____ | 3. List of Modifications or Waivers requested to this Ordinance that are needed but have not yet been granted. |
| _____ | _____ | 4. Deed Restrictions. All private deed restrictions, homeowner or condominium association agreements or covenants already imposed or to be imposed as a condition to sale that may affect the subdivision or land development plan. Any homeowner or condominium association agreement regarding maintenance of utilities and common facilities may be subject to review by the City Solicitor and acceptance by the City. |

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

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P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION: (Cont.)

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|-------|-------|---|
| _____ | _____ | 5. Dedicated Improvements. The developer shall provide a deed of dedication together with an 8 ½" x 11" plan of each such improvement. |
| _____ | _____ | 6. Non-dedicated Streets Agreement. Agreement for any street not offered for dedication stating who is responsible for the improvement and maintenance of such streets. The developer shall be responsible for such maintenance until the condominium or homeowners association is established and operational. |
| _____ | _____ | 7. Recreation Land or Common Open Space Agreement. Legal provisions addressing any dedication, preservation and/or maintenance of recreation land and/or common open space, as applicable. Any method of required preservation or ownership of such land shall be subject to the review of the City Solicitor and acceptance by the City. |
| _____ | _____ | 8. Storm Drainage Calculations. See the City Stormwater Management Ordinance. All calculations shall be submitted for review by the City Engineer. |
| _____ | _____ | 9. Development Schedule. A statement indicating the approximate date when construction can be expected to begin and be completed. |
| _____ | _____ | 10. PennDOT Reviews. The applicant shall submit to the City a copy of the application to PennDOT for any needed occupancy permit to have access onto a State highway. If a needed permit is not issued prior to Final Approval, such permit shall automatically be a condition of Final Plan approval. |
| _____ | _____ | 11. Water Certification. If water service is proposed by means other than by private individual wells owned by the owner of each lot, the applicant shall present evidence to the City that the service will be provided by a certified public utility, a bona fide cooperative association of property owners or by a municipal corporation, authority or utility, as permitted by the City. <ul style="list-style-type: none"> a. This evidence shall include a copy of 1 or more of the following, as appropriate: a) the "Certificate of Public Convenience" from the PA Public Utility Commission, b) a copy of an application submitted for such certificate or a cooperative agreement or c) a commitment or agreement to serve the area in question. |
| _____ | _____ | 12. Wetland Statement. The applicant shall provide a signed statement of whether areas of the parcel proposed to be altered, disturbed or developed includes "wetlands" under the applicable Federal and/or State definitions. |
| _____ | _____ | 13. If applicable, copy of the wetland study, and qualifications of person who prepared the study. |
| _____ | _____ | 14. Addresses. Plan showing existing street address numbers of adjacent lots and proposed street address numbers of proposed lots, as issued by the City. |
| _____ | _____ | 15. With each revision of a previously submitted plan, the Plan Preparer shall either: <ul style="list-style-type: none"> a. certify in writing that no changes were made to the Plan, other than changes requested by the City, or b. list the changes that were made, other than those requested by the City (not including typographic corrections). |

Q. MATERIALS REQUIRED PRIOR TO RECORDING: The following are not required at the time of final plan submission, but are required prior to recording of the final plan and prior to the construction of any buildings.

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

SUBMITTED	NOT SUBMITTED*	
_____	_____	1. Utilities Agreements and Permits:
_____	_____	a. All signed agreements or contracts with utility companies, water companies or authorities or sewage companies or authorities for the provision of services to the project.
_____	_____	b. Approval letters from all appropriate Federal and State agencies of any private central water supply system or private central sewage disposal system.
_____	_____	c. Approved DEP Sewage Planning Module, if applicable.
_____	_____	d. DEP Water Quality Management Permit, if applicable.
_____	_____	2. See "Record Plan" requirements in Section 902.

604. CERTIFICATIONS. Section 504 shall also apply to Final Plans.

Article 1307
Minor Subdivisions, Minor Land Developments
and Lot Line Adjustments

701. PURPOSE. This Article provides simplified procedures for submitting and reviewing minor subdivisions, certain land developments, and lot line adjustments.

702. SUBMISSION AND REVIEW PROCEDURE. The following submission and review process shall apply for Minor Subdivisions, Lot line adjustments, merger or consolidation of lots (also referred to as reverse subdivision), Minor Land Developments involving only a maximum of 10,000 square feet of new building floor area on one lot with no additional dwelling units, and what the City determines to be minor corrections or minor revisions of previously approved plans under Section 704.

702.A. Final Plan Submission Required. A Final Plan Submission for each application under this Section shall be filed by the Applicant and reviewed in accordance with the provisions of this Article 1307. A Preliminary Plan is not required for a submittal under this Article 1307.

702.B. Filing and Distribution.

1. The Applicant shall file with the City Staff at least 20 calendar days prior to a regular City Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) the information and plans required under this Article 1307.
2. If a State road is involved, the Applicant shall forward the required information to PennDOT and apply for a highway occupancy permit. If such permit is not granted prior to Final Plan approval, then it shall automatically be a condition of Final Plan approval, and the plans shall not be signed or released for recording by the City until the PennDOT permit is granted.
3. Each Final Plan filed for minor subdivisions shall provide the information required by Section 703. Plans for Lot line adjustments shall provide the information required by Section 704.
4. If the City agrees to forward the plan, the applicant shall provide a copy of the plans to the City for review by the Delaware County Planning Commission with the required County Planning Commission review fees. Otherwise, the applicant shall provide the plans to the County Planning Commission. A soil erosion and sedimentation control plan shall be provided by the applicant to the Delaware County Conservation District.

702.C. Initial Actions by the Staff.

1. The Staff shall review the Submission items filed against a checklist for completeness and shall report such review to the Commission at its next regularly scheduled meeting.
2. The Staff shall retain in the City's files one "File Copy" of all materials submitted by the Applicant.
3. The Staff shall forward the applicable submission information to the City Engineer and the City Planning Commission before the next regularly scheduled meeting of the Commission.

702.D. Review by City Engineer; Determination of Completeness.

1. The City Engineer should review the engineering considerations in the Plan and prepare an initial report on such considerations to the Planning Commission. The City Engineer may make additional reports and recommendations to the Planning Commission during review of the Plan.
2. If the required fees have not been paid and the escrow account has not been properly funded, a submittal shall not be considered to be complete, and shall not be officially accepted by the City, until such amounts are paid in full.
3. Based upon an initial review by the City Staff and/or the City Engineer, at the first regular meeting where the submittal is considered, the Planning Commission shall have the authority to determine that a submittal is incomplete. To be complete, the submission shall contain a fully completed application form and all types of documents and plans specified in the checklist. If a submission is determined to not be complete, the applicant and/or representative shall be notified, and the submission shall not be officially accepted by the City. In such case, the official acceptance of the plans shall not occur until the City Staff or City Engineer later certifies that all required information has been submitted.
4. The time limits of the MPC for action on a submittal shall not begin to apply until a complete submittal has been achieved.

702.E. Review and Action by Planning Commission. The City Planning Commission shall accomplish the following within the time limitations of the PA Municipalities Planning Code (unless the applicant grants a written time extension).

1. Review applicable reports received from the appropriate review agencies and officers;
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances; and
3. Approve, conditionally approve or disapprove the Final Plan Submission within the time limits established by the MPC.
(As of the adoption date of this Ordinance, State law requires that the Planning Commission shall act on the application and render its decision and communicate it to the applicant not later than 90 days following the date of the next regularly scheduled meeting of the City Planning Commission next following the date the application is filed (or after a final order of the court remanding an application), provided that should the next regular meeting occur more than 30 days following the filing of the application (or the final order of the court), the said 90-day period shall be measured from the 30th day following the day the application has been filed.)
4. County Planning Commission Review. No subdivision or land development shall be granted final approval until a report is received from the County Planning Commission or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission, whichever shall occur first.

702.F. Decision by Planning Commission.

1. The decision of the Planning Commission shall be in writing and shall be communicated to the Applicant personally or mailed to him/her at the last known address not later than 15 days following the decision.
2.
 - a. The approval of the Final Plan by the Planning Commission shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space or area, unless such acceptance is specifically made at such time.
 - b. Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.
 - c. If the City elects to accept lands offered for dedication, the Submission shall be accompanied by duly executed instruments of conveyance to the City. Such instruments shall state that the title thereof is free and unencumbered. The City may require an applicant to provide title insurance.
3. If a Final Plan Submission is disapproved, the decision shall specify defects found in the Submission, shall describe requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.
4. Conditions. If conditions are placed upon an approval, it shall be the responsibility of the applicant, in writing, to accept or reject the conditions within a maximum of 30 days after the date of the decision by the Planning Commission. If the applicant fails to accept or reject the conditions within such time period, then it shall be presumed that the applicant has accepted all of the conditions upon the approval. If the applicant rejects any condition, then the approval shall be rescinded, unless a decision of a court determines such condition was not valid.
 - a. The applicant shall be required to show compliance with all the conditions upon the final plan approval within one year after the date of the decision by the Planning Commission, unless a written extension is granted by the Planning Commission.

703. MINOR SUBDIVISION AND MINOR LAND DEVELOPMENT FINAL PLAN REQUIREMENTS. All of the following information and materials listed in this section are required as part of all minor subdivision and minor land development submissions, other than lot line adjustments or submittals under Section 704. This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the City to ensure completion of submissions. The applicant shall submit completed photocopies of this section as part of the application.

**Section 703 City of Chester
Final Plan Checklist and List of Submittal Requirements
for Minor Subdivisions and Minor Land Developments**

Project Name/Address: _____
 Contact Person for Questions About Application: _____
 Daytime Phone No(s): _____ Email _____
 Date of Submittal: _____

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

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		A. <u>GENERAL SUBMISSION ITEMS:</u> (the City staff may require the submission of additional numbers of copies).
_____	_____	1. 2 copies of Completed City Application (see Appendix A).
_____	_____	2. Required City review fee(s).
_____	_____	3. Required City escrow funds (to fund reviews).
_____	_____	4. 2 copies of the Minor Subdivision Plan Checklist (using the photocopies of the pages in this Section).
_____	_____	5. 9 print copies of the complete Subdivision Plans, with original signatures and seals of Plan Preparers on one "File Copy".
_____	_____	6. 2 sets of Supportive Documents.
_____	_____	7. A receipt or similar notification that a copy of the Plan was delivered by the applicant to the Delaware County Planning Commission, unless the City has agreed to forward the plans.
_____	_____	8. A PDF copy of the Plans distributed to the City on a flash storage drive (or other method acceptable to the City).
_____	_____	9. 2 copies of a completed Zoning Permit application if applicable.
		B. <u>DRAFTING REQUIREMENTS:</u> Shall be legibly and accurately presented.
_____	_____	1. Plans prepared on a standard sized sheet (such as 18"x24", 22"x34", 24"x36", 30"x42" or 36"x48"). Sheets should be folded to approximately 9"x12" size, in such a manner that the title of the sheet faces out.
_____	_____	2. Plans drawn at a standard scale (such as 1 inch = 50 feet).
_____	_____	3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
_____	_____	4. Differentiation between existing and proposed features.
_____	_____	5. Boundary line of the parcel, clearly differentiated from other lines.
		C. <u>GENERAL INFORMATION:</u>
_____	_____	1. Name and location of project (such as the "Smith Subdivision No. 2").
_____	_____	2. Name of landowner and developer (with addresses).
_____	_____	3. Names and addresses of abutting property owners, with abutting lot lines.
_____	_____	4. Notarized Owners Statement of Intent (see Appendix B).
_____	_____	5. Name, address, signature, and seal of the plan surveyor and plan preparer. (See Appendix B).
_____	_____	6. Approval/review signature blocks for: City Planning Commission and County Planning Commission staff. (See Appendix B)
_____	_____	7. Location map at a standard scale (such as 1"=2000') showing the location of the project and watercourses, municipal borders and existing and proposed streets adjacent to the parcel.

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

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| _____ | _____ | 8. North arrow, graphic scale, written scale. |
| _____ | _____ | 9. Date of plan and all subsequent revision dates (especially noting if this is a revision of a previously approved plan).. |
| _____ | _____ | 10. Property identification number for the parcel being subdivided from County records. |

D. EXISTING CONDITIONS:

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| _____ | _____ | 1. Contour lines shall be: |
| | | a. based on a field survey or photogrammetric procedure at an interval of 2 feet (or other interval pre-approved by the City Engineer) at a scale of 1"=100' or larger; |
| | | b. Note- Contours are not required to be shown within areas of lots of 10 acres or more that are clearly not intended to be altered as a result of this proposed subdivision, unless needed for stormwater management. |
| _____ | _____ | 2. Identification of any slopes of 15 to 25 percent, and greater than 25 percent. |
| _____ | _____ | 3. Areas within any hydric soils (see Soil Survey of Delaware County), with a notation that there are none if that is the case. |
| _____ | _____ | 4. Watercourses (with any name), natural springs, lakes and wetlands. |
| _____ | _____ | 5. Areas of existing mature woods, with areas noted that are proposed to be preserved or removed. |

E. LAYOUT PLAN:

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|-------|-------|--|
| _____ | _____ | 1. Existing and proposed lot lines. |
| | | a. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced. |
| | | b. The boundaries of any residual parcel which is greater than 10 acres may be determined by deed.: |
| _____ | _____ | 2. Location of existing and proposed monuments. |
| _____ | _____ | 3. Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground. |
| _____ | _____ | 4. Sewer lines, storm water facilities, water lines, bridges and culverts. |
| _____ | _____ | 5. Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the municipality). |
| _____ | _____ | 6. Proposed (if known) and existing non-residential building locations and land uses. |
| _____ | _____ | 7. Easements/covenants addressing maintenance of stormwater easements. |
| _____ | _____ | 8. Applicable zoning district name, zoning district boundaries and minimum lot area. |
| _____ | _____ | 9. Minimum setback requirements shown for each lot. |
| _____ | _____ | 10. Sufficient information to determine compliance with the Zoning Ordinance. |
| _____ | _____ | 11. Total acreage of site and total proposed number of lots. |
| _____ | _____ | 12. Identification number for each lot. |
| _____ | _____ | 13. Lot width (at minimum building setback line) and lot area for each lot. |

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

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| _____ | _____ | 14. Existing or proposed buffer yards (as may be required by the Zoning Ordinance), street trees and any other required trees, with initial sizes and species of new trees and buffer plantings. |
| _____ | _____ | 15. Existing and proposed storm drainage facilities or structures. |
| _____ | _____ | 16. Exact slope across proposed primary and secondary on-lot sewage system sites. |
| _____ | _____ | 17. Plan showing proposed street address numbers of proposed lots, as issued by the City. |

- F. PLAN NOTATIONS. The following shall be stated on the Final Plan, if applicable:
- a. "Any well and sewage disposal systems shall be constructed in accordance with standards of the Pennsylvania Department of Environmental Protection."
 - b. "Individual owners of lots must receive approval from the City Sewage Enforcement Officer for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system or building that will need to be served by such a system. Additional, no development shall occur in the alternative drain field location without the prior written approval of the Zoning Officer and Sewage Enforcement Officer."
 - c. "If applicable the City does not guarantee that any individual lot or location within a lot will be able to sustain any type of well or sewage disposal system."

- G. ADDITIONAL INFORMATION: The Planning Commission may require the submission of any additional information that would be required for the Final Plan of a major subdivision under Section 603, if needed to determine compliance with this Ordinance.

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Residual Lands Sketch. If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same landowner or under control of the same developer, then a sketch shall be submitted at an appropriate scale, on one sheet, covering all such land holdings together with a sketch of a reasonable future road system to demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands. |
| _____ | _____ | 2. Copy of the DEP Sewage Planning Module application, if applicable, as completed by the applicant, with evidence that the application has been forwarded to the proper review agencies for comments. |

704. LOT LINE ADJUSTMENTS, MERGER OR CONSOLIDATION OF LOTS (ALSO REFERRED TO AS REVERSE SUBDIVISIONS), AND MINOR REVISIONS OF APPROVED PLANS.

704.A. The reduced submission requirements listed in this section shall apply, together with the procedural requirements of Section 702, if either of the following apply:

1. the proposal will meet the definition of a "lot line adjustment";
2. the proposal only involves a merger or consolidation of lots (also referred to as reverse subdivision) including two or more lots merging into one; and/or
3. in the determination of the City staff, which may be based upon the advice of the City Engineer, the proposal will involve revisions to a previously approved plan and those revisions only involve changes in the supporting documentation or engineering details or to correct erroneous data or minor omissions concerning a plan previously granted final plan approval.

704.B. The list of requirements on the following page shall serve as both a list of requirements, and as a checklist for the applicant and the City to ensure completion of submissions. The applicant shall submit completed photocopies of this section as part of the application. The required information listed in this Section may be combined or separated onto different sheets, provided that the plans will be clearly readable.

704.C. Additional Information. The Planning Commission may require that a plan under this section include the submission of specific additional information that would be required if the plan would be a final minor subdivision plan, if such specific information is necessary to determine compliance with this ordinance.

704.D. A merger or consolidation of lots (also referred to as reverse subdivision) under this section shall result in the formation of one new lot with one new recorded deed for that new lot.

**Section 704.E City of Chester
 Lot Line Adjustments, Merger or Consolidation of Lots
 (Also referred to as Reverse Subdivisions) and Minor Revisions of Approved Plans.
Checklist and List of Submittal Requirements.**

Project Name/Address: _____
 Contact Person for Questions About Application: _____
 Daytime Phone No.: _____ Email _____
 Date of Submittal: _____

* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement. Attached this Checklist to a signed copy of the Application in Appendix A.

NOT
 SUBMITTED SUBMITTED*

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|-------|-------|---|
| _____ | _____ | 1. City application/review fee(s)/escrow. |
| _____ | _____ | 2. 2 copies of the Completed Application (see Appendix A). |
| _____ | _____ | 3. 2 copies of this Checklist (using the photocopies of the pages in this Section). |
| _____ | _____ | 4. 9 print copies of the complete Final Plans. |
| _____ | _____ | 5. Notification of delivery by applicant of a copy of the plan to the Delaware County Planning Commission. |
| _____ | _____ | 6. Plans prepared on a standard sized sheet (such as 18"x24", 22"x34", 24"x36", 30"x42" or 36"x48"). |
| _____ | _____ | 7. Plans drawn at a scale of 1 inch equals 50 feet or other standard scale. |
| _____ | _____ | 8. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes seconds. |
| _____ | _____ | 9. Differentiation between existing and proposed features. |
| _____ | _____ | 10. Boundary line of the parcel, shown as a heavy line. |
| _____ | _____ | 11. Words "Final Plan" and name of project on each sheet. |
| _____ | _____ | 12. Notarized Owners Statement (see Appendix B). |
| _____ | _____ | 13. Plan preparer's statement (See Appendix B). |
| _____ | _____ | 14. Approval/review signature blocks for: City Planning Commission and County Planning Commission (see Appendix B). |
| _____ | _____ | 15. Location map at a standard scale (1"= 2000') showing the location of the project and existing and proposed streets adjacent to the parcel and watercourses and municipal borders. |
| _____ | _____ | 16. North arrow, graphic scale, written scale. |
| _____ | _____ | 17. Date of plan and all subsequent revision dates and submission dates (especially noting if this is a revision of a previously approved plan) with space for future revision dates. |
| _____ | _____ | 18. Existing and proposed lot lines and street rights-of-ways. |
| _____ | _____ | 19. Existing building locations and type of land uses. |
| _____ | _____ | 20. Applicable zoning district and required minimum lot area. |
| _____ | _____ | 21. Minimum setback requirements shown for each lot. |
| _____ | _____ | 22. Note stating type of water and sewer service proposed (such as "public water and sewage services"). |

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

Attach this Checklist to a signed copy of the Application in Appendix A.

	NOT	
SUBMITTED	SUBMITTED*	

- | | | |
|-------|-------|--|
| _____ | _____ | 23. Lot width (at minimum building setback line) and lot area for each lot. |
| _____ | _____ | 24. Dimensions of each lot in feet. |
| _____ | _____ | 25. List of any Modifications or Waivers requested to this Ordinance or that were previously granted for this project. |
| _____ | _____ | 26. A PDF copy of the Plans distributed to the City on a flash storage drive (or other method acceptable to the City). |

705. CERTIFICATION. Section 504 shall apply.

706. RECORDING PLANS. Article 1309 shall apply.

ARTICLE 1308
Improvements Guarantees

801. GUARANTEE OF IMPROVEMENTS INSTALLATION REQUIRED.

- 801.A. Before approving any subdivision or land development plan for recording, the City shall require that the City be assured by means of a proper Improvement Agreement and Performance Guarantee that the improvements required by this Ordinance and the improvements appearing on the plan will be installed in strict accordance with the standards and specifications of this Ordinance.
- 801.B. Purpose of Security. The security required by this Article shall stand as security for compliance with all City ordinances, other laws, covenants, stipulations, conditions and rules applicable to the subdivision or land development for which it is filed.
- 801.C. No construction of permanent buildings or sales of any individual lot or condominium unit shall occur within a subdivision or land development unless:
 - 1. there is on file, with the City, a current duly executed and approved security, or
 - 2. all rough grading is complete and all required public improvements, utilities, streets, drainage facilities, sewers and street lights have been completed and accepted by the City.

802. IMPROVEMENTS TO BE PROVIDED BY THE APPLICANT.

- 802.A. In all cases, the subdivider or land developer shall be responsible for the installation of all improvements required by this Ordinance.
- 802.B. The City Engineer or other City designee shall make such inspections of the required improvements at such intervals as may be reasonably necessary to assure compliance with this Ordinance. The reasonable costs of such inspection shall be borne by the subdivider or land developer.

803. IMPROVEMENT AGREEMENT.

- 803.A. Improvement Agreement Required.
 - 1. All applicants proposing any subdivision or land development which provides for the installation of improvements required by this Ordinance or any improvements or amenities which appear on the Final Plan shall be required to enter into a legally binding Improvement Agreement with the City prior to recording of the Final Plan, unless the applicant agrees to meet Section 801 concerning the construction of all improvements prior to the construction of any buildings or the sale of any lots or home sites.
 - 2. The Improvement Agreement shall guarantee the installation of said improvements in strict accordance with all City requirements.
- 803.B. Terms of Improvement Agreement. The Improvement Agreement shall be acceptable in legal form to the City Solicitor and shall be acceptable in content to the City. The City may require that a Improvement Agreement include any of the following items, where applicable, and such additional items as are necessary to carry out this Ordinance:

1. The construction depicted on the approved plans, listed in itemized format, including all approved streets, drainage facilities, utility lines and other improvements.
 2. A work schedule setting forth the beginning and ending dates of such work tied to the construction of the development, and provisions to allow proper inspection by the City Engineer.
 3. The provision of a Performance Guarantee for completion of required improvements in compliance with Section 804, including a detailed breakdown of the estimated costs of the improvements, including the total amount of the Performance Guarantee.
 4. Provisions concerning the developer's responsibilities for damage to other property, including maintenance by the developer of public liability insurance for the duration of improvements construction, with a hold harmless clause to protect the City from liability related to such work. A copy or other evidence of such liability coverage shall be provided to the City prior to such work.
 5. Provisions requiring that the applicant and/or other responsible entities ensure that erosion, sedimentation and stormwater management plans are complied with.
 6. Provisions for the dedication of streets, water and sewer lines and any other easements or improvements proposed to be dedicated.
 7. See Section 902 concerning the requirement for a "RECORD" plan.
 8. Provisions for the developer to reimburse the City for all reasonable engineering costs directly related to the review, construction and inspection of the proposed development and to the review and preparation of the Improvement Agreements.
 9. Provisions concerning any violations of the Improvement Agreement.
 10. Any other lawful terms which the City Council may require to carry out the provisions of this Ordinance.
 11. Signatures. The improvement agreement shall be signed by all responsible landowners and/or developers.
- 803.C. Ownership of Land and Guarantee.
1. A certificate of ownership in the form of Appendix B shall be executed in the exact name in which title is held. If the developer(s) is someone other than the landowner(s), the developer shall also execute this affidavit, along with a security agreement.
 2. Change in Ownership or Developer. Any conveyance of all or a substantial portion of the unimproved lots or public improvements or streets of any subdivision or land development or change in developers, whether voluntary or by action of law or otherwise, shall require the prior approval of the City Council to guarantee validity of the approved plan and conditions. The City Council shall require that such new landowner and/or developer, in writing, fully assume all applicable responsibilities under the improvement agreement, including providing required financial security.

803.D. Utility Agreements. If a development will connect into a public water or public sanitary sewage system, the applicable authority, agency or company may also require separate improvement agreements.

804. PERFORMANCE GUARANTEE. The Performance Guarantee for completion of required improvements shall meet the following requirements:

804.A. Security.

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

804.B. Amount of Security.

1. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110 percent of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer in the official development schedule, and within the process for increases to cover inflation as permitted by the MPC.
2. The cost of the improvements shall be established by an estimate prepared by a PA Registered Professional Engineer, which shall be reviewed by the City Engineer, within the arbitration process permitted by the MPC.
3. If the party posting the financial security requires more than 1 year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by a maximum of an additional 10 percent for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110 percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above procedure.

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

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

805. APPROVAL OF IMPROVEMENTS.

805.A. Advance Notice by Developer of Construction of Improvements.

- 1 Meetings. Prior to construction or installation of improvements in any new phase or any major facet of construction, the developer or his/her representative shall contact the City Engineer to determine whether a pre-construction meeting is needed. The City Engineer may require that such meeting be attended by the responsible contractor(s) and responsible representatives of the developer. In addition, meetings may be required with the utility companies as needed. The applicant should assume that a pre-construction meeting will be required.
2. The developer or his/her representative shall provide a minimum of 3 business days prior notice to the City Staff prior to beginning each major facet of construction, in order to allow the scheduling of inspections. See also Section 1004.K.11, which requires advance notice for street construction.
3. The developer should notify the City in writing when 1/3 and 2/3rds of the total dollar value of the improvements are completed, and a list of those items completed.
4. See Section 806.A.1.a. concerning improvements completed without proper City inspection.

805.B. Request for Release of Security. When the developer has completed all of the necessary and appropriate improvements, the party posting the financial security shall notify the City Engineer in writing by certified or registered mail, who will then submit the request to City Council.

805.C. Engineer's Report.

1. Within 30 days of a receipt under Section 805.B., the City Engineer shall submit a written report certifying which improvements have been completed in accordance with the approved plan to the City Council and mail a copy of such report by certified or registered mail to the developer or his/her representative at his/her last known address.
2. This report shall be based on the inspections made according to the approved inspection schedule included in the Improvement Agreement and shall recommend approval or rejection of the improvements, either in whole or in part.
3. If the City Engineer finds any or all of the improvements to be not as required, he/she shall include a statement of the reasons for recommending their rejection in the report.

805.D. Release of Security.

1. After receiving the City Engineer's Report (but not later than 45 days of the receipt of the request) the City staff shall review the City Engineer's report and shall authorize release of an amount as estimated by the City Engineer fairly representing the value of the improvements completed.
2. Until final release (completion of all improvements), the City may require retention of a maximum of 10 percent of the cost of each completed improvement.
3. The City shall notify the developer in writing by certified or registered mail of the decision.

805.E. Completion of Unaccepted Improvements. The developer shall complete any required improvements that the City Council and City Engineer determines are not satisfactory or complete. Upon completion, the applicant may request approval in conformance with the procedures specified in Section 805.

805.F. Final Release.

1. When the developer has completed all of the required and necessary improvements, the developer shall request Final Release in conformance with the procedures specified in Section 805. See time limitations and procedures in Section 510 of the PA Municipalities Planning Code.
2. Such Final Release shall include all moneys retained under Section 805.D.3.

805.G. Appeal. Nothing herein shall be construed to limit the developer's right to contest or question by legal proceedings or otherwise any determination of the City Council or the City Engineer.

805.H. Certificates of Use and Occupancy and Completion of Improvements.

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

806. REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS.

806.A. Enforcement of Security.

1. The City shall have the authority to use remedies to effect completion of required improvements as provided in Section 511 of the PA Municipalities Planning Code. In addition, the City may pursue civil prosecution of a violation of this Ordinance.
 - a. Construction Without Inspection. If required improvements have been completed without providing the City Engineer or his/her representatives with proper opportunity for inspection, and as a result the City Engineer cannot determine whether the improvements were properly constructed, then the City Council may require that the Developer, at the

Developer's expense, remove, replace, sample, test or reconstruct such improvements as necessary to determine compliance with this Ordinance and other applicable City standards.

2. Rate of Construction. Failure of a developer to construct streets and other public improvements reasonably at the same time or prior to the construction of the buildings served by those streets or public improvements, and at the same rate in time at which buildings are completed, shall be a violation of this Ordinance and a cause for default of the security.

806.B. Completion by City. If the proceeds of such security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the City Council may, at its option, install or replace part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements.

806.C. Proceeds for Installation of Improvements. The proceeds from use of the security and/or from any legal or equitable action brought against the developer shall be used solely for the installation of the improvements covered by such security and directly related administrative costs.

807. MAINTENANCE GUARANTEE.

807.A. Maintenance Guarantee Required. All applicants proposing any subdivision or land development which provides for the dedication of improvements required by this Ordinance shall be required to provide a legally binding Maintenance Guarantee to the City prior to acceptance of dedication of the improvements by the City. In most cases, this Guarantee will be part of the Security Agreement.

807.B. Terms of Maintenance Guarantee. The Maintenance Guarantee shall be acceptable in legal form to the City Solicitor and in content to the City Council, and shall include all of the following:

1. that the Applicant make any repair or reconstruction of any improvement stipulated in the Maintenance Agreement which is specified by the City Council if needed because of faulty construction, workmanship, or materials, prior to acceptance of such improvement by the City;
2. that the Applicant maintain at his/her own cost all improvements stipulated in the Maintenance Agreement, up to a maximum period of 18 months from the date of completion, except for any special purpose escrow or maintenance agreements required by the City; and
3. that the applicant post financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan, for a maximum term of 18 months from the date of completion.

807.C. Public Utilities and Authorities. If water mains or sanitary sewer lines, or both and related apparatus or facilities are to be installed under the jurisdiction and under the rules and regulations of a public utility or municipal authority, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority. This amount of financial security shall not also be required by the City if it is required by such utility or authority.

807.D. Type of Security. The Maintenance Guarantee shall be secured by the same form of security as is permitted for the improvements guarantees.

- 807.E Terms. Such Maintenance Guarantee shall be in the form approved by the City Solicitor and City Council, payable to the City, to guarantee the maintenance and repair of the streets and other public improvements in the subdivision or land development for 18 months from the date of completion. The applicant shall prove to the satisfaction of the City Council that there will be an acceptable system for the long-term maintenance of any stormwater detention basins.
- 807.F. Amount. The amount of the Maintenance Guarantee shall be determined by the applicant's engineer, conditioned upon acceptance by City Council, but shall not exceed 15 percent of the actual cost of installation of such improvement.
- 807.G. Release. After a maximum of 18 months from the date of acceptance of dedication of said improvements, the City shall release the Maintenance Guarantee to the developer (or party that posted the guarantee) if all improvements are in satisfactory condition, as determined by the City.

Article 1309
Recording of Final Plan

901. RECORDING OF FINAL PLAN.

901.A. Deadline.

1. The Applicant is responsible to ensure that the Final Plan for any subdivision or land development (as approved by the Planning Commission) is recorded within 90 days after such final approval, unless otherwise provided for in State law.
 - a. If the Final Plan approval included official conditions that must be met prior to recording, then the plan shall be recorded within 90 days following the Planning Commission Chairperson’s signing of the plans to certify compliance with such conditions, up to a maximum total of one year following the final plan approval. A longer written extension to record plans may be approved by the Planning Commission for good cause.
 - b. The City may, at its option, volunteer to record the plans, provided that the applicant agrees to reimburse the City for the full costs of such work.

901.B. The Final Plan shall not be recorded unless the applicant proves that they have met all required conditions that the Planning Director and/or City Engineer determine would impact the recorded Final Plan, including but not limited to, issuance of any required PennDOT highway occupancy permit.

901.C. Failure to record the Final Plan within the specified time periods shall cause the approval to become null and void.

902. RECORD PLAN. The applicant shall provide to the City one signed reproducible and four signed paper clear and legible copies of the Record Plan, unless the County Recorder of Deeds Office may require a different format. The City copies shall be made after recording, and shall be exact copies of those portions of the approved Final Plan that the City requires to be recorded. Such Record Plan, at a minimum, shall include all of the following:

- 902.A. street right-of-ways,
- 902.B. common open spaces,
- 902.C. easements, and any covenants that the City required to be placed on the Final Plan,
- 902.D. lot lines and lot dimensions,
- 902.E. water lines, sanitary and storm sewer lines and stormwater drainage facilities,
- 902.F. the required signatures of City officials and the County Planning Commission staff and the date of City approvals,
- 902.G. notations stating whether the streets, any common open space and other proposed improvements are to be offered or not offered for dedication to the City,
- 902.H. buildings associated with land development applications,
- 902.I. proposed curb, sidewalk and recreation trails,
- 902.J. waivers and modifications and Zoning Hearing Board decisions, and associated conditions, and dates of such approvals, and
- 902.K. additional information from the complete Final Plan that the City may require be shown.

903. EFFECT OF RECORDING.

- 903.A. Private Improvements. Every street, park, or other improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private street, open space, or improvement until such time it may be offered and officially accepted for dedication to the City, or is duly condemned.

- 903.B. Dedication of Improvements. The Record Plan shall state by formal notation whether the streets, any common open space and other proposed improvements are proposed to be offered or not offered for dedication to the City.

Article 1310

Design Standards and Required Improvements

1001. APPLICABILITY.

1001.A. Minimum Requirements. The design standards and improvements required in this Article are the minimum requirements for approval of a subdivision or land development.

1001.B. Modifications, Waivers and Exceptions. See Section 107 of this Ordinance.

1002. REQUIRED IMPROVEMENTS. This Article sets forth the design and construction standards for required improvements, regardless of whether the improvement will be dedicated to the City.

1003. OVERALL REQUIREMENTS; EROSION CONTROL.

1003.A. Land shall be suitable for the purpose for which it is to be subdivided or developed.

1003.B. Hazardous Conditions. Subdivisions or land developments subject to hazardous conditions (such as open quarries, hazardous or toxic site pollution, limestone solution channels, unconsolidated fill, floods, excessive erosion or unsafe water supply) shall not be approved until the developer has provided or has legally committed to provide adequate measures to overcome or eliminate the hazards, in the determination of the Planning Commission, to the best of their knowledge. See also the City's floodplain requirements.

1003.C. Nearby Development. A subdivision or land development and its street pattern shall be coordinated with existing or approved nearby developments or neighborhoods to help develop the area harmoniously and to help prevent conflicts between neighboring development.

1003.D. Erosion Control.

1. Plans. An erosion and sediment pollution control (E&SPC) plan shall be submitted where required under State regulations or where total earth disturbance will affect more than 10,000 square feet of land area, whichever is more inclusive. It shall be the responsibility of the applicant to submit the E&SPC Plan, Application, and other necessary material to the Conservation District or DEP, as appropriate. A copy of the transmittal letter shall be provided to the City. The City may require that the E&SPC Plan be found to be acceptable prior to or as a condition of City approval.
2. Ground Cover and Top Soil. After completion of construction on a lot, all exposed ground surfaces that are not hard-surfaced or covered by approved stones or similar material shall be covered by a minimum of 6 inches of topsoil and a vegetative ground cover that will prevent soil erosion and the raising of dust.
3. Measures. Any earth disturbance shall be controlled by proper measures to prevent soil erosion and sedimentation, following DEP regulations and standards of the County Conservation District.
 - a. Compliance with an E&SPC plan shall be an automatic condition of any approval or permit under this Ordinance.
 - b. City permits may be suspended if earth disturbance does not comply with the E&SPC plan.

4. Both the owner of the property at the time of any earth disturbance and the person(s)/company accomplishing the work shall be responsible to ensure that adequate erosion control measures are used, and that the grading is in compliance with the E&SCP.
5. All lots, tracts, or parcels shall be graded in accordance with the stormwater requirements of the City to provide proper drainage away from buildings and to avoid increased hazards to other properties.
6. Grading shall be done in such a way so as to not divert water (other than runoff that previously occurred) onto the property of another landowner, without the approval of the City.
7. During grading operations, necessary measures for off-premises dust and mud control shall be exercised at all times in accordance with the approved E&SCP.
8. Grading equipment shall only be allowed to cross streams in an approved manner. Provisions shall be made for the installation of temporary culverts and/or bridges as necessary and such crossings shall be permitted in accordance with requirements of DEP.
9. Excavations and Fills.
 - a. Cut slopes shall be no steeper than 2:1 unless stabilized by a retaining wall or cribbing except as approved by the City Engineer under special conditions. Fill slopes shall be no steeper than 3:1 unless stabilized by a retaining wall or cribbing, except as approved by the City Engineer under special conditions. All slopes exceeding 3:1 must have suitable protection against erosion until stabilization is achieved.
 - b. Fills shall be placed and compacted so as to minimize sliding or erosion of soil.
 - c. Fill shall not encroach on watercourses or decrease the net capacity of flood channels.
 - d. Fill places adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding.

1004. STREETS.

1004.A. Access to Streets.

1. All proposed subdivisions and land developments shall have adequate and safe access to the public street system.
2. Frontage.
 - a. See the Zoning Ordinance concerning access for onto a street. If access for a new lot or a new land development is proposed onto a non-public street, such street shall be constructed to the same standards as a public street and have a permanent system to ensure adequate maintenance.
 - b. If a residential lot is adjacent to two streets, the City may require that the lot shall only have vehicle access onto one street.
3. Private Streets and an Existing Lot. A pre-existing lawful lot of record that abuts an existing private street that does not meet City standards may have access for a single principal use onto such private street, but no new lot shall be created with access onto such street.
4. Access for Emergency Vehicles. Suitable access for emergency vehicles shall be provided within all subdivisions and land developments, including adequate clear width, and including access to

reach all principal buildings. Driveways shall be designed to be accessible to emergency vehicles. Driveways that are greater than 100 feet in length and that provide access to a principal building shall have a 10 feet minimum horizontal clearance, a 12 feet minimum vertical clearance and be designed to accommodate the weight of a fire engine with a 73,000 pound aggregate vehicle weight.

- a. Where an access is limited to use by emergency vehicles, the following standards shall apply:
 - 1) A City-appointed method shall be used to restrict access by non-emergency vehicles, with such construction detail submitted to the City.
 - 2) One coordinated emergency accessway may be shared by adjacent developments.
 - 3) Existing or proposed utility easements or rights-of-way should be considered as locations for emergency accessways.
 - 4) The applicant shall provide evidence that the design of the emergency access will be able to accommodate the weight of emergency vehicles.
 - 5) Such access should be offered for review by the local Fire Company.

1004.B. Streets and Topography. Proposed streets shall be adjusted to the contour of the land to produce usable lots and reasonably sloped streets. See the street grade regulations in Section 1004.F.

1004.C. Street Continuations.

1. Stub Street Right-of-Way. Where deemed necessary by the Planning Commission for efficient movement of traffic, a subdivision or land development shall include the extension of a street right-of-way to the boundary line of the parcel proposed for development to provide for an eventual extension into the adjacent tract for efficient circulation of traffic throughout the area. If a stub street is constructed, see Section 1004.I.4., which addresses temporary turnarounds.
 - a. The City may require that a concept sketch be submitted showing that the proposed stub street is at a logical location to link with an adjacent parcel.
2. Widening. Where a subdivision or land development abuts or contains an existing street of inadequate cartway or right-of-way width, additional right-of-way and/or cartway width shall be required conforming with Table 1004, "Design Standards for Streets." See Section 1004.L. concerning right-of-way.

1004.D. Intersections.

1. The centerlines of a new street intersection shall intersect at right angles, except where the Planning Commission grants a modification under Section 107 after finding that a right angle intersection is not feasible. In such case, the intersection shall be at as nearly a right angle as possible, with an absolute minimum angle of 75 degrees. Where a subdivision or land development is adjacent to an existing awkwardly aligned street intersection, the Planning Commission may require that it be re-aligned to the maximum extent feasible, within the control of the applicant. The City Engineer shall review all intersection alignments.
2. Alignment of Street Intersections.
 - a. No more than two streets shall intersect at the same point.
 - b. Where a proposed street or access drive intersects an existing cross street, such proposed street or access drive shall be aligned with any street intersecting on the other side of the cross street.

- c. If a proposed street cannot intersect at the same location as a street on the other side of the cross street, then the proposed street shall be offset by the following minimum distances from the nearest intersection of streets:
 - 1) 150 feet along a local street,
 - 2) 400 feet along a collector street, and
 - 3) 800 feet along an arterial street.
 - 4) Measurement. The minimum distances of this subsection shall be measured between the points where the centerlines of the rights-of-way of the intersecting streets intersect with the centerline of the cross street.

3. At street intersections, curb lines shall be rounded by arcs with the radii listed below, whichever is most restrictive. The right of way shall be maintained at least 10 feet from the inside of the curb line or edge of pavement. A larger radius may be required by the City where necessary for trucks or buses (such as off-site intersections) or by PennDOT.

<u>Type of Street</u>	<u>Minimum Radius of Arc at Intersection of Pavement Edge or Curb Line (in feet)</u>
Any street within an industrial district or that provides truck access to an industrial district	55
At least one arterial street, other than above	40
At least one collector street, but no arterial street, other than above	30
Local streets, other than above	15

1004.E. Access Management.

1. Where a subdivision or land development abuts or contains an existing or proposed arterial or collector street, the City may require:
 - a. The minimization of the number and length of driveway cuts or street intersections onto an arterial or collector street, which may include requiring the use of shared driveways between adjacent uses or lots, and/or
 - b. The restriction of ingress and egress involving left-hand turns onto or off of the arterial or collector street with City-approved medians, signage and/or other devices to prevent unauthorized turns, and/or
 - c. The prohibition of driveways from individual dwellings entering directly onto an arterial or collector street. If there is no alternative to this, each driveway entering onto an arterial or collector street shall have adequate turn-around space for vehicles provided within the lot so that vehicles do not back onto the street, and/or
 - d. The construction of a rear street to link driveways from two or more business lots to reach a more appropriate access point onto a more heavily traveled road.

2. All access to commercial and office lots within a subdivision or land development shall use internal access and shared driveways to the maximum extent feasible, as opposed to separate driveway access to major roads from individual uses and lots.

3. See Section 1013 concerning access connections between commercial use parking lots.

4. A maximum of one access shall be permitted per lot onto any one arterial road, except: a) a maximum of one additional access point may be permitted if the applicant demonstrates through a

capacity and circulation analysis that an additional access point is necessary to accommodate traffic to and from the site and can be achieved in a safe and efficient manner, or b) where specifically required by PennDOT.

5. Existing commercial lots that do not limit vehicle access along a street to defined driveway locations shall be modified to limit access to defined driveway locations as a condition of a new subdivision or land development approval.
6. Unless specifically required otherwise by the City or PennDOT, where a property fronts on two or more roads, new vehicle access shall be obtained from the lowest functional classification road. For instance, if a lot abuts an arterial and a local street, the local street shall be used for access.
7. See maximum driveway slope at approaches to a road in Section 1012. See sight distance requirements in Section 1004.H.

1004.F. Street Design Standards.

1. Minimum street design standards shall be as shown in Table 1004., unless PennDOT establishes a more restrictive requirement along a State road.
 - a. Rear or side alleys, where approved, shall have a minimum cartway width of 16 feet for two-way traffic and 12 feet for one-way traffic.
2. Shoulders. In addition to the cartway widths stated in Table 1004, any street that does not have curbs and/or on-street parking shall include appropriate 8 feet wide shoulders along each side of an arterial street, 6 feet wide shoulders along each side of the cartway of a collector street and 4 feet wide shoulders on each side of the cartway of a local street.
 - a. See construction standards in Section 1004.K.
 - b. If the shoulders are paved, they shall be separated by a stripe from the travel-lanes.
 - c. Planning Commission may modify this requirement, such as where topography does not allow room for the shoulders, or where substantial healthy trees would need to be removed to provide the shoulder, or where a shoulder does not exist along the remainder of the street.
3. Horizontal curves shall connect street lines that are deflected in excess of 2 degrees. Vertical curves shall be used at changes of grade exceeding 1 percent. The length of the vertical curve shall be determined by the required sight distance specified in Table 10.1. Vertical curves shall be calculated following the latest published standards of PennDOT. Horizontal curves shall be calculated based upon a standard AASHTO formula.
4. All approaches to intersections shall have a leveling area not greater than 4 percent grade for a minimum distance of 25 feet, measured from the nearest edge of cartway of the intersecting street. Vertical curves near an intersection on a local street may be reduced to a 20 mile per hour design speed if a stop condition will be utilized.
5. The minimum grade of any street gutter shall be 1.0 percent.
6. A minimum tangent of 100 feet, measured from edge of cartway, shall be required between a curve and a street intersection.

TABLE 1004 - DESIGN STANDARDS FOR STREETS
(All Dimensions in Feet Unless Specified)

DESIGN SPECIFICATIONS	TYPE OF STREET:		
	Arterial	Collector	Local
Right-of-Way Width	**	60**	50
Cartway Width:			
– with no on-street parking	**	30	26 *****
– w/curbs on both sides and on-street parking on 1 side	**	34	30 *****
– w/curbs on both sides and on-street parking on 2 sides	**	36	34
Minimum Sight Distance*	500	300	200
Minimum Tangent between Reverse Curves, measured along the street centerline.	200	100	100
Minimum Centerline Radii for Horizontal Curves	500***	300	200
Maximum Grade	6%	8%	10%
Minimum Grade*****	>1%	>1%	>1%

* These standards are for road sight distance, not clear sight distance at intersections. Horizontal sight distances shall be measured from a point 3.5 feet above the road surface to a point 6 inches above the road surface, and shall be based upon standards of PennDOT.

** As may be established by PennDOT along a State road.

*** Larger radii may be required as determined to be needed by the City Engineer or PennDOT. The City may approve a reduced horizontal curve requirements if the applicant proves that the curve would not typically cause vehicles to cross the centerline and if such reduction is proven to be necessary because of the unique conditions of the property.

***** A 32 foot wide minimum cartway width shall be required abutting a development of townhouses or apartments, unless the applicant proves all overflow parking needs will be fully met by off-street parking areas.

***** For slopes less than or equal to 1%, a concrete gutter shall be installed to provide adequate drainage.

7. Second Access to Development. Any subdivision or land development of more than 25 dwelling units shall have at least two points of vehicle access into the development to reach one or more existing public streets. The Planning Commission shall also have the authority to require an additional vehicle access point that is limited to emergency vehicles. See Section 1004.A.4. regarding emergency access.

8. See Section 1004.L. regarding improvements to existing streets.

9. With the approval of Planning Commission, after review by the City Engineer, these requirements for street design may be altered to reduce total site impervious area provided that the public safety objectives are still met

1004.G. Street Crown.

1. With the exception of alleys and divided streets, streets shall be constructed with a center crowned cross-section with a minimum slope of 2 percent and a maximum slope of 4 percent from the street centerline, unless required otherwise by PennDOT for a State road.

2. An alley may have an inverted crown.

1004.H. Clear Sight Triangle; Minimum Sight Distance.

1. Clear Sight Triangle.

- a. See the Clear Sight Triangle requirements in the Zoning Ordinance.
- b. In addition, the City may require that such clear sight triangle be elongated where a new street or driveway will enter onto an arterial or collector street. Such clear sight triangle shall be designed to keep an area free of sight obstructions that is equal in length along the arterial or collector street to the clear sight distance that would be required under PennDOT sight distance requirements. Such clear sight triangle may be required regardless of whether a State road is involved.

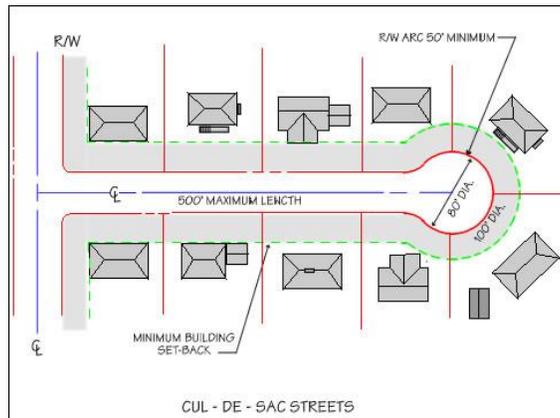
2. Sight Distances.

- a. An applicant for access for a new street or driveway onto a City street shall prove that the new access would meet the same PennDOT sight distance requirements as if the street was a State road. See Section 441.8 of PennDOT highway occupancy regulations, or its successor sections, including the Safe Stopping Sight Distance table.
- b. If the applicant proves to the City that it is not possible to meet the desirable sight distances that are stated in PennDOT regulations, then the intersection shall be located at the point of maximum sight distances that are achievable within the street length of the property and shall meet the minimum required safe sight distances set forth in such PennDOT regulations.
- c. In the event that the applicant proves to the City that the minimum required safe sight distances cannot be met, then the Planning Commission may require one or more of the following:
 - 1) Require that the intersection be located at the point where maximum sight distance can be achieved;
 - 2) Restrict turning movements into or out of the intersection (such as no left turns into or out of the intersection);
 - 3) Require the installation of a right turn acceleration or deceleration lane;
 - 4) Require the installation of a left turn standby lane;
 - 5) Require that the horizontal or vertical alignment of the street be altered;
 - 6) Require an alternative form of access, such as a shared driveway with another lot, or access onto a different street; and/or
 - 7) Deny approval of the plan on the grounds that the minimum safe distance requirement cannot be met and that therefore public safety cannot be adequately protected, and/or that any restrictions on turning movements would not be practical or would have adverse impacts upon other properties and streets that may be used for turnarounds.
- d. In the event that turning movements from an intersection are to be restricted, the applicant shall provide a detailed design of the proposed intersection and an analysis of the anticipated impacts resulting from such restricted turning movements. The design and analysis shall be prepared by a professional engineer with experience in traffic engineering and shall address the following:
 - 1) The impacts on other lots and streets within the vicinity that may be used by motorists for turnarounds.
 - 2) The impacts on public safety, considering sight distance and types of vehicles.

- 3) The provision of appropriate methods to ensure compliance with the turning restrictions, such as channelization, alignment, and signage. Such methods meet applicable standards of PennDOT.

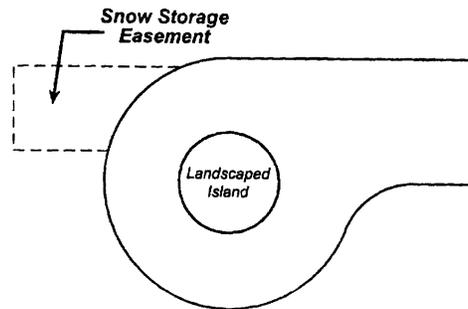
1004.I. Cul-de-Sac Streets.

1. Cul-de-sac streets shall be permitted with a maximum length of 500 feet. Cul-de-sac streets shall be provided with a turn-around with a minimum paved radius of 40 feet to the edge of the cartway. The radius of the right-of-way line return between the bulb and stem of cul-de-sacs shall be a minimum of 150 feet. The curb line or pavement edge radius shall be a minimum of 160 feet. Cul-de-sacs shall have a fully paved cartway; however, a center landscape or parking island may be permitted if stormwater management and green infrastructure are incorporated into the design.



2. The circular right-of-way of the cul-de-sac shall maintain a minimum 10 feet width between the edge of paving and the edge of the right-of-way. The circular paving of the cul-de-sac shall be connected to the approach paving by an arc having a radius of not less than 50 feet.
3. The Planning Commission may permit acceptable alternative turn-around designs where adjustments are needed because of topography.
 - a. The turn-around shall have a sufficient radius to allow movement by school buses, snow plows and delivery trucks, even if a vehicle is parked along the side of the cartway. To accomplish this, a 24 feet wide paved cartway shall be provided.
 - b. Where a landscaped island is approved in the center of the cul-de-sac, any curbing should be of a mountable design to provide better access for emergency vehicles. The City may require the establishment of a homeowner association to maintain any landscaped island.
4. No street shall dead-end without an approved turn-around at the end of the street. Temporary stub streets shall be required to include at least a temporary cul-de-sac, if the stub would be longer than 150 feet or serve more than 2 dwellings or lots. In such case, the temporary cul-de-sac land area that is excess shall revert to the adjacent landowners after the turnaround is no longer used. Areas of a temporary cul-de-sac turnaround that is within a proposed street extension shall be constructed to public street construction standards. Areas outside of such street extension shall be constructed with a minimum of 6 inches depth of compacted PennDOT Type 2A aggregate or better.
5. The maximum cross slope on the circular part of a cul-de-sac shall be 6 percent.

6. In addition to complying with the maximum length requirements, a cul-de-sac street shall serve a maximum of 25 dwelling units or 250 trips per weekday for non-residential uses. See also Section 1004.F.7.
7. A snow storage easement shall be established at the end of the cul-de-sac, which shall provide for proper drainage as the snow melts. This easement shall be located so that a snow plow can push snow relatively straight from the street to the far end of the cul-de-sac. This snow storage easement shall be located clear of any driveways, mail boxes and electric transformers, and have a minimum width of 40 feet. The snow storage easement shall not obstruct any inlet, and any curbing shall be depressed at the easement. The required curb reveal shall be determined in the field by the City Engineer.



8. The City may require that a cul-de-sac street near the edge of a subdivision or land development include provisions to allow the street to be extended in the future onto an adjacent tract. This shall include provisions for a public street right-of-way to the edge of the tract. In such case, the construction costs to extend the street shall be borne by the adjacent developer in the future.
- 1004.J. Maintenance of a Non-Public Street. As a condition for Final Plan approval, the developer must enter into a legally binding agreement which shall state who is to be responsible for the improvement and maintenance of any street not approved to become dedicated in the future. If an association of property owners is to be made responsible, such association must be legally organized according to a timetable approved by the City, and the documents shall be subject to acceptance by the City Solicitor for legal form.
- 1004.K. Street Design and Construction Standards.
1. Streets (and alleys where provided) shall: a) be graded, improved and surfaced to the grades and dimensions shown on plans, profiles and cross-sections approved by the Planning Commission, and b) meet applicable City standards. All street designs shall be reviewed and approved by the City Engineer. To the greatest extent possible, all new alleys and all reconstructed alleys shall be designed and constructed to incorporate green infrastructure for stormwater management, including but not limited to porous paving, permeable pavers, bioretention, and tree trenches.
 2. Right-of-Way Grading.
 - a. The right-of-way shall be graded according to the cross-section submitted by the applicant after it has been approved. The excavation shall be backfilled and suitably compacted to the satisfaction of the City Engineer.
 - b. The finished street surface shall be crowned in conformance with the City specifications.

- c. A proper super-elevation (banked curves) shall be provided on arterial and collector streets when required by the City Engineer.
3. Grading Beyond Right-of-Way.
 - a. The subdivider or developer may be required to grade beyond the right-of-way line in order to provide continuous slope from the right-of-way line to the existing / proposed elevation of the abutting property.
 - b. Such grading beyond the right-of-way shall generally maintain the original directions of slope except where storm water runoff designs dictate changes.
 - c. Approved plans, either preliminary or final, showing proposed grading, shall be binding upon all future lot owners, unless altered by written permission from the Planning Commission.
 - d. In no case shall the required street grading extend onto an adjoining property with a different landowner, unless the other adjoining property owner gives a written agreement to the developer to accomplish such work. A copy of such agreement shall be provided to the City.
4. Trench Excavation. All trenches excavated within the cartway of an existing or proposed public street or right-of-way shall be mechanically compacted with backfill acceptable to the City Engineer. See also Federal Occupational and Safety regulations for trenching.
5. Drainage of streets shall comply with City Stormwater Management requirements.
6. Street Construction Standards. All street pavements shall comply with the provisions of this Section, except that PennDOT shall determine the required cross-section for a State road.
 - a. All materials, construction procedures and other specifications shall be in conformance with the PennDOT Publication 408.
 - b. A 6 inch minimum compacted depth stable sub-base shall be provided, using PennDOT Type 2A aggregate or better, unless the City pre-approves an alternative sub-base. The sub-grade shall be properly rolled and crowned.
 - 1) The City may require a greater depth where necessary considering the conditions of the sub-grade. Materials that are unsuitable, wet soils and soils subject to frost-heave shall be removed and replaced, drained or otherwise stabilized to handle anticipated loads.
 - 2) The City may require field and/or laboratory testing of the sub-grade, particularly if on-site shale is proposed to be used.
 - 3) The City may require compaction tests, with the City's costs reimbursed by the developer.
 - c. A 6 inch minimum compacted depth 25mm Superpave Hot Mix asphalt base course shall be provided. This depth may be decreased to 3 inches if the depth of the sub-base is increased to 8 inches.
 - d. For local streets, a 2 inch minimum depth 9.5mm Superpave Hot Mix Asphalt Wearing Course shall be provided. Such depth shall be 2 inches for a collector street and 3 inches for an arterial street.
 - e. Where shoulders are required, PennDOT "Type 3" or better shoulders shall be provided on each side of the travelway, unless the City approves an alternative.
 - f. All street construction materials shall be certified in writing by the supplier as meeting PennDOT or City specifications as applicable. The City may require that a developer provide testing results for paving materials.

7. Sub-drains. In poorly drained areas, suitable sub-grade drains or parallel drains may be required by the City. Sub-grade drains shall conform to PennDOT Publication 408 and shall be provided with a suitable outlet.
 8. Alleys and Shared Driveways. Alleys and shared driveways serving more than one lot shall be constructed with a 6 inch minimum compacted depth stone sub-base, 4 inch minimum compacted depth bituminous base course, and a 2 inch minimum compacted depth surface course. Shared driveways shall only be allowed under the conditions of Section 1012.E. If a shared driveway is more than 300 feet long, it shall include at least one 9 by 20 feet layby area for every 300 feet that allows one car to wait while another car proceeds.
 9. Guide-Rails. Streets shall be designed with geometric features that minimize the need for guide-rails. Guide-rails shall only be installed where the result of striking an object or leaving the roadway would be more severe than the consequence of striking the guide-rail.
 - a. Guide-rails shall be installed by the developer where necessary to meet the guide-rail standards in the PennDOT publication entitled “Guidelines for Design of Local Roads and Streets” or where otherwise required by the Planning Commission. Guide-rails shall meet the construction standards of PennDOT Publication 408 and PennDOT Standards for Roadway Construction.
 10. Street Inspections. The entity constructing a street shall provide the City Engineer or his/her designee with a minimum 5 business days advance notice before the start of initial construction of improvements and a minimum 2 business days advance notice before the following street construction is accomplished so that an inspection may be scheduled:
 - a. Excavation of the road site.
 - b. Preparation of the road sub-grade.
 - c. Installation of the road sub-base.
 - d. Compaction of the base course.
 - e. Installation of paving material.
 11. Weather and Paving. When paving or concrete work is conducted for streets, sidewalks, curbs or similar City-required improvements, PennDOT temperature standards shall provide guidance. The City Engineer or a City inspector may require a delay in such paving or concrete work if there is a concern about temperatures during the application and curing times.
 12. Bicycling and Green Infrastructure.
 - a. To the maximum extent possible, all new and reconstructed streets shall be designed to accommodate bicycles and green infrastructure.
 - b. Parking lanes shall incorporate green infrastructure where underground utilities do not create insurmountable conflicts.
- 1004.L. Required Transportation Improvements.
1. Purpose. In recognition of Sections 503(2)(ii) and 503(3) of the Municipalities Planning Code, this Section is primarily intended to ensure that streets bordering a subdivision or land development are coordinated and of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and to facilitate fire protection and to ensure that the access into and out of subdivisions and land developments is sufficiently safe.

2. Process. This sub-section "L." shall be carried out through determinations of the Planning Commission, after considering any recommendations of the City Engineer, the applicant, the applicant's professional representatives, any comments from PennDOT that may be provided regarding a State road, and any professional traffic studies that may have been submitted.
3. On-Site / Abutting Traffic Improvements. If, in the determination of the Planning Commission, there is a reasonable relationship between the need for an "on-site improvement" and the traffic created by a proposed subdivision or land development, the applicant for such subdivision or land development shall be required to complete the needed improvement or fund his/her fair share of the cost of such transportation improvement and to dedicate sufficient street right-of-way for needed improvements.
 - a. Widening of Abutting Street. An applicant for any land development or subdivision shall be required to widen, pave and improve any abutting street and provide additional right-of-way as needed to meet current City standards.
 - b. Existing Streets With Insufficient Right-of-Way. Where a public street exists with a right-of-way of less than the width required by this Section, then as part of any new subdivision or land development, additional right-of-way shall be dedicated to bring the adjacent street segment into conformance. For example, if a street has a 33 feet wide right-of-way, and a 50 feet wide right-of-way is required, and a subdivision only involves one side of the street, then the applicant shall dedicate 8.5 feet of additional right-of-way so that there is at least 25 feet of right-of-way from the original centerline of the street.
 - 1) Where a State road is involved, and PennDOT does not wish to accept the additional right-of-way, then the right-of-way shall be offered to the City. If the City does not wish to accept the additional right-of-way on a State or City street, then the record plan shall state that the right-of-way shall be reserved for dedication in the future if needed.
 - c. Such improvements shall be required unless the Planning Commission determine:
 - 1) the subdivision or land development does not create any need for the improvement, or
 - 2) a modification is being granted under Section 107, or
 - 3) that PennDOT specifically refuses in writing to allow such improvement to a State road in the foreseeable future.
 - d. Any improvement to a State road shall meet all PennDOT standards.
 - e. Fee in Lieu of Street Improvements. Where this Ordinance would require a widening of a street and/or the construction of curbing, and where the applicant desires to not complete such improvements, and where the applicant proves to the satisfaction of the Planning Commission that such widening and/or curbing is not essential at that location at the present time, then as a modification under this Ordinance, the Planning Commission may offer the option of a fee in lieu of the widening or curbing.
 - 1) The City Engineer shall provide a review of the need for and cost of the widening or curbing to the Planning Commission. The fee shall be equal to 75 percent of the estimated costs of the street widening and/or curbing, unless another fee is established by resolution of the Planning Commission.
 - 2) If the Board approves a request of the applicant to pay the fee in lieu of the street widening or curbing, then such fee shall only be used for public street, curbing or related stormwater improvements within the City. Such funds do not necessarily need to be used on the street where the requirement was modified.
 - 3) In City bookkeeping, the funds should be identified to be part of a Road or Street Improvement Account, so that they will be used for their authorized purpose.

4. Types of Required Traffic Improvements.
 - a. As of the adoption date of this Ordinance, the MPC defined an "on-site improvement" as follows: All street improvements constructed on the applicant's property, or the improvements constructed on the property abutting the applicant's property necessary for the ingress or egress to the applicant's property, and required to be constructed by the applicant pursuant to any municipal ordinance, including but not limited to, the building code, SALDO or zoning ordinance.
 - b. On-site improvements may include, but are not limited to, a new or upgraded traffic signal, land dedication to improve an abutting intersection, realignment of an abutting curve in a road or the widening of the abutting cartway and right-of-way.
 5. Funding. In place of completing a required street improvement as a condition of final approval, an applicant may enter into a legally binding development agreement with the City for the applicant to fund the improvement, or his/her fair share of such improvement, as determined by the Planning Commission.
 6. Staging. Any completion or funding of a required improvement may occur in stages in relationship to the stages of the development, if so stated in a legally binding development agreement and/or as a condition of final plan approval.
- 1004.M. Traffic Impact Studies.
1. Purposes. To enable the City to assess the impact of a proposed development on the transportation system. To ensure that proposed developments do not adversely affect the transportation network. To identify any traffic problems associated with access from the site to the existing transportation network. To delineate solutions to potential problems and propose improvements to be incorporated into the proposed development.
 2. Applicability.
 - a. A traffic impact study shall be required for any subdivision or land development that at build-out after completion of all phases is projected to generate 500 or more average daily trip ends. For this purpose, each non-age restricted single family detached dwelling shall be equal to 10 trip-ends. "Trip ends" shall mean the total number of trips both entering and exiting the proposed development. These projected trip ends shall be based on the latest edition of the publication titled "Trip Generation," published by the Institute of Transportation Engineers, or upon traffic studies conducted within the last five years at comparable developments that are acceptable to the City Engineer. The ITE land use codes shall be stated.
 - b. If a development is proposed to be submitted in phases, the initial traffic study shall consider a reasonable estimate of the likely development in later phases, in addition to the current phase.
 - c. The boundaries of the study area to be analyzed shall include those existing and proposed streets and intersections which may be affected by the proposed subdivision or land development. If there is any dispute as to whether existing and proposed streets and intersections may be affected or not, the final discretion shall rest with the City Engineer or designated Traffic Engineer.
 - d. In lieu of submitting a traffic impact study, under the provisions of Section 107, the Planning Commission may approve a modification to accept a fee from an applicant to be put towards the cost of a larger and more comprehensive traffic study or to accept a

developer making an improvement to a street that otherwise would not be required by the City or PennDOT. For such a larger traffic study, the City shall have the authority to select the consultant or forward the funding to the County Planning Commission, PennDOT or another entity to conduct a study.

- e. Prior to preparing a Traffic Impact Study, the applicant is requested to meet with the City Engineer and City Staff, with officials of PennDOT also being invited if a State road is involved.

3. Traffic Impact Study Contents.

- a. Site Description. This section shall include the location, proposed land uses, acreage, and timing of completion of the proposed land development. Types of dwelling units and number of bedrooms shall be included for residential developments, and gross and usable floor area for non-residential developments. A brief description of surrounding land uses and other proposed land developments within the study area shall be provided. A study area map should also be included.
- b. Transportation Facilities Description.
 - 1) The study shall describe the proposed internal transportation system, including vehicular, bicycle, bus and pedestrian circulation, all internal roadway widths and rights-of-way, parking conditions, traffic channelizations and any traffic controls within the site. If the site will be served by public transit, the study shall describe any benches, shelter or transit signs that will be provided.
 - 2) The study shall describe location and design of proposed access, including sight distance limitations and distance from adjacent driveways and intersections.
 - 3) The report shall describe the external roadway system within the study area. Major intersections in the study area shall be identified and mapped. Any proposal for bus or van service shall be described. Pedestrian and bicycle facilities on abutting properties shall also be documented. All proposed or approved roadway improvements within the study area shall be noted.
 - 4) The report shall list the proposed timing of major road improvements, including the Transportation Improvement Program.
- c. Existing Traffic Conditions. Existing traffic conditions shall be documented for all streets and intersections in the study area. Traffic volumes shall be recorded for existing average daily traffic, existing peak hour traffic and for traffic during the development's peak hour. Complete traffic counts at all intersections in the study area shall be conducted, encompassing the peak hours of the development and roadway. A volume capacity analysis using the procedures of the current "Highway Capacity Manual" and based upon existing volumes shall be performed during the peak hour(s) of the development for the peak hour(s) of all roadways and major intersections in the study area. Levels of service shall be determined for each location.
 - 1) The study shall include information on traffic crashes in the study area for the previous 5 years, if such information is available from PennDOT or the City.
- d. Traffic impact of the Development. Estimation of vehicular trips to result from the proposal shall be completed for the peak hour(s) of both the street system and the development. Acceptable source(s) and methodology shall be followed. These generated volumes shall be distributed to the study area and assigned to the existing streets and intersections throughout the study area. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to

all access points. Safety issues for any pedestrian crossings shall be described. Any characteristics of the site that will cause trip generation rates that vary from the ITE Manual shall be noted.

- e. Analysis of Traffic Impact. The total future traffic demand based on full occupancy of the proposed subdivision or land development shall be calculated for the existing and proposed streets and intersections. This demand shall consist of the combination of the existing traffic expanded to the completion year through the use of an accepted background growth rate, the development-generated traffic, and the traffic generated by other proposed developments in the study area. To assist in determining the background growth rate, the Annual PennDOT Traffic Report shall be considered. A volume/capacity analysis shall also be conducted using the total future demand and the future roadway capacity. This analysis shall be performed using the peak hour(s) for all streets and major intersections in the study area. The City Engineer may also require this analysis to be conducted for the peak hour(s) of the development. Volume/ capacity calculations shall be completed for all movements at major intersections. Levels of service for all streets and intersections shall be listed.
 - 1) The Study shall consider the year when the development will be complete, as well as a time period afterward.
 - 2) The Study shall describe the method that is used to allocate the direction of trips.
 - 3) As applicable, the Study shall analyze traffic signal warrants, traffic signal optimization, turn lane analysis and queue analysis.

- f. Conclusions and Recommended Improvements.
 - 1) Any movements on streets and intersections within the study area showing a Level of Service D or worse, based on the latest edition of the “Highway Capacity Manual,” shall be considered deficient. Specific recommendations for the elimination of these problems shall be listed. Unsignalized intersections shall be evaluated for a signal warrant. Highway capacity evaluations shall consider not only the overall intersection level of service, but also each approach and movement to identify any substandard values which need to be improved.
 - 2) All locations where the level of service for the completion year of the development is deficient without the proposed development, the study shall determine improvements which would provide a level of service and delay no worse than conditions without the subject development. These improvements may include street and intersection design and improvements, traffic signal installation and operation, traffic signal timing and other improvements. The study shall also provide an analysis to determine improvements which would eliminate all deficient levels of service.
 - 3) Actions to facilitate use of bus or van service and carpooling should be included, if applicable.
 - 4) The listing of recommended improvements for both streets and transit shall include, for each improvement, the party responsible for the improvement, a preliminary cost estimate and funding of the improvement, and the phase of development during which the improvement is proposed to be completed. Any roadway improvement which requires increased right-of-way shall be identified. The Study should estimate the applicant’s fair share of the costs of the needed improvements.
 - 5) The traffic impact study may be used as a basis for a City requirement under Section 1004.L. or another section of this Ordinance.

6) Improvement plans shall not be submitted to the PA Department of Transportation (PennDOT) before they are submitted to the City. Approval of a site access plan by PennDOT does not guarantee approval by the City.

g. Preparation and Review. The preparer of the traffic impact study shall be a professional engineer or transportation planner. The developer shall reimburse the City for reasonable fees and expenses incurred by the City Engineer or Traffic Engineer for the review of the developer's traffic impact study and plans.

h. Data sources and methodology shall be described in the report.

1005. BLOCKS.

1005.A. Maximum Length. Residential blocks shall not exceed 2,000 feet in length in subdivisions using an average lot size of 1 acre or larger and shall not exceed 1,500 feet in length in subdivisions having an average lot size less than 1 acre. Where this distance would be exceeded, the City may require the construction of a cross-street, where topographically feasible.

1. Pedestrian Crossings. The Planning Commission may require that a pedestrian access easement be provided to provide pedestrian access where street connections are not available to serve the same purpose. The City may require a marked crosswalk to be created.

2. Future Street. As part of an approved subdivision plan, where determined to be necessary, the City may require that a provision be made to reserve a 50 feet minimum right-of-way for a future cross-street, such as a street intended to serve future interior lots. Such future street is not required to be constructed until such time as the lots fronting on it are subdivided. Such right-of-way shall be retained in the same ownership as the abutting interior lot(s) until a street may be developed. Potential future street extensions shall be shown on the plan.

1005.B. Blocks shall be of sufficient width to permit 2 tiers of lots, except where access is limited by virtue of an adjoining arterial street or by virtue of topographic limitations, unless permitted by the Planning Commission.

1006. LOTS; FLAG LOTS.

1006.A. Zoning. All lots shall conform to all requirements of the City Zoning Ordinance, as were in effect at the time such subdivision plan was duly submitted.

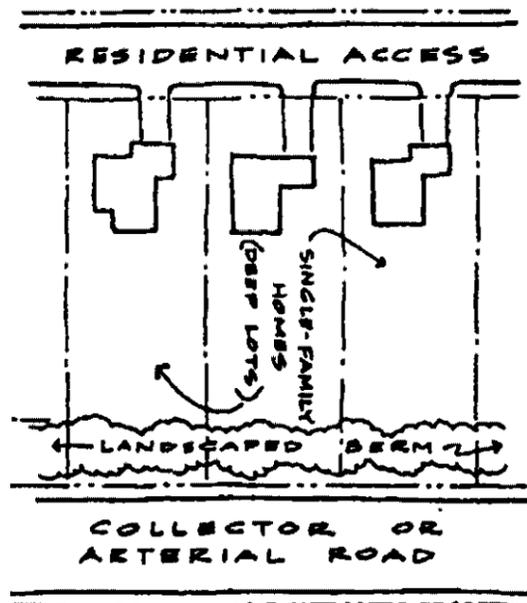
1006.B. Street Frontage. Section 1004.A.2. shall apply.

1006.C. The average depth-to-width ratio of a lot shall generally not be greater than 3 to 1, unless otherwise permitted by the Planning Commission to accommodate an unusual configuration of the site.

1006.D. Side lot lines shall abut and be approximately at right angles to straight streets and on radial lines to curved streets. Pointed or very irregularly shaped lots shall be avoided.

1006.E. Lot Layouts.

1. Lots abutting two streets on two non-contiguous sides shall ordinarily not be created except as needed to avoid direct vehicular access onto an arterial or collector street by individual driveways.
2. Rear Yard Buffers Along Collector or Arterial Streets.
 - a. Any residential lot of less than 2 acres with a rear yard directly abutting a collector or arterial street shall along such rear yard include a 10 feet wide planting strip along the back of the lot, in addition to the minimum yard requirement, with access across this strip clearly prohibited on notes on any approved plan.
 - b. In addition to any street trees required by City Ordinances, this planting strip shall include evergreen plantings approved by the City.
 - c. Any fencing in the rear of such lots shall be placed on the inside of such plantings. Such plantings shall be placed so that they do obstruct safe sight distance.



3. See Section 1004.A.2.b.

1006.F. Flag Lots. Flag lots are lots that do not meet the required minimum lot width at the minimum building setback line, and which have an elongated and more narrow extension connecting the bulk of the lot area with a street. A flag lot shall only be approved where the applicant proves that a flag lot is necessary to minimize the amount of disturbance of natural features and shall not be used to increase the number of dwelling units or lots that would otherwise be allowed on a tract. A flag lot shall need specific approval as such by the Planning Commission, after providing the City Engineer and Planning Commission with an opportunity for comment.

1. A maximum of one flag lot shall be allowed for each 3 proposed new lots in a subdivision. The City may require that a flag lot include a prohibition against future subdivision.
2. Only one tier of flag lots shall be allowed.
3. The flag lot shall have a driveway within the same lot, which shall connect to a public street.
4. A flag lot shall only be allowed for a single family detached dwelling lot. In addition, a lot that is only occupied by a well, sewage pumping station, stormwater detention basin or similar

utility and which is deed restricted against further development is not required to meet minimum lot width requirements.

5. The minimum lot width shall be met at the proposed front yard principal building setback line, which shall not be more than 250 feet from a public street.
6. The driveway shall be suitable for access by emergency vehicles. See Section 1004.A.4.

1007. RECREATION AREAS AND FEES.

1007.A. Purposes. To provide adequate open spaces, recreational lands and recreational facilities to serve new inhabitants/occupants of new developments, for both active and passive recreation. To recognize and work to carry out the Comprehensive Plan for Chester City, which is hereby adopted by reference as the Recreation Plan for the City, or by a successor document that may be adopted as the Recreation Plan for Chester City.

1007.B. Applicability. This section shall apply to any subdivision or land development for which a preliminary plan or a combined preliminary/ final plan is submitted after the enactment date of this amendment.

1. This Section 1007 shall not apply to plans that the City determines only involve adjustments or corrections to an approved preliminary plan or a preliminary plan that was actively before the City for consideration as of the date of the adoption of this Section, provided the adjustments do not increase the number of proposed dwelling units.

1007.C. Limitations on Use of Fees.

1. Any fees collected under this section shall be placed within the City Recreation Escrow Fund, or its successor account.
2. To make sure that the lands and facilities are accessible to the inhabitants of the developments that paid fees towards their cost, such fees should only be used within a 5-mile radius of the boundaries of the subdivision or land development that paid the fees, unless the fees are used within a recreation area open to the public that the City intends to serve the entire City.
3. Such fees shall only be used for the following: acquisition of public open space/recreation land and related debt payments, development of public recreational facilities, landscaping of public open space and necessary engineering and design work.

1007.D. Land to be Preserved. Any subdivision or land development regulated under this Section 1007 shall be required to preserve the specified amount of recreation land, unless the Planning Commission and the applicant mutually agree that recreation fees shall be required in-lieu of land.

1. As a general guideline, it is the intent of this Section that developments that do not include land that is adjacent to existing publicly-owned land should be required to pay a recreation fee in lieu of dedicating land. The City will not accept dedication of recreation land unless the City Council has agreed in advance to accept dedication.
2. The land and fee requirements of this section shall be based upon the number of new dwelling units that would be allowed on the lots of a subdivision or land development after approval.

3. Prime Recreation Land. For the purposes of this section, the term “Prime Recreation Land” shall mean land proposed to be established as recreation land that would meet all of the following standards:
 - a. less than 6 percent slope,
 - b. not a “wetland” under Federal and/or State regulations,
 - c. be part of a contiguous tract of at least 2 acres (which may include existing adjacent recreation land), and
 - d. not be within the “100 Year Floodplain” as defined by official floodplain maps of the City.

4. Amount of Recreation land. If a subdivision or land development is required to include recreation land, then a minimum of 1,250 square feet of recreation land shall be required for each permitted new dwelling unit. However, if less than 50 percent of the required recreation land will meet the definition of “prime recreation land,” then a minimum of 2,500 square feet of recreation land shall be required per dwelling unit.

- 1007.E. Fees. If the Planning Commission determines that a proposed subdivision or land development is required to pay fees-in-lieu of dedicating recreation land, this fee shall be \$800 for each new dwelling unit, unless such fee is updated by future action by City Council.

- 1007.F. Decision on Land vs. Fees. With mutual consent of the Planning Commission and the applicant, fees shall be required in place of dedicating land. Fees shall also be required if the Planning Commission determines that the applicant has not offered suitable recreation land that meets this Ordinance and that would serve a public need. This initial determination should, but is not required to, be made at the time of sketch plan review. The City should, at a minimum, consider the following in this decision:
 1. Whether the land in that location would serve a valid public purpose.
 2. Whether there is potential to make a desirable addition to an existing public or School District recreation area or to create a greenway along a waterway.
 3. Whether the proposed land would meet the objectives and requirements of this section and any relevant policies of the Comprehensive Plan and any Recreation or Open Space Plan.
 4. Whether the area surrounding the proposed development has sufficient existing recreation and open space land, and whether it is possible for pedestrians and bicyclists to reach those lands.
 5. Any recommendations that may be received from the City staff or boards/commissions or the School Board or School District staff.

- 1007.G. Recreation Land to be Preserved.
 1. Suitability. Recreation land shall be suitable for its intended purpose, in the determination of the Planning Commission. The applicant shall state in writing what improvements, if any, he/she will commit to make to the land to make it suitable for its intended purpose, such as grading, landscaping, or development of trails. Such land shall be free of construction debris at the time of dedication. Proposed recreation land shall be suitable to meet the needs of the residents of the development.

2. Ownership. Required recreation land shall be dedicated to the City, unless the Planning Commission agrees to approve a dedication to any of the following: the School District, the County, a State agency charged with maintaining recreation land, a similar governmental agency, an incorporated property-owner association (such as a homeowner or condominium association) or an established environmental organization (such as a land trust) acceptable to the Planning Commission. In the case of a rental development, the City may permit the recreation land to be retained by the owner of the adjacent principal buildings.
 - a. If recreation land is to be owned by a property-owner association, the developer shall be required to establish such association in a form that requires all property owners within the development to annually contribute to the maintenance of the recreation land.
 - 1) Any property-owner association agreements regarding required recreation land shall be subject to acceptance by the Planning Commission, based upon review by the City Solicitor.
 - 2) Prior to the sale of any dwelling unit or lot, all deeds shall require each property-owner to pay fees on a regular basis for the maintenance and other expenses of owning such land. The property-owners shall be incorporated with covenants and bylaws providing for the filing of assessments. After providing notice to affected owners, the City shall have the authority to establish municipal liens upon all properties in the association to fund maintenance of the land and City legal costs if the property-owners association does not fulfill its responsibilities.
 - 3) An orderly process shall be established for the transfer of the land to the association. The dedication of maintenance responsibilities by a developer to a property-owners association shall not occur until such association is incorporated and able to maintain such land.
 - 4) The property-owners association shall be established in full compliance with applicable State law, including the Uniform Planned Community Act.
 - b. Transfer to another Entity. If the approved plan states that ownership of and/or responsibilities to maintain the recreation land are given to a particular entity, then any transfer of ownership or responsibilities to another entity shall require pre-approval by the Planning Commission. Where land is to be owned by a conservation organization, a process shall be established for the land to transfer to a different organization if the first organization is not able to fulfill its obligations.
3. Easements. Any required recreation land dedication shall include a conservation easement to permanently prevent its development for buildings, except buildings for approved types of non-commercial recreation or to support maintenance of the land. Such conservation easements shall, at a minimum, be enforceable by the City Council. The City Council may require that the easements also authorize their enforcement by a suitable third party.
4. Priorities. Priority shall be given to dedication of land that would be suitable for a) additions to existing public schools and public parks, or b) preservation of woods, steep slopes or other important natural features or land along a creek, or c) for centralized active recreation.
5. Suitability. Land that is not suitable for active or passive recreation shall not be permitted to meet the requirements of this section. Any land area used to meet the requirements of this Section 1007 shall meet the definition of “Recreation Land.” Portions intended for active recreation shall be well-drained, of less than 6 percent average slope and not require filling in of a wetland for use.

6. Access and Contiguosness. Recreation land within a subdivision or land development shall be contiguous, except as may be specifically exempted by the Planning Commission, if necessary considering the unique features of the site, and shall have a minimum of 20 feet of road frontage at a location that allows access for maintenance and by pedestrians.
7. Other Ordinances. Any required land dedication or fees under this Section shall be in addition to any land dedication or improvement requirements of any other City ordinance.
 - a. However, the Planning Commission may allow common open space provided under a zoning ordinance provision to also count towards the recreation land requirement if the land will be improved for recreation, capable of meeting all of the requirements of this Section, and be available without charge on a daily basis to the public.
8. Residual Lands. If only a portion of a larger tract of land is currently proposed to be subdivided, or the applicant owns one or more adjacent tracts that are not currently proposed to be subdivided, the applicant shall provide a sketch of a possible future land dedication on these adjacent lands. The intent is to coordinate current plans with any future development, even in the long-term.
4. Coordination With Future Adjacent Dedication. The Planning Commission may require that a required land dedication within a property currently being subdivided be placed along an edge of the property so that it may, in the future, be combined with a recreation land/ open space dedication on the edge of an adjoining property when that adjoining property is subdivided or developed.
- 1007.H. Combination of Land and Fees. Upon mutual agreement of the Planning Commission and the applicant, the City may accept a combination of recreation land and fees-in-lieu of land to meet the requirements of this section for a subdivision or land development. This combination shall be based upon the recreation land requirement applying for a certain number of dwelling units and the fee-in-lieu of land requirement applying for the remaining development.
 1. For example, if a development included 25 dwelling units, recreation land could be required for 15 dwelling units and fees could be required for 10 dwelling units.
- 1007.I. Timing of Residential Fees. Fees required by this Section for all of the dwelling units shall be paid prior to the recording of the final plan, except as follows:
 1. If the required fee would be greater than \$4,000, and the applicant and the City mutually agree to provisions in a binding development agreement to require the payment of all applicable recreation fees prior to the issuance of any building permits within each clearly defined phase or sub-phase of the development, then fees are not required to be paid prior to recording of the final plan but may instead be paid within the requirements of that development agreement.
 2. If the applicant agrees to pay such fees in installments, then all such fees shall not be considered to be “paid” for the purposes of any applicable time limitations for utilization under the Municipalities Planning Code until all such fees are paid in full, including all installments and phases.
- 1007.J. Facilities in Place of Land or Fees. An applicant may submit a written request for a modification of the requirements of this section by offering to construct substantial permanent recreation facilities within the proposed subdivision or land development or on public

parkland. Such modification shall only be approved if the applicant clearly proves to the satisfaction of the Planning Commission that the facilities will serve a valid public purpose, will be designed following modern standards in a durable manner and will have a higher market value than the land or fees that would otherwise be required.

1. A modification of these requirements may also be approved by the Planning Commission if the applicant donates or sells appropriate public recreation land to the City or the School District. In such case, the applicant shall provide a written appraisal from a qualified professional that the market value of the donation or price reduction is greater than the value of the fee or land requirement that is waived. In such case, the land shall be determined to be suitable for public recreation by the Planning Commission.

1008. **STORMWATER MANAGEMENT.** See also the provisions of the City Stormwater Management Ordinance. Where a provision of this Ordinance and the Stormwater Management (SWM) Ordinance conflict in addressing the same matter, the Stormwater Ordinance shall apply. The review of the stormwater plan under the Stormwater Management Ordinance shall proceed concurrently with review of the subdivision and/or land development plan under this chapter.

1008.A. Stormwater Requirements.

1. For all earth disturbance, erosion and sediment control BMPs shall be designed, implemented, operated, and maintained to meet all requirements under Pennsylvania Code Title 25. Various BMPs and their design standards are described in the Erosion and Sediment Pollution Control Program Manual (“E&S Manual”) of DEP, as amended and updated.
2. Impervious Areas.
 - a. The measurement of impervious areas shall include all of the impervious areas in the total proposed development, even if development is to take place in stages.
 - b. For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this Ordinance, except the volume controls and the peak rate controls do not need to be retrofitted to existing impervious area.
3. If stormwater flows onto adjacent property are proposed to be redirected, increased or concentrated, the applicant shall provide advanced written notification to the adjacent property owner.
4. All regulated activities shall include such measures as necessary to:
 - a. protect health, safety, and property;
 - b. minimize soil disturbance and soil compaction;
 - c. direct runoff to pervious areas, where possible; and
 - d. to the maximum extent practical, incorporate the techniques for Low Impact Development Practices described in the Pennsylvania BMP Manual.
5. [Reserved for future use.]
6. If storage facilities do not completely drain within 72 hours from the end of the design storm, the City may require aeration or other measures to control vectors.
7. The design of all stormwater management facilities shall incorporate sound engineering principles and practices. The City reserves the right to disapprove any design that would result in the creation or exacerbation of an adverse hydrologic or hydraulic condition.

8. Stormwater Construction Specifications. Materials, workmanship, and methods of work shall comply with PennDOT Publication 408 Specifications.
9. For areas covered by a Release Rate Map from an approved Act 167 Stormwater Management Plan, the post-development peak discharge rates shall follow the applicable approved release rate maps. If there are any areas that are not shown on the release rate maps, the post-development discharge rates shall not exceed the pre-development discharge rates.
10. Downstream Impacts. Stormwater runoff shall be managed so that no downstream increases in flood damages or impairment of streets and other public facilities occur. The City may require that downstream impacts be evaluated at critical locations such as dams, tributaries, existing developments, undersized culverts, and flood prone areas.
11. Stormwater management facilities and related installations shall be provided:
 - a. To ensure adequate drainage of all low points along the curb line of streets.
 - b. To intercept stormwater runoff along streets at intervals reasonably related to the extent and grade of the area drained, and to prevent substantial flow of water across intersections or flooded intersections during storms, in accordance with the procedures in the PennDOT Drainage Manual,
 - c. To ensure adequate and unimpeded flow of stormwater under driveways in, near, or across natural watercourses or drainage swales. Suitable pipes or other waterways shall be provided as necessary.
 - d. Pipes under driveway entrances along City streets shall: a) be of sufficient strength and diameter, b) have an absolute minimum diameter of 15 inches, and c) use material and workmanship meeting PennDOT Publication 408 specifications that would apply along a State road. Galvanized pipes are not permitted.
 - (1) The property-owner shall un-block any clogged drainage pipe and repair or replace any damaged drainage pipe. If the City provides written notice that a property-owner needs to correct a drainage pipe problem, and the problem is not corrected within 7 days, the City may correct the problem at the expense of the property-owner.
12. Storm sewers, swales, inlets, culverts, and other facilities:
 - a. Any storm sewers that are not located in a public street or alley right-of-way shall be placed within a drainage and maintenance easement not less than 20 feet wide. The design capacity of storm sewers shall be in accordance with PennDOT Drainage Manual.
 - b. Any drainage swales shall be properly designed, graded, and be turfed as practical. Such swales shall be designed not only to carry the required discharge without excessive erosion, but also to increase the time of concentration, reduce the peak discharge and velocity, and permit the water to percolate into the soil, where appropriate. Criteria related to the use and design of drainage swales are as follows:

- (a) Where vegetated drainage swales are used in lieu of or in addition to storm sewers, they shall be designed to carry the 10-year discharge without erosion, and also to increase the time of concentration, reduce the peak discharge and velocity, and permit the water to percolate into the soil.
 - (b) Swales and drainage channels shall be designed in accordance with PennDOT Drainage Manual. Inlets shall be provided to limit the shoulder encroachment and water velocity.
- c. Inlets. Storm inlet types and inlet assemblies shall conform to PennDOT Standards for Roadway Construction.
 - (a) Inlets shall, at a minimum, be located at the lowest point of street intersections to intercept the stormwater before it reaches pedestrian crossings; or at sag points of vertical curves in the street alignment which provide a natural point of ponding of surface stormwater.
 - (b) The interval between inlets collecting stormwater runoff shall be determined in accordance with the PennDOT Drainage Manual. Inlets shall be fitted with hoods when connecting into combined sewer systems.
- d. Accessibility. Accessible drainage structures shall be located on a continuous storm sewer system at all vertical dislocations, at all locations where a transition in storm sewer pipe sizing is required, at all vertical and horizontal angle points exceeding 5 degrees, and at all points of convergence of two or more influent storm sewer mains. The construction locations of accessible drainage structures shall be as indicated on the subdivision drainage plan or area drainage plan approved by the City.
- e. Storm Sewers. When evidence available to the City indicates that existing storm sewers have sufficient capacity as determined by hydrograph summation and are accessible, proposed stormwater facilities may connect to the existing storm sewers so long as the peak rate of discharge does not exceed the amount permitted by this Section.
 - (a) In areas of the City served by the combined sewer system, separate stormwater conveyance shall be provided.
- f. Openings. Bridges and culverts shall have ample waterway opening to carry expected flows, based on the PennDOT Drainage Manual.
- g. Basins. Detention or retention basins for the management of stormwater peak discharges shall meet the following requirements:
 - (a) Basins shall be installed prior to or concurrent with any earthmoving or land disturbances which they will serve. The phasing of their construction shall be noted in the narrative and on the plan.
 - (b) The design of all facilities over limestone formations shall include measures to prevent groundwater contamination and, where required, sinkhole formation.
 - (c) Energy dissipaters and/or level spreaders shall be installed at points where pipes or drainageways discharge to or from basins.
 - (d) Outlet structures within detention/retention basins shall incorporate childproof, non-clogging trash racks or grates over all horizontally oriented openings. All vertically oriented openings over 12 inches or larger in any dimension where entry by a child could cause injury or death shall be covered with childproof, non-clogging trash racks, except where such openings carry perennial stream flows.

- (e) Emergency Spillways: Any stormwater management facility designed to store runoff shall provide an emergency spillway designed to convey the 100-year post-development peak rate flow with a blocked primary outlet structure. The emergency spillway shall be designed per the following requirements:
 - (1) The top of embankment elevation shall provide a minimum 1 foot of freeboard above the maximum water surface elevation. This is to be calculated when the spillway functions for the 100-year post-development inflow, with a blocked outlet structure.
 - (f) Any underground stormwater management facility (pipe storage systems) must have a method to bypass flows higher than the required design (up to a 100-year post-development inflow) without structural failure, or causing downstream harm or safety risks.
 - (g) A safety fence may be required, at the discretion of the City, for any stormwater management facility. The fence shall be a minimum of 4 feet high, and of a material acceptable to the City. A gate with a minimum opening of 10 feet shall be provided for maintenance access.
 - (i) Design of stormwater management facilities having 3 feet or more of water depth (measured vertically from the lowest elevation in the facility to the crest of the emergency spillway) shall meet the following additional requirements:
13. Downstream Analysis:
- a. Where deemed necessary by the City, the applicant shall submit an analysis of the impacts of detained stormwater flows on downstream areas within the watershed, established with the concurrence of the City. The analysis shall include hydrologic and hydraulic calculations necessary to determine the impact of peak discharge modifications of the proposed development on critical locations such as dams, tributaries, existing developments, undersized culverts, and flood prone areas.
 - b. Any affected downstream municipality shall offered an opportunity for comment..
14. Easements. For stormwater management facilities that are located outside of existing or proposed public street right-of-ways, the City may require that easements be provided as follows:
- a. Drainage Easements: Where a tract is traversed by a watercourse, drainageway, channel or stream, there shall be provided a drainage easement paralleling the line of such watercourse, drainageway, channel or stream. The width of the drainage easement will be adequate to preserve the unimpeded flow of natural drainage in the 100 year floodplain. Drainage easements shall provide for maintenance, and for the purpose of widening, deepening, improving or protecting such drainage facilities.
 - b. Access Easements: Where proposed stormwater management facilities are not within public right-of-ways, a 20 foot wide passable access and maintenance easement specifying rights of entry may be required.
 - c. Access easements shall provide for vehicle ingress and egress on grades of less than 10 percent for carrying out inspection or maintenance activities.
 - d. Easements shall stipulate that structures, excavation, or fill shall not obstruct access.
 - e. Whenever practical, easements shall be parallel to property lines.
 - f. All easement agreements shall be recorded with a reference to the site plan. The format and content of the easement shall be subject to approval by the City.
 - g. If a major man-made drainage channel would pass within close proximity to homes and possibly threaten the safety of persons, the Planning Commission, based upon the advice

of the City Engineer, may require such certain lengths of such channel to be placed within appropriate underground pipes.

- h. It shall be the responsibility of the applicant to obtain all stormwater easements on, over or through other properties that are needed to carry out the proposed storm management plan.

15. Sinkhole Protection.

- a. Stormwater from roadways, parking lots, storm sewers, roof drains, or other concentrated stormwater runoff paths shall not be discharged directly into known or suspected sinkholes.
- b. In any sinkhole prone areas, the City may require basins to contain an impervious line of a type approved by the City, and which is installed in accordance with the manufacturer's recommendations.
- c. If a contractor or developer becomes aware of the presence of a sinkhole during construction or other development activity, it shall be reported in writing to the City Engineer within 2 business days. The City Engineer may require the applicant to prepare and carry out an acceptable plan to mitigate the sinkhole hazards.
- d. Where the City has reason to believe than an area has a high vulnerability to sinkholes, based upon review by the City Engineer, the Planning Commission may require that an applicant provide additional study by a qualified professional of the risks.
- e. The design of all facilities over Karst (limestone/carbonate) geology may be required to include an evaluation of measures to minimize potential subsidence.

16. Roof Drains. Roof drains should not discharge directly to streets or storm sewers. Roof drains and sump pumps should discharge to infiltration or vegetative BMPs to the maximum extent practical. Roof drains shall not discharge directly to the sanitary sewer system.

17. Maintenance Responsibilities.

- a. The City shall have the authority to approve the party responsible for maintenance of stormwater facilities, prior to final approval of the Subdivision or Land Development Plan. The City may require, at its option, dedication of such stormwater facilities.
- b. The City at its complete discretion may accept or refuse the ownership and operating responsibility for any stormwater management controls.
- c. Requirements for maintenance may be required to be recorded as a restrictive deed covenant that runs with the land.
- d. Unless specifically approved otherwise, the landowner is responsible for operation and maintenance of Stormwater Management (SWM) facilities and Best Management Practice (BMP) improvements. If the owner fails to adhere to the Operation and Maintenance requirements, the City may perform the services required and charge the owner appropriate fees. Non-payment of fees may result in a lien against the property.
- e. Options for addressing maintenance responsibilities include the following:
 - 1) Facilities may be incorporated within individual lots so that the respective lot owners will own and be responsible for maintenance in accordance with recorded deed restriction. A description of the facility or system and the terms of the required maintenance shall be incorporated as part of the deed to the property. For a multi-lot subdivision, this method is only intended to be used if the applicant proves there is no other feasible alternative.
 - 2) They may be the responsibility of a Property Owners Association. This is the preferred method, unless the applicant proves another method is not feasible. The

stated responsibilities of the Property Owners Association in terms of owning and maintaining the stormwater management facilities shall be submitted with final plans for determination of their adequacy, and upon their approval shall be recorded with the approved subdivision plan among the deed records of the County. In addition, the approved subdivision plan and any deed written from said plan for a lot or lots shown herein shall contain a condition that it shall be mandatory for the owner or owners of said lot to be members of said Property Owners Association.

- 3) If the City agrees to accept maintenance responsibilities, the City may require that the applicant establish an escrow account to fund such work.
- f. The following note or a City-approved equivalent may be required to be placed on the Record Plan, unless another method of maintenance is specifically approved by the City:
“The property owner shall have the responsibility for the perpetual maintenance of the stormwater management facilities after the completion of construction on the property and after the expiration of any maintenance guarantee by the developer. No changes shall be made to the stormwater management facilities or related finished grading without prior written approval from the City. An easement is hereby granted giving the City and its agents the right, but not the obligation, to enter the property to perform any required maintenance which has not been properly performed in a timely manner. The property owner shall be responsible for the cost of any maintenance which is performed by the City or its agents. The City may place a lien on the property for said costs until the City has been reimbursed in full.”
18. Alteration of Facilities. No person shall modify, remove, fill, landscape, or alter any SWM BMPs, basins, swales, facilities or structures without the prior written approval of the City.
- 1008.B. Landscaped Screening of Detention Basins.
 1. A detention basin with a basin depth of greater than 20 inches shall have landscaping that screens it from view of existing dwellings, a residential zoning district or a public street, unless the basin would meet either of the following conditions:
 - a. it would have an average slope of less than 4 to 1 on the inside of the berm of the basin and both the inside and outside of the basin would be planted in grass and intended to be mowed or planted in other attractive vegetative ground cover, or
 - b. it would be designed to closely resemble a natural pond and be a scenic asset.
 2. Areas of stormwater basins that are visible from streets and dwellings shall be attractively maintained. A landscaping plan shall be provided as part of the Final Subdivision/Land Development Plans and such landscaping around a basin shall be subject to acceptance by Planning Commission. This landscaping shall not be required along an area where natural vegetation will be maintained that will completely fulfill this purpose.
- 1008.C. Floodplain Regulations and Seeps. See the City Floodplain regulations and the relevant provisions of the State Construction Codes.
 1. For land within the 100 year floodplain, the applicant shall use official floodplain elevations and apply it to the more detailed topography on their plan.
 2. Where the official Floodplain Maps do not provide elevations or do not differentiate between the floodway and floodfringe, the City may require the applicant to provide additional professional analysis of the floodplain on the applicant’s property. The City may also require

an applicant to determine the extent of the 100 year floodplain where a segment of a perennial or intermittent waterway was not mapped under the federal floodplain maps. Where a land area is determined to be subject to a 100 year flood, the City's floodplain regulations shall apply.

3. Where a spring exists or a seep involves the water table rising to the ground level during part or all of the year, the City may require an applicant to provide a professional analysis of the potential hazards from flooding and flooded basements within the proposed development. The applicant may then be required to provide measures to mitigate such hazards.

1009. SEWAGE DISPOSAL SYSTEMS.

1009.A. In General.

1. Sewer mains shall be installed within a street right-of-way or utility easement. When installed in a street right-of-way, adequate space (alignment) may be required to be provided to incorporate green infrastructure in the parking area and any bike lane along the street.
2. Public Sewage Connections. Any new principal building or principal use within a subdivision or land development that generates wastewater shall be required to connect to the public sanitary sewage system. The applicant shall be responsible to pay such reasonable capital expenses and fees that are necessary for such connection.
3. The entity that provides the central sewage service shall have the authority to approve or reject the design of the proposed sewage collection system for just cause.

1009.D. Laterals. Each lot with central sewage service shall be served by a separate sewage lateral.

1010. WATER SUPPLY SYSTEMS.

1010.A. In General.

1. Water mains shall be installed within a street right-of-way or utility easement. When installed in a street right-of-way, adequate space (alignment) may be required to be provided to incorporate green infrastructure in the parking lane area and any bike lane along the street.
2. All subdivisions and land developments shall be served with an adequate on-lot or central water supply system that will meet DEP and City requirements.
3. Required Connections to Public Water System. Every new principal building and principal use within a subdivision or land development shall be required to connect to the public water supply system.

1010.B. Water Supplier Approval. Proposed extensions of central water systems shall meet all applicable procedures, reviews and requirements of any appropriate municipal authority or water company. Such extension shall be approved by such agency prior to Final Plan approval, although specific detailed service agreements are not required to be signed until prior to recording.

1010.C. Fire Hydrants. All subdivisions and land developments that will be served by central water service shall provide fire hydrants as needed with appropriate water pressure so that all non-

residential buildings intended to be occupied by humans and all dwelling units are within 300 feet of an active fire hydrant. Such distances shall be measured along lengths that are accessible to firefighters. Note - Additional hydrant and fire equipment access requirements apply in the Statewide Fire Code.

1. The fire hydrant shall have connections compatible with those used by the City Fire Department and meet the requirements of the Water Authority.
2. The City may require that the applicant prove that fire flows will be not be less than 500 gallons per minute in single family detached residential areas and 1,000 gallons per minute in other developed areas, at 20 pounds per square inch residual pressure, unless stricter requirements apply under the Statewide Fire Code.

1011. OTHER UTILITIES; UTILITY EASEMENTS.

1011.A. Utilities. All electric power service lines (as opposed to distribution lines) and all telephone, cable television (where available) and natural gas service lines within a new subdivision or land development shall be placed underground.

1011.B. Easements. Easements shall be provided as follows:

1. Stormwater drainage, sanitary sewage, central water, emergency access and other types of easements shall be provided as determined to be needed by the City and as indicated on the plans.
2. Locations. The City may require that a lot include a stormwater drainage and utility easement around the perimeter of each lot, including adjacent to the street right-of-way.
3. Width. The City may require a stormwater drainage or underground utility easement of 15 feet, which may be reduced to 10 feet for each lot if a 10 feet minimum easement exists on the abutting side of the abutting lot.
4. See also drainage easement provisions in Section 1008 of this Ordinance.
5. Additional width of easements shall be provided if required by the utility provider or the Planning Commission, based upon advice of the City Engineer. The easement widths along side lot lines may be reduced if the Zoning Ordinance allows a principal building setback that is more narrow than the width of the easement that would otherwise be required, or where buildings are attached along a lot line.
6. Separation. Minimum separation distances between utility lines shall be as required by the applicable utility or as deemed necessary by the City Engineer.
7. Utilities. If any activity is proposed within the right-of-way of an underground pipeline or utility, the applicant shall provide written evidence from the operator of such pipeline or utility that such activity is acceptable under their safety standards and the terms of that right-of-way.
8. Maintenance and Obstructions. The owner of the lot shall maintain an easement in such a condition that does not inhibit its intended purpose(s). Fill or structures shall not be placed in an easement in a way that inhibits its intended purpose(s). Specifically, structures or grading

that could alter or obstruct stormwater flows in violation of the approved Final Plan shall be prohibited within storm water easements.

1012. ACCESS DRIVES AND DRIVEWAYS.

1012.A. Construction Standards. See Section 1004.

1012.B. Access; State Roads. A State Highway Occupancy Permit is required for all access onto or work within the right-of-way of a State road. A City Driveway Permit shall be obtained before any vehicle access is allowed from a State road or City-owned street.

1. If the City becomes aware that a State Highway Occupancy Permit is needed, and one has not been issued, the City may delay the issuance of a Construction Permit and/or Occupancy Permit until such time as such State Permit is issued.

1012.C. Slope and Emergency Access. The maximum slope of an access drive or driveway shall be 14 percent, except the first 20 feet adjacent to a cartway of a street shall have a maximum slope of 6 percent. See also Section 1004.A.4.

1012.D. Drainage. The developer shall make adequate provisions to maintain uninterrupted parallel drainage along a street where intersected by an access drive or driveway. Access drives and aisles within parking lots shall be graded and drained to keep the primary travel lane free of stormwater.

1012.E. Shared Driveways. Unless otherwise approved, a driveway shall serve a maximum of one residential lot. A driveway serving more than one residential lot shall only be approved if the applicant proves to the Planning Commission that it is needed because of a sight distance concern, to provide proper access management along a road, or to minimize disturbance of natural features or agricultural areas.

1012.F. Turnarounds. For lots abutting collector streets, driveways shall be designed with a location on the lot to turn a vehicle around, so as not to require a vehicle to back out onto that collector or arterial street.

1013. OFF-STREET PARKING CONNECTIONS. Where an interconnection is required or planned between two uses or lots, the subdivision or land development shall include a suitable cross-easement that permits vehicles and pedestrians from one use or lot to have access through the parking lot and driveway of the adjacent use or lot.

1014. CURBS.

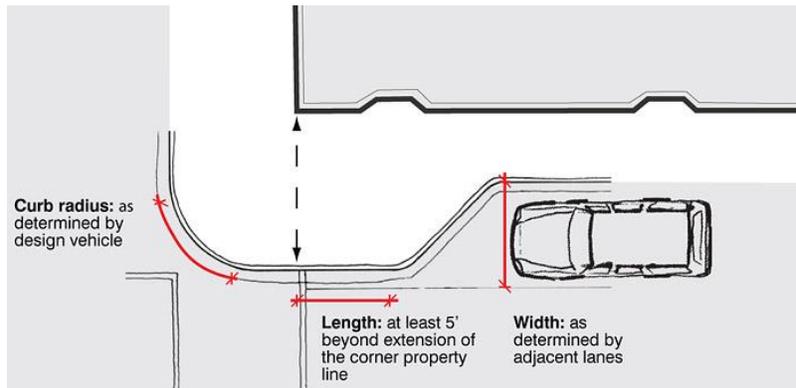
1014.A. Curbs shall be required along all new, widened or extended streets, except where the applicant proves to the satisfaction of Planning Commission that they would not serve a valid public purpose. Such determination should consider any comments of the City Engineer, whether the curbs are needed to continue existing curbing along an existing street, whether they are needed for stormwater management purposes, and/or whether they are needed for road edge stabilization.

1014.B. If curbs are not provided, appropriate stabilized drainage channels designed to meet Section 1008 shall be required along all streets, within the street right-of-way, or drainage easements.

1014.C. Required curbs shall meet the following specifications, unless other specifications are pre-approved by the City:

1. Only straight or slant concrete curbs shall be provided, unless a modification is approved under Section 107, such as for granite or rolled curbing. Such curbs shall meet construction specifications of PennDOT Publication 408.
2. Gutter design shall be subject to the approval of the City Engineer based upon standard engineering practices. The curb reveal should typically be between 7 and 8 inches.

Consideration should (but is not required to) be given to extending curbs at street intersections in a manner that reduces the width of cartway that must be crossed by pedestrians. These curb extensions can be designed to still allow turning movements by buses and trucks and can be designed to only occupy areas where parking is already prohibited.



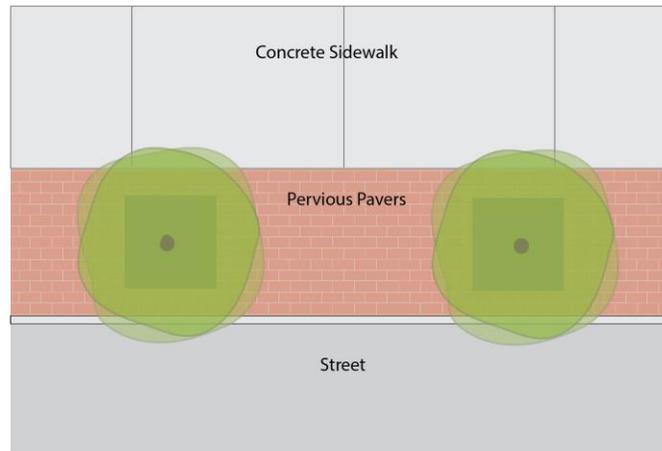
1015. SIDEWALKS, PATHWAYS AND DRIVEWAY APRONS.

1015.A. Sidewalks built to City specifications shall be required along all new, widened or extended streets, except where the applicant proves to the satisfaction of Planning Commission that they would not serve a valid public purpose.

1. As a modification under Section 107, an applicant may propose an alternate system of pathways, such as a compacted crushed stone or bituminous pathway, that serve the same purposes as sidewalks and which guarantee public access, but which are not necessarily within a street right-of-way, if approved by the City Engineer.

The sketch on the following page shows a suggested arrangement with the main pedestrian sidewalk constructed of concrete, but with un-mortared porous pavers used between the sidewalk and the curb. This arrangement reduces stormwater runoff, allows for easier access to utility lines, and promotes health of the street trees.

Pervious Paving Strip Use



Use pervious pavers in areas that are not the primary wheelchair and pedestrian pathway.

1015.B. Pathway or Bikeway.

1. If deemed necessary for the convenient and safe circulation of bicycles and pedestrians, the Planning Commission may require that a subdivision or land development include the construction of a pathway or bikeway.
2. A bikeway/pathway shall have a minimum width of 6 feet and a maximum width of 12 feet. It may be required to be placed within a street right-of-way in place of a sidewalk, or may be placed elsewhere on a lot within an easement or other right-of-way.

1015.C. Location and Width of Sidewalks.

1. Sidewalks, where required or provided, shall be located within the street right-of-way. Any area between the sidewalk and curb shall be planted in an attractive vegetative ground cover, such as grass. This strip shall only be paved at driveway entrances.
2. Any required sidewalks shall have a minimum width of: a) 5 feet along arterial streets or along routes used to access primary or secondary schools and b) 4 feet along collector or local streets in other locations.

1015.D. Construction.

1. Sidewalks shall meet construction specifications in PennDOT Publication 408.
2. Where required, pathways shall be constructed of a one inch bituminous surface course, a 2 inch bituminous binder course, and 6 inches of compacted gravel or crushed stone, unless an alternative standard is pre-approved by the City. To the maximum extent feasible considering topography, pathways should be accessible to persons in wheelchairs. Stop signs or similar warning signs should be posted along pathways where they meet streets.

1015.E. Maintenance. It shall be the responsibility of the adjacent landowner to maintain, plow snow and remove ice off of and repair sidewalks.

1015.F. ADA Ramps. Ramps shall meet the requirements of the Americans With Disabilities Act and accompanying Federal regulations. Note - Additional PennDOT regulations apply along a State road.

1016. STREET LIGHTING.

1016.A. Street lights or other City-approved lighting may be required to be provided and installed by the developer along streets within and abutting a proposed subdivision or land development in the following situations:

1. One or more lights may be required at or near an intersection of 2 or more streets; and
2. One or more lights may be required at other locations where the Planning Commission deems them necessary to provide safe traffic or pedestrian circulation, such as to illuminate curves in streets or to illuminate the more isolated areas of a development.

1016.B. The developer shall coordinate with the electric utility regarding the responsibilities between the developer and the utility. The utility may require reimbursement from the developer for its reasonable costs for such work.

1016.C. Private Lighting. On all private streets, parking areas and other areas requiring lighting, the developer shall provide materials, installation, energizing and power for all lighting systems necessary for security and public safety. A system acceptable to the City shall be established for the maintenance of lights that serve a private street. The City may require that business and multi-family parking lots and related walkways maintain a minimum 0.5 footcandles of illumination during hours of use. A site lighting plan shall be submitted to the City Engineer for review and approval.

1017. STREET IDENTIFICATION SIGNS.

1017.A. The City shall provide and install street name signs, with the developer reimbursing such costs, unless otherwise approved.

1017.B. Street names are subject to the approval of the City. Names shall continue the name of any street with the same or similar alignment.

1017.C. Names shall not duplicate or be closely similar to the name of another street within the City, the same fire company or ambulance service district or the same 5 digit zip code area. The street names shall be submitted for acceptance by the U. S. Postal Service and County Emergency Communications to avoid duplications.

1018. REGULATORY SIGNS. The developer shall reimburse the City for the costs of supplying and installing needed traffic regulatory signs on public streets. The developer shall be responsible to provide and install signs on private streets. All traffic regulatory signs shall meet current standards of PennDOT.

1019. LANDSCAPING.

1019.A. Street Trees. Street trees shall be required meeting the requirements of the Zoning Ordinance.

1019.B. Buffer Yards. See the requirements in the City Zoning Ordinance.

1019.C. Other Landscaping Provisions.

1. Existing healthy mature trees shall be preserved wherever be practical and protected during construction.
2. Plant materials shall be liberally located throughout the site. Massing of multiple plants is preferable to the installation of individual plants. A successful planting should involve a variety of types (trees, shrubs, ground covers, perennials, deciduous, evergreen) and sizes of plant materials.
3. Required deciduous trees shall be a minimum 2-1/2 inch caliper.
4. Approved street tree species are also the preferred specimens in parking lot applications.
5. Native plant species should be used in or near proposed stormwater management areas and near environmentally sensitive areas.

1020. MONUMENTS AND MARKERS.

1020.A. Monuments.

1. Location. For a major subdivision, permanent reference monuments shall be located at each intersection of rights-of-ways of street(s) constructed by the Developer, at the beginning and ending of all street curves, and at exterior corners of the subdivision or land development. For a minor subdivision, two permanent monuments shall be required, preferably at the street right-of-way line. Alternative monument requirements may be approved by the City Engineer if an alternate arrangement still permits a surveyor to stake out accurately any building lot shown on the Record Plan.
2. Type. Reference monuments shall be constructed of steel reinforced Portland cement concrete or to other materials pre-approved by the City Engineer, and should have a minimum size of 4 by 4 inches square at the top, 6 by 6 inches square at the bottom, 24 inches in length, and shall have the top flush with the grade level.

1020.B. Markers. All lot corner markers shall be permanently located and shall be at least a 3/4 inch metal pin or pipe with a minimum length of 20 inches, located in the ground to existing grade. Such markers shall be located prior to the lot being offered for sale.

ARTICLE 1311
Additional Standards for
Manufactured (Mobile) Home Parks

1101. APPLICABILITY. The requirements in this Article shall apply to any Manufactured Home Park as defined by the Zoning Ordinance. The terms "mobile home" and "manufactured home" shall have the same meaning.
1102. EXEMPTIONS. The following shall not be considered to be a manufactured home park, but instead shall be ruled by the applicable sections of this Ordinance and the Zoning Ordinance:
- 1102.A. Offering of more than one manufactured home for sale for relocation to another tract, other than routine sale of previously occupied homes within a manufactured home park.
- 1102.B. Any development of manufactured homes involving only one dwelling unit per fee-simple lot, which shall meet all of the requirements for a single family dwelling residential development;
- 1102.C. A manufactured home that is used only as a field office or work or tool house during an on-site construction project as a temporary use.
1103. OTHER REQUIREMENTS OF THIS ORDINANCE.
- 1103.A. All provisions of this Ordinance shall apply to a manufactured home park, except for provisions that are specifically amended by this Article.
- 1103.B. Every proposed manufactured home park shall be submitted, reviewed, approved and recorded as a land development. The requirements for a subdivision may also need to be met if one or more new lots are created or lot lines are changed.
1104. GENERAL STANDARDS AND REQUIREMENTS.
- 1104.A. All manufactured homes sites within a manufactured home park shall be located on land with an average natural slope of less than 15 percent.
- 1104.B. Any street, not including an approved parking court, shall meet City road bed construction requirements that would apply to a public street.
- 1104.C. The manufactured home park shall have adequate access by emergency vehicles and shall include measures to provide adequate water supply for firefighting. If the water supply cannot feasibly be provided on-site, the requirement may be met by the applicant constructing a hydrant to access an available nearby water supply.
- 1104.D. All manufactured home parks of more than 25 dwelling units shall include a qualified resident manager.
- 1104.E. Access.
1. Vehicle access to individual manufactured home spaces shall be from interior parking courts, access drives or private streets and shall not be from public streets exterior to the development.

Streets within the development providing access to 20 or more dwellings shall have a paved cartway width of at least 26 feet, and other streets shall have a paved cartway width of at least 22 feet, provided on-street parking is prohibited. If on-street parking is allowed, the minimum cartway width shall be 30 feet.

2. All new streets within the manufactured home park shall be private and be maintained as part of the manufactured home park.

1104.F. Parking.

1. In addition to a minimum of 2 off-street parking spaces per dwelling unit, an average of 0.5 off-street parking spaces per dwelling unit shall be provided in convenient locations for visitor parking unless the adjacent street is designed to allow on-street parking.
2. An area shall be set aside for the parking of recreational vehicles and boats of residents, with a minimum of one space for every 20 dwelling units.

1104.G. Other Design Standards and Improvements.

1. Every manufactured home space shall be graded to provide a level, stable and well-drained stand for the manufactured home. See installation requirements in the Uniform Construction Codes.
2. Every space shall be provided with underground electric, telephone and T.V. Cable (if available) connections.
3. All fuel storage and supply systems shall be constructed and maintained in conformity with the regulations of all authorities having jurisdiction. No above ground fuel tanks shall be allowed within a required perimeter setback.
4. The shade tree requirements of the Zoning Ordinance (see Section 1361) shall be met for a street within a manufactured home park.

DATE RECEIVED:

**SUBDIVISION OR LAND DEVELOPMENT
APPLICATION FORM
City of Chester**

APPLICATION FOR SUBDIVISION OR LAND DEVELOPMENT:

- New Submittal
- Resubmission

Date of Application _____, 20____

- Sketch Plan
- Preliminary Subdivision Plan Name of Project _____
- Final Subdivision Plan
- Land Development Location _____

Owner's Name _____ Phone Number _____
 Address _____
 Email _____

Applicant's Name _____ Phone Number _____
 Address _____
 Email _____

Plan Preparer's Name _____ Phone Number _____
 Address _____
 Email _____

SITE INFORMATION:

Zoning District Name _____ Total Acreage _____ Number of Lots _____
 Minimum Lot Size _____ County Property Identification No. _____

PROPOSED IMPROVEMENTS:

Lineal Feet of New Streets _____ Water Supply: Private (on lot) Public
 Sewage System: Private (on lot) Public

Indicate by a check (✓) items whether the following are attached to this application, if applicable.

- Applicant's signed statement of authorization
- Required Fees and Escrow Funds _____

THE APPLICANT SHOULD BE PRESENT AT THE REVIEW MEETING

I hereby certify that the information on this application is correct and authorize the submittal of this application.

Applicant's Printed Name and Title _____

Applicant's Signature _____ Date _____

INSTRUCTIONS:

1. Submit 2 copies of this form – a copy will be receipted and returned to you.
2. Sketch Plan applicants include attachments as required but need not include Improvement data. Preliminary and Final Plan applicants include all information as required by ordinance.
3. Sketch Plans are informal submittals.
Submit Preliminary and Final Plans to the City's Planning Administrator or his/her designee.

**APPENDIX B
STATEMENTS, FORMS AND LETTERS**

B.1 PLAN PREPARER'S STATEMENTS. - Model Forms.

I, _____, a registered surveyor of the Commonwealth of Pennsylvania, do hereby certify that the Plan, prepared from a field survey on _____, 20____ correctly represents the property boundary of the proposed subdivision or land development.

Date Registered Surveyors' Signature

I, _____, a registered surveyor, registered landscape architect or licensed professional engineer in the Commonwealth of Pennsylvania, do hereby certify that the accompanying application, plans and supporting documentation are true and accurate, to the best of my knowledge.

Date Plan Preparer's Signature

Address Printed Name

B.2 OWNER'S STATEMENT. - Model Form.

I/we make this statement being duly sworn according to law. I/we state that for the land involving the accompanying plans, we are the majority owners of this property or the authorized officers of the corporation that owns this property, and are in peaceful possession of it, and that there are no suits pending affecting the title of same, and that I/we acknowledge and endorse the accompanying plans and that we will propose a record plan for recording (as applicable), after receiving all required City approvals.

OWNER'S OR AUTHORIZED CORPORATE OFFICER'S SIGNATURES

Printed Name Printed Name

SWORN AND SUBSCRIBED BEFORE THIS _____ DAY OF _____, 20____.

B.3 PERMIT/APPROVAL CERTIFICATION - Required, Unless Alternative Text Pre-Approved by the City.

I/we hereby certify this date of _____ that I/we am/are the owners or authorized equitable owners of the property shown and depicted on the accompanying plans and that I/we and my/our heirs and assigns shall comply with all requirements and obtain all permits and approvals required by all local, state and federal agencies and bodies; and I/we agree and acknowledge that any approval of this plan by the City of Chester is contingent upon my/our obtaining such permits and approvals, and that if all such permits and approvals are not obtained as required, any and all approvals given by the City of Chester with respect to this plan shall automatically become null and void without further action on the part of the City of Chester.

Notary Public

My Commission Expires:

B.4 APPROVAL/REVIEW BLOCK.

REVIEWED BY THE DELAWARE COUNTY PLANNING COMMISSION

County Planning Commission Staff Person Date

REVIEWED BY THE CITY ENGINEER

City Engineer Date

APPROVED BY THE CHESTER CITY PLANNING COMMISSION

Chairperson Secretary Date

APPROVED FOR RECORDING

Chairperson of Planning Commission or Designee Secretary Date

B.5. SUBDIVISION & LAND DEVELOPMENT EXTENSION OF TIME – MODEL FORMAT.

Date: _____

TO: Chester Planning Commission

FROM: _____

SUBJECT: Time Extension Request for the SALDO Application of

I hereby certify that I am authorized to act on behalf of the applicants for the subject application.

I hereby provide a written time extension until _____ for action by the Chester Planning Commission upon this application under the City Subdivision and Land Development Ordinance. This time extension is contingent upon acceptance by the Chester Planning Commission.

Signature

Date

Printed Name and Title

This time extension has been accepted by the City of Chester.

Chairperson, Chester Planning Commission or His/Her Designee

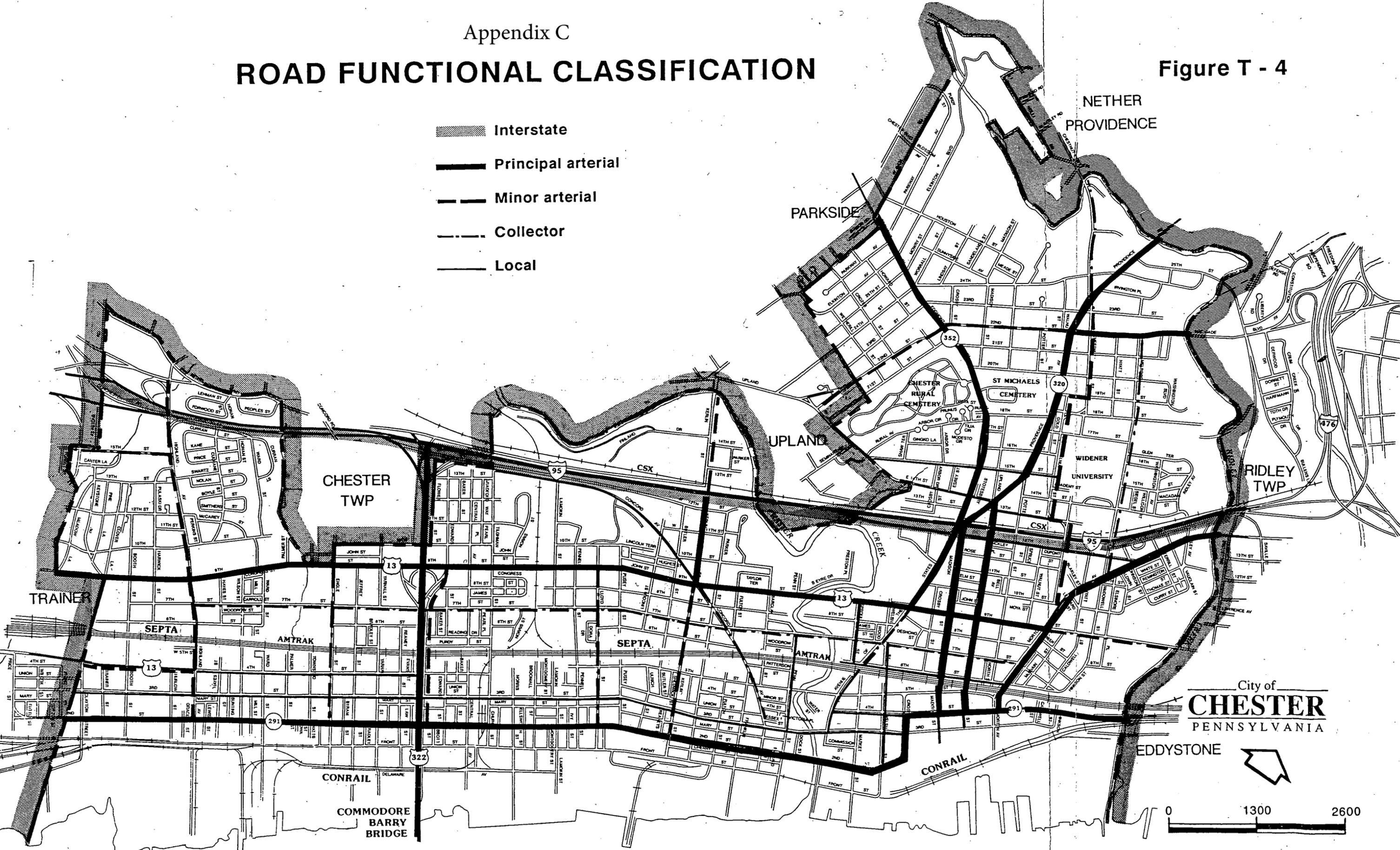
Attest:

Date

ROAD FUNCTIONAL CLASSIFICATION

Figure T - 4

-  Interstate
-  Principal arterial
-  Minor arterial
-  Collector
-  Local



APPENDIX D
Model Developer's Agreement Format

Specific provisions may be added for an individual project or to address legal matters identified by the City Solicitor's office.

This Development Agreement is entered into by and between the City of Chester, hereinafter called "the City" and _____, hereinafter called "Developer".

WHEREAS, the Developer has submitted to the City a plan and application for a Subdivision or Land Development Plan located at _____ which is known and designated as _____.

WHEREAS, the City has required that Public Improvements shall be completed by the Developer, as provided in the City of Chester Subdivision and Land Development Ordinance, as amended.

WHEREAS, the City and the Developer desire to set forth an agreement to clarify the Developer's responsibilities, including the responsibility to install the Public Improvements, to provide financial security, and to reimburse the City for certain costs.

NOW, THEREFORE, intending to be legally bound hereby, the City and the Developer agree as follows:

1. The Developer, at their own cost and expense, shall proceed to complete Public Improvements as shown on the approved Subdivision or Land Development Plan, and consistent with ordinance requirements and specifications of the City.
2. The City, or its designee, and the Developer shall agree upon a notification procedure and a schedule of field inspections to be made during construction and upon completion of all Public Improvements.
3. Upon completion of the Public Improvements, the Developer shall give notice to the City, in writing, to inspect the Public Improvements. The City shall inspect the Public Improvements and shall approve same if they are completed in accordance with the Subdivision or Land Development Plan and acceptable engineering practices. If the City disapproves, the City shall notify the Developer promptly.
4. The Developer agrees to reimburse the City for professional engineering consultant services, necessitated by the review and approval of the Developer's plans and necessitated by the review and inspection of all required Public Improvements (both at the plan and installation stages) at the prevailing rate, plus associated itemized expenses, where applicable. The Developer agrees to reimburse the City for engineering and professional consultant services associated with the As-Built Plan review. It is agreed that payment for services completed prior to recording shall be payable by Developer within 45 days after the date of invoice and prior to recording of the Developer's Subdivision or Land Development Plan.

5. Where applicable, the Developer agrees to reimburse the City for Solicitor services necessitated by the review and approval of the Developer's plan and necessitated by the review of all required financial security and other agreements. It is agreed the Solicitor's services shall be payable within 45 days after the date of invoice and prior to recording of the Developer's Subdivision or Land Development Plan.
6. Notwithstanding the foregoing, the Developer reserves the right to contest the amount and/or reasonableness of the fees pursuant to the provisions of the Pennsylvania Municipalities Planning Code ("MPC"), as amended.
7. To assure completion of the Public Improvements required as a condition for the final approval of the Developer's Subdivision and Land Development Plan, the Developer shall provide for deposit with the City, financial security consistent with the City of Chester Subdivision and Land Development Ordinance, as amended, and Article V of the MPC in the amount sufficient to cover the costs of all Public Improvements, including, but not limited to: Streets, Street signs, sidewalks, curbs, Landscaping, storm drainage for Dedication or which affect adjacent properties or Streets, sanitary sewer facilities for Dedication, water supply facilities for Dedication, fire hydrants, Lot Line Markers, survey Monuments, and other related facilities. Such security shall provide for, and secure the completion of the Public Improvements. The amount of financial security shall be equal to one hundred ten percent (110%) of the cost of the required Public Improvements for which financial security is posted. The cost of the Public Improvements shall be established by submission to the City of an estimate prepared by the Developer's Engineer, which shall need review and approval by the City or its designees.
8. The following schedule, phasing and deadlines shall apply for the completion of construction of required improvements. _____

9. The required financial security shall remain in place and in effect, until the Developer's security obligations are released by the City. The Developer shall notify the City Engineer in writing at least 60 days prior to any expiration date of the financial security, and shall renew or replace the required financial security prior to any expiration date, and provide written evidence of such renewal or replacement to the City Engineer.
10. In the event that the Developer does not properly complete and/or does not make full financial payments for any of the required improvements, or does not comply with a City-approved schedule without receiving a written extension, then financial security that was required shall be payable to the City of Chester, to the extent necessary to pay for such improvements, according to amounts determined by the City Engineer. To carry out this provision, the Developer hereby authorizes the financial institution or entity in control of such security to pay to the City from the financial security as the City directs in writing as is necessary to pay for said improvements.

11. During construction, public streets shall be kept clean of mud from construction vehicles leaving the construction site.
12. During construction, the Developer shall keep the property clear of debris and rubbish, and shall secure items that may be carried by winds or flood waters. The on-site burning of rubbish is prohibited.
13. In the event the Developer does not complete the required improvements in compliance with this Agreement, it is agreed that the City may exercise all its rights and remedies as set forth in this Agreement, the Subdivision and Land Development Ordinance, and the laws of the Commonwealth of Pennsylvania.
14. After the satisfactory completion of all of the required work and approval by the City of the required improvements, the City shall discharge the financial security, provided the Developer delivers to the City the required maintenance security. This maintenance security shall be in a form and from a source acceptable to the City and shall be in favor of the City to guarantee the maintenance, including street surfaces, of required improvements for a period of 18 months following the acceptance of such improvements pursuant to Section 509(k) of the MPC. The amount of said maintenance security shall be 15 percent of the actual cost of installation of required improvements and shall be available for the maintenance and replacement and repair as needed of such improvements.
15. All construction traffic control along streets and sidewalks (including any necessary signs) shall be in accordance with PennDOT Publication 203 or its successor publication. All such expenses of traffic control are to be paid by the Developer.
16. It is specifically understood that this Agreement is binding upon the Developer, their successors, assigns, agents, representatives and officers, and that any partial or whole transfer of lot ownership, construction rights, approvals or agreements, shall subject the transferee and all transferee's contractors and subcontractors to all provisions of the Approvals, this Agreement, and all other regulations, statutes and ordinances of the City and the Commonwealth of Pennsylvania.

IN WITNESS WHEREOF, the parties hence caused this Development Agreement to be executed, dated this _____ day of _____, 20 ____.

CITY OF CHESTER

Attest

(Notary Seal)

Developer

Attest

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