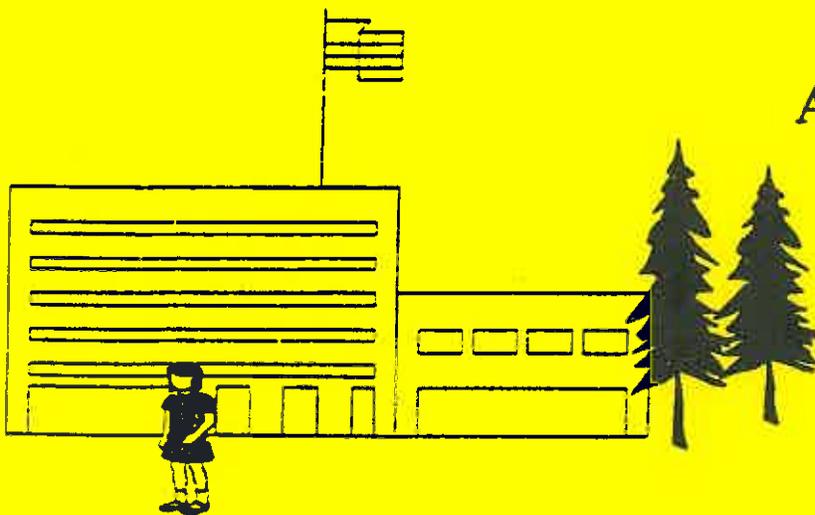
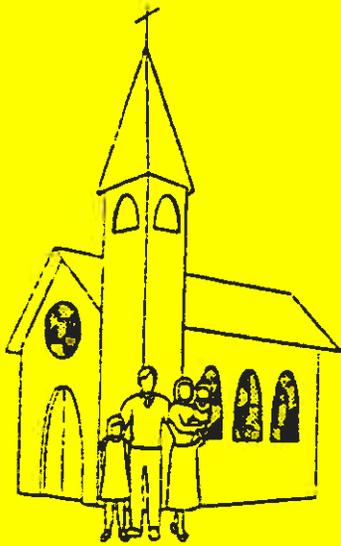


CAMP HILL BOROUGH

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE



APRIL 1993

SUBDIVISION AND
LAND DEVELOPMENT
ORDINANCE
BOROUGH OF CAMP HILL

Ordinance 928

APRIL 1993

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ORDINANCE NO.

AN ORDINANCE REGULATING THE SUBDIVISION OF LAND AND LAND DEVELOPMENT WITHIN THE BOROUGH OF CAMP HILL, CUMBERLAND COUNTY, PENNSYLVANIA, PROVIDING FOR THE PREPARATION OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSE; REQUIRING CERTAIN IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER; REGULATING SALE OF LOTS, ERECTION OF BUILDINGS, LAYING OUT, CONSTRUCTION, OPENING AND DEDICATION OF STREETS, SEWERS, OTHER FACILITIES, AND PUBLIC IMPROVEMENTS IN CONNECTION WITH SUBDIVISION, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

THE BOROUGH COUNCIL OF THE BOROUGH OF CAMP HILL, CUMBERLAND COUNTY, PENNSYLVANIA, PURSUANT TO ACT 247, (PENNSYLVANIA MUNICIPALITIES PLANNING CODE) AS AMENDED, DOES ENACT AND ORDAIN:

ARTICLE I

SHORT TITLE

Section 101. SHORT TITLE. These regulations shall be known and may be cited as "The Camp Hill Borough Subdivision and Land Development Ordinance."

ARTICLE II

PURPOSE, AUTHORITY, APPLICATION AND INTERPRETATION

Section 201. **PURPOSE OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.** The purpose of this Subdivision and Land Development Chapter is to provide for harmonious development of the municipality and county by:

1. Ensuring the orderly and efficient integration of subdivisions into the development of the Borough of Camp Hill.
2. Ensuring sites suitable for building purposes and human habitation.
3. Ensuring conformance of subdivision plans with public improvement plans.
4. Ensuring coordination of inter-municipal public improvement plans and programs.
5. Ensuring the protection of water resources and drainageways.
6. Ensuring the efficient movement of traffic.
7. Ensuring the management of stormwater run-off problem areas.
8. Ensuring equitable handling of all subdivision plans by providing uniform standards and procedures.
9. Ensuring the greater health, safety, and welfare of the citizens of the Borough of Camp Hill.
10. Ensuring the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.
11. Encouraging and promoting flexibility, economy, and ingenuity in the layout and design of subdivisions and land developments.
12. Encouraging the use of renewable energy systems and energy conserving building design.

Section 202. **AUTHORITY.**

1. The Camp Hill Borough Council shall have the authority to approve or disapprove all preliminary and final subdivision or land development plat applications as required herein.
2. The Camp Hill Borough Planning Commission is hereby designated as the agency which shall review and make recommendations on all subdivision and land

development plat applications as required herein, prior to action on same by the Borough Council.

Section 203. COUNTY REVIEW. Applications for subdivision and land development located within the Borough of Camp Hill shall be forwarded upon receipt, with the appropriate review fee, to the Cumberland County Planning Commission for review and report. The Borough Council shall not approve such applications until the county review report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County Planning Commission. As evidenced of their review and report, officials of the County Planning Commission will sign final plats which have been formally approved by the municipality before such plats are presented for recording.

Section 204. APPLICATION OF REGULATIONS.

1. No subdivision or land development of any lot, tract or parcel of land located in the Borough of Camp Hill shall be effected; no street, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings thereon unless and until a final subdivision plat has been approved by the Borough Council and publicly recorded in the manner prescribed herein; nor otherwise; except in strict accordance with the provisions of this Ordinance.
2. No lot in a subdivision may be sold; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development, unless and until a final subdivision plat has been approved by the Borough Council and recorded, and until construction of the improvements required in the manner prescribed herein.

Section 205. INTERPRETATION. In interpreting and applying the provisions of this Chapter, they shall be held to be minimum requirements for the promotion of public health, safety, comfort, convenience, and greater welfare. Where provisions of this Chapter impose greater restrictions than those of any statute, other ordinance, restriction, or regulation, the provisions of this Chapter shall be controlling. Where the provisions of a statute, other ordinance, resolution, or regulation imposes greater restrictions than this Chapter, the provisions of such statute, resolution, ordinance, or regulation shall be controlling.

ARTICLE III

DEFINITIONS

Section 301. DEFINITIONS. Unless otherwise expressly stated, the following words shall, for the purpose of this Chapter have the meaning herein indicated.

ACCESSORY BUILDING OR STRUCTURE: A subordinate structure detached from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

ALLEY: An "alley" is a minor way, which may or may not be legally dedicated, and is used primarily for vehicular service access to the rear or side of properties abutting on a street.

APPLICANT: A landowner or developer, as herein-after defined, who has filed an application for development including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT: Every application, whether preliminary, tentative or final required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan, or for the approval of a development plan.

BASE FLOOD ELEVATION: The one hundred (100) year flood elevation as indicated on the Flood Insurance Rate Map (FIRM), as revised, for the Borough of Camp Hill, Cumberland County, Pennsylvania, prepared by the Federal Emergency Management Agency, Federal Insurance Administration.

BLOCK: An area bounded by streets.

BOROUGH COUNCIL: The Borough Council of Camp Hill, Cumberland County, Pennsylvania.

BUILDING SETBACK LINE: The line within a property defining the required minimum distance permitted between any principal or accessory structure and the adjacent right-of-way, and the line defining side and rear yards, where required.

CARTWAY: The portion of a street or alley which is improved, designated, or intended for vehicular use.

CHAIRMAN: The Chairman of the Camp Hill Borough Planning Commission.

CLEAR SIGHT TRIANGLE: A triangular shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection (see Exhibit VI).

COMMISSION: The Camp Hill Borough Planning Commission.

COMMON ELEMENTS: Land amenities, parts of buildings, central services and utilities, and any other elements and facilities owned and used by all unit owners and are designated as common elements. These elements may include but are limited to:

1. The land on which the building is located and portions of the building which are not included in a unit;
2. The foundation, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways, entrances and exits of the building;
3. The yards, parking area, and driveways;
4. Portions of the land and building used exclusively for the management, operation or maintenance of the common elements;
5. Installations of all central services and utilities;
6. All other elements of the building necessary or convenient to its existence, management, operation, maintenance and safety or normally in common use; and
7. Such other facilities as are designated as common elements.

COMMON OPEN SPACE: A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

CONDOMINIUM: Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

CONDOMINIUM ASSOCIATION: The community association which administers and maintains the common property and common elements of a condominium.

COUNTY: County of Cumberland, Pennsylvania.

CROSS-WALK: A right-of-way, publicly or privately owned, intended to furnish access of pedestrians.

CUL-DE-SAC: A minor street open at one (1) end for vehicular and pedestrian access with the opposite end terminating in a vehicular turn around.

CULVERT: A drain, ditch or conduit not incorporated in a closed system, that carries drainage water under a driveway, roadway, railroad, pedestrian walk or publicway.

CURB: A stone or concrete boundary usually marking the edge of the cartway or paved areas.

CURB CUT: The opening along the curb line at which point vehicles may enter or leave the roadway.

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

DEVELOPER: 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 PLAN: The provisions for development including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of development plan" when used in this Chapter shall mean the written and graphic materials referred to in this definition.

DRAINAGE: (1) Surface water runoff; (2) The removal of surface water or ground water from land by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction of development, the means for preserving the water supply and the prevention or alleviation of flooding.

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

DRAINAGE SYSTEM: Pipes, swales, natural features and man-made improvements designed to carry drainage.

DRIVEWAY: A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.

DWELLING: A single unit providing complete independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

DWELLING, EARTH SHELTERED: Any completed building or structure that was designed to be built partially or wholly underground. A completed building or structure which was not intended to serve as a substructure or foundation for a building.

DWELLING, INDUSTRIALIZED HOUSING: Any structure designed primarily for residential occupancy, except a mobile home, which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on the building site in such a manner that all concealed parts or processes of manufacture cannot be inspected at the site without disassembly, damage or destruction.

DWELLING, MOBILE HOME: A transportable, single-family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

DWELLING, MULTI-FAMILY: A building used by three (3) or more families living independently of each other and doing their own cooking including apartment houses, row houses, or townhouses.

DWELLING, SINGLE-FAMILY DETACHED: A dwelling which is designated for and occupied by not more than one (1) family and surrounded by open space or yards and which is not attached to any other dwelling by any means.

DWELLING, SINGLE-FAMILY, ATTACHED (TOWNHOUSES): A one-family (1) dwelling attached to two (2) or more one (1) family dwellings by common vertical walls.

DWELLING, TWO FAMILY, DETACHED (DUPLEX): A building used by two (2) families, with one (1) dwelling unit arranged over the other, and having two (2) side yards.

DWELLING, TWO-FAMILY, SEMI-DETACHED (DOUBLE DUPLEX): A building used by two (2) families, with one (1) dwelling unit arranged over the other, having one (1) side yard and one (1) party wall in common with another building.

EASEMENT: A right-of-way granted for the limited use of land for public or quasi-public purposes.

ENGINEER, MUNICIPAL: A registered professional engineer in Pennsylvania designated by the municipality to perform the duties of engineer as herein specified.

ENGINEER, PROFESSIONAL: An individual licensed and registered under the laws of the Commonwealth to engage in the practice of engineering. A professional engineer may not practice land surveying unless licensed as set forth in P.L. 534, No. 230; however, a professional engineer may perform engineering land surveys.

ENGINEERING LAND SURVEYS: Surveys for; (i) the development of any tract of land including the incidental design of related improvements, such as line and grade extension of roads, sewers and grading but not requiring independent engineering judgement; provided, however, that tract perimeter surveys shall be the function of the Professional Land Surveyor; (ii) the determination of the configuration or contour of the earth's surface, or the position of fixed objects thereon or related thereto by means of measuring lines and angles and applying the principals of mathematics, photogrammetry or other measurement methods; (iii) geodetic or cadastral surveys, underground survey and hydrographic survey; (iv) sedimentation and erosion control surveys; (v) the determination of the quantities of materials; (vi) tests for water percolation in soils; and (vii) the preparation of plans and specifications and estimates of proposed work as described herein.

ENGINEERING SPECIFICATIONS: The Engineering Specifications of the municipality regulating the installation of any required improvements or for any facility installed by any owner, subject to public use.

EROSION: The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice and gravity.

EXCAVATION: Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom.

EXISTING GRADE: The vertical location of the ground surface prior to excavation or filling.

FILL: Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. The material used to make a fill.

FINISHED GRADE: The proposed elevation of the land surface of a site after completion of all site preparation work.

FLOOD: A temporary inundation of normally dry land areas.

FLOOD, BASE (ONE-HUNDRED YEAR FLOOD). A flood that, on the average, is likely to occur once every 100 years (i.e. that has a one (1%) percent chance of occurring each year, although the flood may occur in any year).

FLOOD FRINGE: That portion of the floodplain outside the floodway.

FLOOD HAZARD BOUNDARY MAP (FHBM): An official map of a community, issued by the Federal Insurance Administration.

FLOOD HAZARD, AREAS OF SPECIAL: The land in the flood plain within a community subject to a one (1%) percent or greater chance of flooding in any given year.

FLOOD PLAIN: (1) a relatively flat or low land area adjoining a river, stream, or watercourse, which is subject to partial or complete inundation; (2) an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD-PROOFING: Any combination of structural and non-structural additions, changes or adjustments to proposed or existing structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOOD-WAY: The designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Chapter the flood-way shall be capable of accommodating a flood of the one-hundred (100) year magnitude.

FUTURE RIGHT-OF-WAY: (1) right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads; (2) a right-of-way established to provide future access to or through undeveloped land.

GOVERNING BODY: The Borough Council of Camp Hill, Cumberland County, Pennsylvania.

GRADE, EXISTING: See definition **EXISTING GRADE**.

GRADE, FINISHED: See definition **FINISHED GRADE**.

IDENTIFIED FLOOD PLAIN AREA OR DISTRICT: Those floodplain areas specifically designated in the Borough of Camp Hill Zoning Chapter as being inundated by the one hundred (100) year flood. Included would be areas identified as the Floodway (FW) and the Flood Fringe (FF).

IMPROVEMENTS: Any man-made immovable item which becomes part of, placed upon, or is affixed to, real estate.

LAND DEVELOPMENT: Any of the following activities:

1. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 - A. A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or,
 - B. The division or allocation of land or space, whether initially or cumulatively, between or among two (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. "Land development" does not include development which involves:
 - A. The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
 - B. The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building; or
 - C. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

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

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 AREA: The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any rights-of-way, but including the area of any easement.

LOT, DOUBLE FRONTAGE: An interior lot having frontage on two (2) streets.

LOT, REVERSE FRONTAGE: A lot extending between, and having frontage on an arterial streets and a minor street, and with vehicular access solely from the latter.

MASTER DEED: A legal instrument under which title to real estate is conveyed and by which a condominium is created and established.

MOBILE HOME, DWELLING: See definition DWELLING, MOBILE HOME.

MOBILEHOME LOT: A parcel of land in a Mobilehome Park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome.

MOBILEHOME PARK: A parcel or contiguous parcel of land which has been so designated and improved that it contains two (2) or more mobilehome lots for the placement thereon of mobilhomes.

MUNICIPAL AUTHORITY: A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945, herein the Municipal Authority of the Borough of Camp Hill."

OPEN SPACE, COMMON: See definition COMMON OPEN SPACE.

OPEN SPACE, PUBLIC: Open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

PERSON: Any individual or group of individuals, partnership, co-partnership, or corporations.

PLAN, COMPREHENSIVE: The Development Policy Plan (Master Plan) and/or Future Land Use Plan and/or Official Map or other such Plans, or portions thereof, as may be adopted, pursuant to statute, for the area of the municipality in which the subdivision or land development is located.

PLAN, SKETCH: An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development.

PLANNED RESIDENTIAL DEVELOPMENT: An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and non-residential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density or intensity, lot coverage and required open space to the regulations established in any one District created, from time to time, under the provisions of this Chapter.

PLANNING COMMISSION: Camp Hill Borough Planning Commission, Cumberland County, Pennsylvania.

PLAT: The map or plan of a subdivision or land development, whether preliminary or final.

PLAT, FINAL: A complete and exact subdivision or land development plan, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

PLAT, PRELIMINARY: A tentative subdivision or land development plan, in lesser detail than a final plan, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

PRINCIPAL BUILDING OR PRINCIPAL USE: The basic purpose for which a building or land area is occupied or intended to be occupied as opposed to accessory or incidental uses; usually classifiable as residential, commercial, manufacturing or public in nature.

PRIVATE ROAD: A legally established right-of-way, other than a public street, which provides the primary pedestrian and vehicular access to one (1) or more lots and constructed to the design standards containing in this Chapter.

PROFILE LINE: Means the profile of the center line of the finished surface of the street, which shall be midway between the sidelines of the street.

PUBLIC GROUNDS: Includes:

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

PUBLIC HEARING: A formal meeting held pursuant to public notice by the Borough Council or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Chapter.

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

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

REAL ESTATE: Any fee, leasehold or other estate or interest in, over or under land, including structures, fixtures and other improvements and interests which by custom, usage or law pass with a conveyance of land though not described in the contract of sale or instrument of conveyance. Real estate includes parcels with or without upper or lower boundaries, and spaces that may be filled with air or water.

RESERVE STRIP: A strip of land adjacent to a street intended to control access to the street from an adjacent property.

REVERSE FRONTAGE LOT: See definition LOT, REVERSE FRONTAGE.

RIGHT-OF-WAY STREET: A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.

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

SANITARY SEWER (PUBLIC): A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.

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

SEPTIC SYSTEM: An underground system with a septic tank used for the decomposition of domestic wastes. Also referred to as an "on-lot system."

SERVICE DRIVE (Private): A service way providing a secondary means of private access to abutting property and not intended for general traffic circulation.

SETBACK LINE: See definition BUILDING SETBACK LINE.

SHADOW ANALYSIS: A graphic representation of shadows cast by nature landscaping, screening and structures plotted with regard to topography, slope, and direction at 9:00 a.m., noon and 3:00 p.m. on the date of the Winter Solstice.

SIDEWALK: A paved, surfaced or leveled area, parallel to and usually separated from the street, used as a pedestrian walkway.

SIGHT DISTANCE: The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

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

SOIL STABILIZATION: Chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise to improve its engineering properties.

SOLAR ENERGY: Radiant energy (direct, diffused or reflected) received from the sun at wave lengths suitable for conversion into thermal, chemical or electrical energy.

SOLAR ENERGY COLLECTOR: Any device, structure or part of a device or structure which is used primarily to transform solar energy into thermal, chemical or electrical energy, including any space or structural component specifically designed to retain heat derived from solar energy.

SOLAR ENERGY SYSTEM: A complete design or assembly consisting of a solar energy collector, an energy storage facility (where appropriate) and components for the distribution of transformed energy to the extent that they cannot be used jointly with a conventional energy system. Passive solar energy systems which use the natural properties of materials and architectural components to collect and store solar energy without using any external mechanical power are included in this definition if they do not fulfill structural or other functions.

SOLAR SKYSPACE: The space between a given location and the sun which must remain unobstructed between 9:00 a.m. and 3:00 p.m. mean solar time on the date of the Winter Solstice in order to permit sufficient solar energy to impinge on the location to allow efficient solar utilization.

SOLAR SKYSPACE EASEMENT: A right, expressed as an easement, covenant or condition or other property interest in any deed or other instrument executed by or on behalf of any landlord which protects the solar skyspace of an actual, proposed or designated solar energy collector at a described location by forbidding or limiting activities or land uses that interfere with access to solar energy. The solar skyspace may be described as a three-dimensional space in which an obstruction is prohibited or limited, or as the times of day during which direct sunlight to the solar energy combination of the two (2) methods.

STORMWATER DETENTION: Any storm drainage technique that retards or detains runoff, such as detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells or any combination thereof.

STREAM: A watercourse having a source and terminus, banks and channel through which waters flow at least periodically.

STREET: Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

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

STREET, MAJOR:

1. **ARTERIAL STREET:** A major street or highway with fast or heavy traffic volumes of considerable continuity and used primarily as a traffic artery for inter-communications among large areas.
2. **COLLECTOR:** A major street or highway which carries traffic from minor streets to the major system of arterial streets, including principal entrance streets of a residential, commercial or industrial development and streets for major circulation within such developments.
3. **LIMITED ACCESS HIGHWAY:** A major street or highway which carries large volumes of traffic at comparatively high speed with access at designated points and not from abutting properties.

STREETS, MINOR: A street used primarily for access to abutting properties.

1. **MARGINAL ACCESS STREET:** A minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from through traffic.
2. **CUL-DE-SAC:** See definition CUL-DE-SAC.

STREET WIDTH: The shortest distance between the lines delineating the right-of-way of a street.

STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVIDER: The owner or authorized agent of the owner of a lot, tract or parcel of land to be subdivided for sale or development under the terms of this Chapter.

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

1. **MAJOR SUBDIVISION:** Any subdivision involving more than six (6) lots, parcels of land or other divisions of land whether or not they involve new streets, additional utilities or other facilities immediate or future.
2. **MINOR SUBDIVISIONS:** The subdivision of a single lot, tract or parcel of land into six (6) or fewer lots, tracts or parcels of land, for the purpose, whether immediate or future, of transfer of ownership or of building development, providing lots, tracts or parcels of land thereby created having frontage on an improved public street or streets and providing further that there is not created by the subdivision any new street, street easement, easements of access or need therefore.

SUBSTANTIALLY COMPLETED - Where in the judgment of the Borough engineer, at least ninety (90%) percent (based on the cost of the required improvements for which financial security was posted pursuant to the requirements of this Chapter) 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.

SURFACE DRAINAGE PLAN: A plan showing all present and proposed grades and facilities for storm water drainage.

SURVEYOR, PROFESSIONAL LAND: An individual licensed and registered under the laws of this Commonwealth to engage in the practice of land surveying. A professional land surveyor may perform engineering land surveys but may not practice any other branch of engineering.

SWALE: A low-lying stretch of land characterized as a depression used to carry surface water runoff.

TOPOGRAPHIC MAP: A map showing the elevations of the ground by contours or elevations.

TOPOGRAPHY: The configuration of a surface area showing relative elevations.

TOP SOIL: Surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Top soil is usually found in the uppermost soil layer called the "A" Horizon.

UNDEVELOPED LAND: Any lot, tract or parcel of land which has not been graded to in any other manner prepared for the construction of a building.

UNIT: means a part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way or to an easement or right-of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.

UTILITY, PUBLIC OR PRIVATE: (1) Any agency which under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other similar service; (2) a closely regulated private enterprise with an exclusive franchise for providing a public service.

WATERCOURSE: A permanent stream, intermittent stream, river, brook, creek, or a channel or ditch for water, whether natural or man-made.

WATER SURVEY: An inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Borough.

WETLANDS: "Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas" (definition used by U.S. Environmental Protection Agency and U.S. Army Corps of Engineers, see Appendix B for further wetlands definitions)

WIND ENERGY CONVERSION SYSTEM (WECS): A device which converts wind energy to mechanical or electrical energy.

WIND ROTOR: The blades, plus hub to which the blades are attached, that are used to capture wind for purpose of energy conversion. The wind rotor is generally used on a pole or tower and, along with other generating and electrical storage equipment, forms a wind energy conversion system.

ARTICLE IV

PLAT SPECIFICATIONS AND PROCESSING PROCEDURES

Section 401. GENERAL REQUIREMENTS. Whenever a subdivision of land or land development is desired to be effected in the Borough of Camp Hill, Cumberland County, Pennsylvania, a plat of the layout of such subdivision or land development shall be prepared, filed and processed according to the requirements of this Chapter.

Section 402. SKETCH PLANS.

1. Prior to the filing of a subdivision or land development plat for review and approval, the Applicant is encouraged to submit a Sketch Plan to the Planning Commission for advice on the requirements necessary to achieve conformity with the standards of this and other applicable municipal ordinances, as well as, to alert the Applicant to other factors which must be considered in the design of the subdivision or land development.
2. The plan shall be clearly labeled "SKETCH PLAN" and should include sufficient information to clearly indicate the character and extent of the proposed subdivision or land development and its relationship to existing conditions and facilities within the area in which it is to be located. It is recommended that Sketch Plan submissions include a map covering sufficient area to establish the location of the site and an informal plan of any existing or proposed streets, buildings, lot arrangement, utilities, significant natural features and other elements within the subdivision or land development including topographic contours.
3. Prior to the preparation of any plans, the Applicant should consult the Cumberland County Conservation District representative concerning the preparation of plans for erosion and sedimentation control.
4. The Applicant shall be advised of the accessibility of public sewerage and public water to the development site. If the site is located within an area planned or currently receiving public water and/or sanitary sewer services, the Applicant shall consult with the appropriate utility.
5. At this stage, the Commission shall assist the Applicant in determining whether or not the site is located in an identified flood hazard area, in which case compliance with applicable flood plain management provisions shall be required.
6. If it is known that the parcels being created will be used for development requiring a Special Permit, or for development that is considered dangerous to human life, prospective developers should check the provisions contained in the Camp Hill Borough Zoning Ordinance, which pertain specifically to such development.

Section 403. MINOR SUBDIVISION AND LAND DEVELOPMENT APPLICATION.
Where five (5) or fewer lots are proposed to be subdivided from a tract of land or where land is being transferred to be combined with an existing lot, the Borough Council, being advised by the Planning Commission, in response to a written request by the Applicant, may waive the requirements of Preliminary Plat requirements, provided such proposal is on an existing street and no new streets are involved. In such cases the applicant shall submit a Final Plat as follows:

1. The Final Plat shall be submitted and processed as required by Section 406, "FINAL PLATS: PROCEDURE", and contain the following data and plat specifications:
 - A. Submit a stormwater management/erosion and sedimentation control plan as required by the "Pennsylvania Clean Streams Law", and the Pennsylvania Department of Environmental Resources "Erosion Control Rules and Regulations: (Title 25, PART I, Subpart C, Article II, Chapter 102 - EROSION CONTROL). The plan content shall be prepared in accordance with the erosion control measures set forth in the Erosion and Sediment Control Handbook prepared by the Cumberland, Dauphin, and Perry County Conservation Districts and applicable provisions herein.
 - B. Ten (10) copies and one (1) reproducible sepia (or other reproducible material of equal quality) copy of the plat prepared by a registered surveyor or engineer on sheets no larger than 18" x 24" clearly labeled "FINAL PLAT", shall be submitted containing the following information:
 - (1) The development or property name.
 - (2) Outline of the property from which the lot or lots are being subdivided.
 - (3) Bearings and distances of the property taken from the property deed including the primary control point.
 - (4) Adjacent landowner's names.
 - (5) Location on the property map of existing streets, streams, and woods.
 - (6) A separate drawing of the proposed lot (maximum scale 1" = 100') with lot area, and minimum distances of lot lines, existing street right-of-way, width, cartway width, and street name and number, easements, existing man made features, building setback lines, and contours, with a two (2') foot interval.
 - (7) A location map on the plat (Minimum scale 1" = 1,000') showing property location, streets and other pertinent information.

- (8) Name of the Zoning District in which the site is located.
- (9) Additional data required on the plat.
 - (a) Name, address, and telephone number of owner or applicant.
 - (b) Name, address, and telephone number and seal of professional engineer certifying engineering aspects and professional land surveyor certifying accuracy of plat survey (as defined herein). (Example contained in Exhibit I herein.)
 - (c) Date of plat preparation.
 - (d) Date the parcel being subdivided and/or developed was recorded in the deed of records in Cumberland County.
 - (e) Municipality where property is located.
 - (f) North point and scale.
 - (g) Certification of ownership and dedicatory statement signed by owner. (Example contained in Exhibit I herein.)
 - (h) Notary public and recording statement. (Example contained in Exhibit I herein.)
 - (i) Approval blocks to be signed by the Planning Commission and the Borough Council. (Example contained in Exhibit II herein.)
 - (j) Location and description of survey monuments shown on the plat.
 - (k) Locations of existing and/or proposed public utilities.
 - (l) Existing natural features, such as watercourses, wetlands, marshes, rock outcrops and wooded areas.
 - (m) Proposed Protective Covenants running with the land, if any.
 - (n) Reference to recorded subdivision plats of adjoining platted land and by record name, date and number.

- (o) When applicable, a copy of the "Sewage Module for Land Development" or other equivalent documentation approved by the Department of Environmental Resources in compliance with the requirements of the Pennsylvania Sewage Facilities Act and Chapter 71 of Title 25 of the Pennsylvania Code.
- (p) When applicable, a statement should be included on plat regarding the presence of wetlands. The statement should note that no development is proposed within wetlands or that the necessary approvals for the disturbance of wetlands have been obtained from the appropriate Federal and State regulating agencies. Disturbance of wetlands shall include, but not be limited to filling, draining or building activities.
- (q) Compliance with Section 407.1.a(20)(g) of this Chapter pertaining to applications located in a flood hazard area.
- (r) Where the proposed subdivision abuts a State Highway (Pennsylvania Route or United States Route), evidence in writing from the Pennsylvania Department of Transportation indicating the Department's concurrence with the proposed design for driveway access and drainage required for issuance of the Department's Highway Occupancy permits.
- (s) Such other data as may be required by the Planning Commission or Borough Council in the enforcement of this Chapter.

Section 404. PRELIMINARY PLATS: PROCEDURE.

1. The applicant, fourteen (14) calendar days prior to the meeting of the Commission at which consideration is desired, shall file with the Zoning Officer, ten (10) copies of a preliminary plat of the proposed subdivision or land development and other required data and maps. The applicant shall submit concurrently, with the Preliminary Plat, five (5) copies of the sewage "Plan Revision Module for Land Development", if applicable.
2. The Commission shall submit copies to the County Planning Commission, and Borough Engineer and may submit copies to the Public Utilities, School Board, Cumberland County Conservation District, Pennsylvania Department of Environmental Resources and other Public Agencies. The Borough Council, upon the recommendation of the Commission shall act on any such Preliminary Plat not later than ninety (90) days following the date of the regular meeting of the Borough Council or the Planning Commission (whichever first reviews the application) following the date the application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of

the application, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed. In the event that any alteration of requirements from this Chapter is requested by the applicant or is deemed necessary by the Commission for approval, the alteration and the reason for its necessity shall be entered in the records of the Commission.

3. The Cumberland County Planning Commission shall review the Preliminary Plat and Data and shall return one (1) copy of a written report stating their suggestions for modifications and design changes to the Planning Commission within thirty (30) days of their receipt of same or forfeit their right to review.
4. The Borough Council shall determine whether the Preliminary Plat shall be approved, or disapproved, and shall notify the applicant in writing thereof, including, if approved with conditions or disapproved, a statement of reasons for such action, not later than fifteen (15) days following the decision.
5. Before acting on any subdivision plat, the Borough Council, may hold a public hearing thereon after public notice.
6. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of this Chapter.
7. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect. (A sample "Agreement to Extend the Time for Rendering and Communicating a Decision on Certain Preliminary and/or Final Subdivision Plans" is contained in Exhibit III herein.)
8. Approval of the Preliminary Plat constitutes approval of the proposed subdivision or land development with respect to the general design, the approximate dimensions and other planned features. Preliminary approval binds the developer to the general scheme of the Plat as approved. Preliminary approval does not authorize the recording, sale or transfer of lots or the installation of improvements.
9. Preliminary approval shall expire within five (5) years after being granted. An extension of time may be requested by the Applicant and approved by the Borough Council in accordance with Section 508(4) of the Pennsylvania Municipalities Planning Code, Act 247, as amended. Request for extension shall be submitted to the Zoning Officer thirty (30) days prior to any prevailing expiration date. Extensions may be granted for no more than three (3) one-year periods.

Section 405. PRELIMINARY PLAT: SPECIFICATIONS.

1. The following shall be submitted in application for review and approval of a Preliminary Plat.
 - A. Ten (10) copies and one (1) reproducible sepia (or other reproducible material of equal quality) copy of a map or series of maps or sheets not larger than 18" x 24" drawn to scale not smaller than one hundred (100) feet to the inch, unless otherwise specified herein, clearly labeled "PRELIMINARY PLAT", and showing the following:
 - (1) The development or property name.
 - (2) The owner's or applicant's name, address and telephone number.
 - (3) The municipality's name in which the plat is located.
 - (4) Name, address, telephone number and seal of the professional engineer certifying engineering aspects and professional land surveyor certifying accuracy of plat survey (as defined herein) (Example contained in Exhibit I herein.)
 - (5) Date the parcel being subdivided and/or developed was recorded in the deed of records in Cumberland County.
 - (6) North point and scale.
 - (7) Certification of ownership and dedicatory statement signed by owner. (Example contained in Exhibit I herein.)
 - (8) Notary public and recording statement. (Example contained in Exhibit I herein.)
 - (9) Approval blocks to be signed by the Planning Commission and the Borough Council. (Example contained in Exhibit II herein.)
 - (10) A diagram, at a scale not less than one thousand (1,000) feet to the inch, covering sufficient area to establish the location of the site within the municipality.
 - (11) Existing natural features, such as watercourses, wetlands, marshes, rock outcrops and wooded areas.
 - (12) All existing buildings, sanitary and storm sewers, water mains, culverts, fire hydrants and other significant man-made features on or adjacent to the tract.

- (13) Existing contours at vertical intervals of two (2') feet or less as required by the Planning Commission. Where due to steep slope, two (2) foot contours are not practical, contours shall be at five (5') foot intervals.
- (14) The layouts, names, and widths of the rights-of-way and cartway of existing and/or proposed streets, alleys and easements.
- (15) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
- (16) Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public or community purposes.
- (17) A map showing the location of the proposed subdivision and/or land development with respect to any identified flood plain area or district, including information on the one-hundred (100) year flood elevations.
- (18) When applicable, a statement should be included on plat regarding the presence of wetlands. The statement should note that no development is proposed within wetlands or that the necessary permits for the disturbance of wetlands have been obtained from the appropriate federal and state regulating agencies. Disturbance of wetlands shall include, but not be limited to filling, dredging, draining, or any building activities.
- (19) Where the subdivision and/or land development lies partially or completely within any identified flood plain area or district or where such activities border on any identified flood plain area or district, the preliminary plat shall include the following information:
 - (a) location and elevation of proposed roads, utilities, and building sites, fills, flood or erosion protection facilities;
 - (b) the one-hundred (100) year flood elevations; and
 - (c) areas subject to special deed restrictions.

All such maps shall show contours at intervals of two (2) or five (5) feet depending upon the slope of the land and identify accurately the boundaries of the identified flood plain areas or districts.

2. The preliminary plat shall be accompanied by the following data and plans:
 - A. A profile of each street, including grades.
 - B. Location of existing and proposed utility mains.
 - C. Location plans of proposed sanitary and/or storm water sewers and of any proposed water distribution systems.
 - D. A profile of the proposed sanitary and storm sewers and water lines, with invert elevations and connections to existing systems.
 - E. A preliminary Erosion and Sedimentation Control Plan together with a report of the County Conservation District indicating whether a permit for earth moving activity is required from the Department of Environmental Resources under the Rules and Regulations, Chapter 102, "Erosion Control" P.L. 1987, June 22, 1937, as amended.
 - F. If necessary, a completed sewage "Plan Revision Module for Land Development" to comply with the planning requirements of the Pennsylvania Sewage Facilities Act and Section 71.16 of Chapter 71 of Title 25 of the Pennsylvania Code for Submission by the municipality to the Department of Environmental Resources.
 - G. Where the proposed subdivision abuts a State Highway (Pennsylvania Route or United States Route), evidence in writing from the Pennsylvania Department of Transportation indicating the Department's concurrence with the proposed design for driveway access and drainage required for issuance of the Department's Highway Occupancy permits.
 - H. Evidence in writing, where one hundred (100) or more dwelling units are proposed in a subdivision or land development, from the school district in which the subdivision or land development is located containing the review and comments of the school district on the proposed development.
 - I. A copy of a report, where deemed necessary by the Borough Council or Borough Engineer, indicating an estimated volume of vehicular traffic movement and the adequacy of the proposed and existing streets and highways to carry the traffic both within and beyond the proposed development including possible solutions to such problems as may be thereby identified.
 - J. A copy of a report, where deemed necessary by the Borough Council or Borough Engineer, indicating the general arrangement for storm water drainage, the estimated volume of water to be generated and the effect of such volumes on the drainageways or streams within the development and that projected volumes can be accommodated by the existing drainage facilities or streams beyond the proposed development.

Section 406. FINAL PLATS: PROCEDURES.

1. The applicant shall, not later than five (5) years after the date of approval of the Preliminary Plat, for that portion intended to be developed, file with the Borough's Zoning Officer a Final Plat. Such filing shall include, as part of the formal submission, all the material and other data required under the Final Plat specifications as listed in Section 407(1)(A)(1) through 407(1)(A)(20) of this Ordinance. Failure to comply with the time limitation herein provided shall make the approval of the Preliminary Plat null and void unless an extension of time is granted in accordance with Section 404(9) herein.
2. The Final Plat shall incorporate all the changes and modifications required by the Borough Council; otherwise it shall conform to the approved Preliminary Plat, and it may constitute only that portion of the approved Preliminary Plat which the applicant proposes to record and develop at the time, provided that such portion conforms with all of the requirements of this Chapter.
3. One (1) reproducible mylar (or other reproducible material of equal quality) copy of the Final Plat and ten (10) prints shall be filed by the applicant with the Borough's Zoning Officer fourteen (14) days prior to the meeting of the Planning Commission at which meeting consideration is desired.
4. Before approval of a Final Plat, the Borough Council must be assured of the completion of all improvements required by Article VI or the Borough Council. Also assurance for phased land development not intended for the immediate erection of buildings where streets, curbs, gutters, street lights, fire hydrants, water and sewage facilities and other improvements which may not be possible to install as a condition precedent to final approval of plats, must be completed prior to the erection of buildings on lands included in the approved plat. Such assurance shall be by means of financial security deposited with appropriate municipal officials in sufficient amount to cover the costs of any improvements and be in the form of Federal or Commonwealth chartered institution irrevocable letters of credit (Example contained in Exhibit IV herein.) or restrictive or escrow accounts in such lending institutions, or any other type of financial security which the Borough Council may approve. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided such bonding company or lending institution is authorized to conduct such business within the Commonwealth. Such financial security shall provide for improvements which may be required within one year of the date fixed in the subdivision plat for completion of such improvements. (A sample "Agreement to Establish Security" is contained in Exhibit V.)
5. The amount of financial security shall be equal to one hundred ten (110%) percent of the cost of the required improvements for which financial security is to be posted. The cost of such improvements shall be established by submitting to the Borough Council, a bona fide bid or bids from the contractor or contractors

chosen by the party posting the financial security to complete the improvements. In the absence of such bona fide bids, the costs shall be established by an estimate prepared by the Borough Engineer.

The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The municipality, upon the recommendation of the municipal engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the municipality are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the municipality and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the municipality and the applicant or developer.

6. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amounts of financial security may be increased by an additional ten (10%) percent for each one (1) year period beyond the first anniversary date from posting of the financial security or to an amount not exceeding one hundred ten (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 bidding procedure. Where development is projected over a period of years, the Borough Council may authorize submission of final plats by sections or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
7. As the work of installing the required improvements proceeds, the party posting the financial security may request the Borough Council to release or authorize the release of, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Borough Council who shall have forty-five (45) days from receipt of such request in which to allow the Borough Engineer to certify, in writing, to the Borough Council that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification, the Borough Council shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer, fairly representing the value of the improvements completed. If the Borough Council fails to act within the said forty-five (45) day period, it shall be deemed to have approved the release of funds as requested. The Borough Council may, prior to final release at the time of completion and certification by its Engineer, require retention of ten (10%) percent of the estimated cost of the aforesaid improvements.

8. Where the Borough Council accepts dedication of all or some of the required improvements following completion, it may require the posting of financial security to secure the structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of such financial security shall not exceed fifteen (15%) percent of the actual cost of installation of said improvements.
9. If sanitary sewer lines, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or Municipal Authority separate and distinct from the Borough, 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 and shall not be included within the financial security as otherwise required by this Section.
10. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this section, the Borough shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted on the final plat, upon actual completion of the improvements depicted on the approved final plat. If financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted on the approved plat either on the lot or lots or beyond the lot or lots in question, if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.
11. When the developer has completed all of the required improvements, the developer shall notify the Borough Council, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer.
 - A. The Borough Council shall, within ten (10) days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the required improvements.
 - B. The Borough Engineer shall, thereupon, file a report, in writing, with the Borough Council and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Borough Engineer of the authorization for inspection by the Borough Council.

- C. The report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Borough Engineer, said report shall contain a statement of reasons for nonapproval or rejection.
 - D. The Borough Council shall notify the developer, in writing by certified or registered mail, of its action with relation thereto.
 - E. If the Borough Council or the Borough Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released of all liability, pursuant to its performance guaranty.
 - F. If any portion of the said improvement shall not be approved or shall be rejected by the Borough Council, the developer shall proceed to complete the same, and upon completion, the same procedure of notification as listed above shall be followed.
12. Before acting on any subdivision plat, the Borough Council may hold a public hearing thereon after public notice.
 13. The Borough Council shall determine whether the Final Plat shall be approved, or disapproved, and shall notify the applicant in writing thereof, including, if approved with conditions or disapproved, a statement of reasons for such action, not later than fifteen (15) days following the decision.
 14. The Borough Council, upon the recommendation of the Commission, shall act on any such Final Plat not later than ninety (90) days following the date of the regular meeting of the Borough Council or the Planning Commission (whichever first reviews the application) following the date the application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth day following the day the application has been filed. In the event that any alteration of requirements from this Ordinance is requested by the applicant or is deemed necessary by the Commission for approval, the alteration and the reason for its necessity shall be entered in the records of the Commission.
 15. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of this Ordinance.
 16. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of

presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect. (A sample "Agreement to Extend the Time for Rendering and Communicating a Decision on Certain Preliminary and/or Final Subdivision Plans" is contained in Exhibit III herein.)

17. No changes, erasures, modifications, or revisions shall be made on any Final Plat of a subdivision or land development after approval has been given by the Borough Council, and endorsed in writing on the plat, unless the plat is first resubmitted to the Borough Council.
18. Upon the approval of a final plat the subdivider/ developer shall within ninety (90) days of such final approval record such plat in the office of the recorder of deeds of Cumberland County. One (1) recorded copy of the plat shall be transmitted to the Borough by the subdivider/developer.
19. The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.
20. In accordance with Section 508(4) of the Pennsylvania Municipalities Planning Code, Act 247, as amended, when an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to adversely affect the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval.

Section 407. FINAL PLAT: SPECIFICATIONS.

1. The following shall be submitted in application for review and approval of a Final Plat:
 - A. Ten (10) copies and one (1) sepia of the Final Plat in the form of a map or series of maps on sheets no larger than 18" x 24", drawn to scale not smaller than one hundred (100') feet to the inch and clearly labeled "FINAL PLAT." When more than one sheet is required, an index sheet of the entire subdivision or land development shall be shown on a sheet of the same size. The Final Plat shall be drawn in ink and shall show the following:
 - (1) Primary control points, or description and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the subdivision or land development plat shall be referred.

- (2) Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way and property lines of residential lots or parcels in unit, cooperative or condominium subdivisions, and other sites with accurate dimensions, bearings, or deflection angles, and radii, arcs, and central angles of all curves.
- (3) Locations and descriptions of survey monuments. All permanent reference monuments shown and described on the Plat.
- (4) Name, address, telephone number and seal of the professional engineer certifying engineering aspects and professional land surveyor certifying accuracy of plat survey. (As defined herein) (Example contained in Exhibit I herein.)
- (5) Certification of title showing that the applicant is the owner of land, agent of the landowner or tenant with permission of the landowner. (Example continued in Exhibit I herein.)
- (6) Statement by the owner dedicating streets, rights-of-way and any sites for public uses which are to be dedicated. (Example contained in Exhibit I herein.)
- (7) Proposed Protective Covenants running with the land, if any.
- (8) Name, address and telephone number of the owner/applicant.
- (9) Street lighting facilities, as applicable.
- (10) Location map, clearly depicting the location of the tract in Camp Hill Borough.
- (11) Number to identify each lot or parcel in unit, cooperative or condominium subdivisions and/or site.
- (12) Purpose for which sites other than residential lots or parcels in unit, cooperative or condominium subdivisions are dedicated or reserved.
- (13) Building setback lines on all lots or parcels in unit, cooperative or condominium subdivisions and/or sites.
- (14) Existing and proposed contours at vertical intervals of two (2') feet as determined at the Preliminary Plat stage.
- (15) Names or record owners of adjoining unplatted land.
- (16) Reference to recorded subdivision plats of adjoining platted land by record name, date, and number.

- (17) A Final Stormwater Management/Erosion and Sedimentation Control Plan pursuant to the rules and regulations of the Pennsylvania Department of Environmental Resources (Title 25, Part 1, Sub-Part C, Article II, Chapter 102 of the Pennsylvania Code) and evidence that any required Erosion and Sedimentation Control Permit has been issued. If an Erosion and Sedimentation Control Permit is not required, the Applicant shall provide evidence that the Stormwater Management/ Erosion and Sedimentation Control Plan has been reviewed and approved by the County Conservation District Office, however, if the District Office does not desire to review the Plan, the Borough Council may, at its discretion, have the Plan reviewed by the Borough Engineer. The cost of the review shall be paid by the Applicant.
- (18) Prior to final approval of plat, where the proposed subdivision or land development abuts a State Highway (Pennsylvania Route or United States Route), the applicant shall provide written evidence that the plat will be submitted to the Pennsylvania Department of Transportation for their review and concurrence with the proposed design for driveway access and drainage required for issuance of the Department's Highway Occupancy Permits. Written evidence will be a note on the plat which should read, "no plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit 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."
- (19) Approval blocks to be signed by the appropriate officers of the Planning Commission, Borough Council and Municipal Engineer. (Example contained in Exhibit II herein.)
- (20) Other Data: The Final Plat shall be accompanied by the following data and plans as prescribed by the Borough Council or as required by the laws of the Commonwealth:
- (a) Profiles of streets and alleys showing grades.
 - (b) Typical Cross Sections of each type of street, minor streets, collector, etc., showing the width of right-of-way, width of cartway, location and width of curbs and sidewalks, if required, and location and size of utility mains.

- (c) Plans and profiles of proposed sanitary and storm water sewers, with grades and pipe size indicated, and a plan of any proposed water distribution system showing pipe sizes and location of valves and fire hydrants.
- (d) Certificates of agreement to provide service from applicable utility companies.
- (e) In the case of subdivision and land development plans proposed for the sale of lots only, the subdivider shall include on the Final Plat, a covenant with the land assuring the implementation of the Erosion and Sedimentation Control Plan by the lot owners.
- (f) A copy of the sewage "Plan Revision Module for Land Development" approved by the Department of Environmental Resources in compliance with the requirements of the Pennsylvania Sewage Facilities Act and Section 71.16 of Chapter 71 of Title 25 of the Pennsylvania Code.
- (g) When any portion of the tract proposed for subdivision or land development is located within an identified flood district or flood plain area, the following information shall be required as part of the Final Plat and shall be prepared by a registered engineer or surveyor:
 - 1 - The exact location and elevation of all proposed buildings, structures, roads, and public utilities to be constructed within any identified flood plain area or district. All such maps shall show contours at intervals of two (2') feet and identify accurately the boundaries of the flood plain areas, and all be verified by the Borough Engineer.
 - 2 - Submission of the Final Plat shall also be accompanied by all required permits and related documentation from the Department of Environmental Resources, and any other Commonwealth agency, or local municipality where any alteration or relocation of a stream or watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified of the proposed alteration or relocation. The Department of Community Affairs, and the Federal Insurance Administrator shall also be notified whenever any such activity is proposed.

- (h) A final storm water management plan, approved by the Borough Engineer.
- (i) When applicable, a statement should be included on plat regarding the presence of wetlands. The statement should note that no development is proposed within wetlands or that the necessary permits for the disturbance of wetlands have been obtained from the appropriate federal and state regulating agencies. Disturbance of wetlands shall include, but not be limited to, filling, draining, dredging, or any building activities.
- (j) Such other certificates, affidavits, endorsements, or dedications as may be required by the Borough Council in the enforcement of these regulations.
- (k) The Borough must notify and supply adjacent municipalities and other pertinent governmental agencies of subdivision and/or land development plans submitted which may affect them.

ARTICLE V

DESIGN STANDARDS

Section 501. APPLICATION.

1. The following principles, standards, and requirements will be applied by the Borough Council and Planning Commission in their review and evaluation of all subdivision and land development plat applications.
2. The standards and requirements contained herein shall be considered the minimum for the promotion of the public health, safety, convenience, and general welfare.
3. Where literal compliance with the standards and requirements contained herein is clearly impractical, the Borough Council may modify or waive such through the alteration of requirements process set forth in ARTICLE IX of this Chapter.
4. Subdivision and land development plats shall give due consideration to "Official Plans" of the Borough of Camp Hill, Cumberland County and Region, or to such parts thereof as may be adopted pursuant to statute.
5. Proposed land uses shall conform to the Camp Hill Borough Zoning Ordinance, as amended.
6. Land subject to hazards to life, health, or property, such as may arise from fire, flood, disease, or other causes, shall not be platted for development purposes unless such hazards have been eliminated or unless the plat shall show adequate safeguards against them, which shall be approved by the appropriate regulatory agencies.
7. Subdivision and/or land development plans should encourage and promote site designs with flexibility and economy and ingenuity layout. Other practices which are in accordance with modern and evolving principles of site planning and development.

Section 502. STREETS.

1. General Standards
 - A. Proposed streets shall be properly related to such street plans or parts thereof as have been officially adopted by Camp Hill Borough and shall be coordinated with existing or proposed streets in adjoining subdivisions or land developments. Further, proposed streets shall be properly related to County, Regional or State transportation plans as have been prepared and adopted as prescribed by law.

- B. Streets shall be laid out to preserve the integrity of their design. Local access streets shall be laid out to discourage their use by through traffic and, where possible, collector and arterial streets shall be designed for use by through traffic.
 - C. Streets shall be related to the topography so as to establish usable lots and satisfactory street grades.
 - D. Proposed street arrangements shall make provisions for the continuation of existing streets in adjoining areas; the proper projection of streets into adjoining undeveloped or unplatted areas; and the continuation of proposed streets to the boundaries of the tract being subdivided.
 - E. New half or partial streets shall be prohibited except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be obtained; a cul-de-sac shall be constructed at the end of such half street which shall be of a permanent nature, unless a temporary cul-de-sac is approved.
 - F. Names of new streets shall not duplicate existing or platted street names, or approximate such names by the use of suffixes such as "lane", "way", "drive", "court", "avenue". In approving the names of streets, cognizance should be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation of alignment with an existing or platted street.
 - G. Insofar as possible, streets on which structures utilizing solar access are proposed to front upon, shall be oriented along an east-west axis with maximum deviations permitted up to twenty-five (25) degrees; provided that such orientations are feasible based on soil and slope conditions and are a practical means of providing safe and convenient access and circulation.
 - H. Proposed private streets (streets not offered for dedication) are subject to Borough standards and approved by the Borough Council.
 - I. Proposed private service access for purposes of providing a means of secondary access to a lot, are permitted as deemed appropriate by the Borough Council and Borough Engineer.
2. Street Classification. Three (3) functional classifications of streets and roads, classified as regional highways, major and minor collectors, and local roads in the Camp Hill Borough Master Plan are established as follows:

- A. Arterial. This classification includes the regional highways or highways which provide intra-county or inter-municipal traffic of substantial volumes. Generally, these highways should accommodate operating speeds of 55 miles per hour.
- B. Collector. This classification is intended to include major and minor collectors or those highways which connect minor streets to arterial highways and generally serve intra-county and intra-municipal traffic. They may serve as traffic corridors connecting residential areas with industrial, shopping and other services. They may penetrate residential areas. Generally, these highways will accommodate operating speeds of 35 to 45 miles per hour or under.
- C. Minor. This classification is intended to include local roads streets and roads that provide direct access to abutting land and connections to higher classes of roadways. Traffic volumes will be low and travel distances generally short. These streets and roads should be designed for operating speeds of 25 miles per hour or under.

3. Street Widths

- A. Minimum street right-of-way and cartway widths shall be required as presented in Table 1.
- B. Provision for additional street width (right-of-way) may be required when determined to be necessary by the Borough Council in specific cases for:
 - (1) Public safety and convenience.
 - (2) Parking in commercial and industrial areas and in areas of high density development.

4. Cul-de-Sac or Dead End Streets

- A. Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.

TABLE I
STREET WIDTHS

STREET TYPE	ROW WIDTH	(1) SHLDRS	CARTWAY WIDTH		BASE MATERIALS	MATERIAL SPECIFICATIONS	
			W/O CURBS	WITH CURBS		PAVING	PAVING
Arterial Streets	As determined by the Governing Body and Planning Commission after consultation with the Pennsylvania Department of Transportation.						
Collector Streets	60'	6' each	28'	34'	10'-#4 Crushed Aggregate	2'-ID-2 Binder 1'-ID-2-Wearing Course	OR 1 1/2'-ID Wearing Course
Minor Streets (general)	50'	4' each	24'	30'	6'-2A Subbase and 7'-BCBC 6'-#4 Crushed Aggregate	1 1/2'-ID-2 Binder 1'-ID-2-Wearing Course	OR 2'-ID-2 Binder 1 1/2'-ID-2-Wearing Course
Minor Streets (Industrial/commercial uses)	60'	6' each	28'	34'	8'-2A Subbase 8'-#4 Crushed Aggregate	2'-ID-2 Binder 1'-ID-2-Wearing Course	OR 2'-ID-2 Binder 1'-ID-2-Wearing Course
Cut-de-Sac	50'	4 each	24'	30'	8'-2A Subbase Same as Minor (General)	1 1/2'-ID Wearing Course 3'-10-2 Binder	OR Same as Minor (General)
Turn around of Cut-de-Sac (diameter)	100'	4'	80'	80'	Same as Minor (General)	Same as Minor (General)	Same as Minor (General)
Alley	30'	N/A	N/A	N/A	N/A	N/A	N/A
Service Drive (private)	N/A	N/A	20'	20'	8'-#2A Subbase Material	2'-ID-2 Binder 1'-ID-2-Wearing Course	2'-ID-2 Binder 1'-ID-2-Wearing Course

(1) Required only in absence of curbing

- B. Any dead-end street, for access to an adjoining property or because of authorized phased development, shall be provided with a temporary, all-weather turn-around within the subdivision or/and land development; and the use of such turn-around shall be guaranteed to the public until such time as the street is extended.
- C. Cul-de-Sac streets serving residential uses, permanently designed as such, shall not exceed eight hundred (800') feet in length or shall not furnish access to more than twenty-four (24) dwelling units, upon the approval of the Borough Engineer.
- D. Cul-de-Sac streets serving commercial and/or industrial uses shall be adequate for the type of use to be serviced as approved by the Borough Engineer but, in no case, shall exceed eight hundred (800') feet in length.
- E. Unless future extension is clearly impractical or undesirable, the turn around right-of-way shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width.
- F. All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turn around.

The minimum radius to the pavement edge or curb line shall be forty (40') feet, and the minimum radius of the right-of-way line shall be fifty (50') feet.

- G. Drainage of cul-de-sac streets shall preferably be towards the open end. If drainage is toward the closed end it shall be conducted away in an underground storm sewer.
- H. The centerline grade on a cul-de-sac street shall not exceed ten (10%) percent and the grade of the diameter of the turn around shall not exceed five (5%) percent.

5. Driveways

- A. Private driveways on corner lots shall be located at least forty (40') feet from the point of intersection of the nearest street right-of-way lines.
- B. In order to provide a safe and convenient means of access, grades on private driveways shall be so designed to allow for the unimpeded flow of storm water runoff. In addition, driveways must be stabilized to their full width to prevent erosion. Entrances should be rounded at a minimum radius of ten (10') feet, or should have a flare construction that is equivalent to the radius at the point of intersection with the cartway edge (curb line). (Refer to Pennsylvania Department of Transportation,

Guidelines for Design of Local Roads and Streets - Publication No. 70, as revised.)

- C. All driveways shall be located, designed and constructed in such a manner as not to interfere or be inconsistent with the design and maintenance and drainage of, or the safe and convenient passage of traffic.

6. Horizontal and Vertical Curves

- A. In order to provide adequate sight distance and ensure proper alignment of streets, horizontal and vertical curve design shall be in accordance with the Pennsylvania Department of Transportation, Guidelines for Design of Local Roads and Streets -Publication No. 70, as revised.

7. Intersections

- A. Streets shall intersect as nearly as possible at right angles, and no street shall intersect another at an angle of less than seventy-five (75) degrees.
- B. Intersections involving the junction of more than two (2) streets are prohibited.
- C. Streets intersecting another street shall either intersect directly opposite to each other, or shall be separated by at least one hundred fifty (150') feet between centerlines, measured along the centerline of the street being intersected.
- D. Intersections shall be approached on all sides by a straight leveling area, the grade of which shall not exceed five (5%) percent within sixty (60') feet of the intersection of the nearest right-of-way lines.
- E. Intersections with major streets shall be located not less than eight hundred (800') feet apart, measured from centerline to centerline, along the centerline of the major street.
- F. At intersections of streets the curb or edge of payment radii shall not be less than the following:

<u>Intersection</u>	<u>Minimum Simple Curve Radii of Curb or Edge of Pavement</u>
Collector with Collector Street	thirty-five (35') feet
Collector with Minor Street	twenty-five (25') feet
Minor Street with Minor Street	twenty (20') feet

Radius corners or diagonal cutoffs must be provided on the property lines substantially concentric with or parallel to the chord of the curb radius corners.

8. **Intersection Sight Distance and Clear Sight Triangles.** Adequate sight distances and areas of view obstructions shall be provided at all intersections of streets, and for driveways intersecting a street, in accordance with Exhibit VI.

9. **Street Grades**

A. The grades of streets shall not be less than the minimum or more than the maximum requirements listed below:

<u>Type of Street</u>	<u>Minimum Grade</u>	<u>Maximum Grade</u>
All Streets	1%	As determined by the Governing Body after consultation with the Commission and the PA Department of Highways
Collector Streets	1%	eight (8%) percent
Minor Streets	1%	ten (12%) percent
Service Drives	1%	twelve (12%) percent
Street Intersection	1%	five (5%) percent

B. On minor streets and service drives, grades greater than ten (10%) percent shall not be more than four hundred (400') feet in length, or as determined by the Borough Council.

10. Slopes of Banks Along Streets. The slope of banks along streets measured perpendicular to the street centerline shall be no steeper than the following:
- A. One (1') foot of vertical measurement for three (3') feet of horizontal measurement for fills.
 - B. One (1') foot of vertical measurement for two (2') feet of horizontal measurement for cuts.

11. Access Roads and Drives

- A. Direct access from residential lots to an arterial street shall be avoided whenever possible. Where such direct access cannot be avoided, adequate turnaround space shall be provided behind the right-of-way line.
- B. A valid highway occupancy permit shall be obtained from the Pennsylvania Department of Transportation where applicable. Driveways serving single family residences shall intersect streets at angles of no less than sixty (60) degrees. All other driveways or access roads shall intersect streets at right angles, where possible, and in no instance shall such intersection be less than seventy-five (75) degrees.
- C. The width of access roads or driveways shall be in accordance with the following standards:
 - (1) For multi-family residential, mobile home parks, and all nonresidential developments or subdivisions, access roads shall be no less than twenty-two (22') feet in width at the street line, and shall clearly be defined by the use of curbing.
 - (2) For single family residential subdivisions, driveways shall be no less than ten (10') feet in width and no greater than twenty (20') feet in width at the street line.
- D. In order to provide for safe and convenient ingress and egress points, access roads and driveway entrances shall be rounded at the following minimum radius.
 - (1) For multi-family residential, mobile home parks, and all nonresidential developments or subdivisions, access road entrances shall be rounded at minimum radius of ten (10') feet.
 - (2) For single family residential subdivisions, driveway entrances shall be rounded at a minimum radius of five (5') feet.

- E. The grades on access roads or driveways shall not exceed the following:
- (1) Eight (8%) percent when access is to an arterial street,
 - (2) Ten (10%) percent when access is to a collector or minor street.

Section 503. EASEMENTS.

1. Easements shall be provided for drainage facilities, overhead or underground public utility facilities in consultation with the Borough Engineer, the Electrical Telephone and Water Utilities, the Pennsylvania Department of Transportation, and the Municipal Authority.
 - A. The minimum width of such easements shall be twenty (20') feet. Additional width may be required by the Commission depending on the purpose and use of the easements.
 - B. Wherever possible such easements shall be centered on the side or rear lot lines, or along the front lot lines.
2. Where a subdivision and/or land development is traversed by a watercourse, drainageway channel or stream, there shall be provided a drainage easement, width to be determined by the Borough Engineer, conforming substantially with the line of such watercourse, drainageway, channel or stream and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities or for the purpose of installing a storm water sewer. Under no circumstances shall the easement be less than twenty-five (25') feet.
3. Where a subdivision or land development involves the use of solar access, solar skyspace easements will be provided, shall be in writing, and shall be subject to the same conveyancing and instrument recording requirements as other easements. Any such easements shall be appurtenant; shall run with the land benefitted and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating a solar skyspace easement shall include but not be limited to:
 - A. A permanently identifiable description of the skyspace above the burdened land into which trees, buildings and/or other obstructions as specified by the easement shall not be permitted to encroach:
 - B. Any terms or conditions under which the solar skyspace easement is granted or will be terminated; and
 - C. Any provision for compensation by the owner of the land benefitting from the solar skyspace easement, or compensation of the owner of the land burdened by the solar skyspace easement for maintaining the easement.

4. Where necessary for access to public or common lands, a pedestrian easement shall be provided with a width of no less than ten (10') feet. Additional width may be required by the Commission depending on the purpose and use of the easement.

Section 504. BLOCKS.

1. The length, width, shape, and design of blocks shall be determined with due regard to the provision of adequate sites for buildings of the type proposed, to the land use and/or zoning requirements of the municipality, the topography of the land being subdivided or developed, and the requirements for safe and convenient vehicular and pedestrian circulation.
2. Blocks shall not exceed sixteen hundred (1600') feet in length, nor be less than six hundred (600') feet in length. Where practical, blocks along collector or arterial streets shall be not less than one thousand (1,000') feet in length.
3. Residential blocks shall generally be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering an arterial or collector street are used or, where due to the contour of the land, or the necessary layout of the subdivision, there is insufficient depth between intersecting streets for such two (2) tier design.
4. Blocks for commercial and industrial areas may vary from the elements of design contained in this section if the nature of use requires other treatment. In such cases, off-street parking for employees and customers shall be provided along with safe and convenient limited access to the street system. Space for off-street loading shall also be provided with limited access to the street system. Extension of streets, railroad access right-of-way, and utilities shall be provided as necessary.
5. Crosswalks or interior pedestrian walks shall be required in blocks exceeding one thousand (1000') feet in length to provide for pedestrian circulation or access to community facilities. Such walks shall be stabilized for a width of not less than four (4') feet, shall be located in easements not less than ten (10') feet in width, and shall, insofar as possible, be located in the center of any such block.

Section 505. LOTS

1. **General Standards**
 - A. The size, depth, width and orientation of lots shall conform to applicable zoning regulations of Camp Hill Borough.
 - B. Side lot lines shall, insofar as practical, run from due north to south where the resulting angle of incidence with the street is not less than thirty (30) degrees. A variation of up to twenty-five (25) degrees east or west of the north/south axis is permitted.

- C. Where feasible, lot lines should follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
- D. If, after subdividing, there exists remnants of land, they shall be either:
 - (1) Incorporated in existing or proposed lots; or
 - (2) Legally dedicated to public use, if acceptable to the municipality.

2. Lot Frontage

- A. All lots shall abut a public street existing or proposed, or a private street if it meets the requirements of these regulations.
- B. Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation.
- C. No residential lots shall be created which front upon a limited access highway. Furthermore, no major subdivisions and/or land developments shall be created which front upon an arterial street.

3. Building Setbacks

- A. Front side, and rear setbacks shall be in conformance with the Camp Hill Borough Zoning Ordinance, as amended.
- B. Buildings shall be oriented such that their longest axis faces within twenty-five (25) degrees of true south whenever lot size, street orientations, soil, and slope conditions make this practical.
- C. Whenever possible, plans shall incorporate the use of renewable energy systems and energy-conserving building design.

Section 506. EROSION AND SEDIMENTATION CONTROL.

1. General Requirements and Standards

- A. In the event that any person shall intend to make changes in the contour of any land or engage in earth moving activity, whether for subdivision, land development or any purpose, such person, who is required to obtain a permit, shall obtain such a permit from the department of Environmental Resources in accordance with the requirements of the "Rules and Regulations", Chapter 102, EROSION CONTROL authorized under P. L. 1987, June 22, 1937.

- B. Furthermore, under the requirements noted above, Camp Hill Borough shall notify the Department immediately upon receipt of an application for a building permit involving earth moving activity which affects five (5) acres or more of land.
- C. The Borough shall not issue a building permit to those engaged in earth moving activities requiring a Department of Environmental Resources permit, until the Department has issued the permit.
- D. An Erosion and Sedimentation Control Plan must be prepared for a single lot or more where subdivision, land development or other earth moving activity is proposed. The plan must be submitted:
 - (1) as required by the Rules and Regulations of the Department of Environment Resources noted above and;
 - (2) as required by the Pennsylvania Clean Streams Law, Act 222, July 31, 1970, as amended.
- E. Such Erosion and Sedimentation Control Plan shall be submitted to the Borough Engineer and County Conservation District for review, and a copy of the Plan and review comments shall be submitted to the Commission as part of the Preliminary and Final Plat Applications.
- F. In the preparation of Erosion and Sedimentation Control Plans the person preparing such plans shall consult with the County Conservation District to determine the measures needed to control erosion and sedimentation. The current Soil Erosion and Sedimentation Control Handbook, prepared by the Conservation Districts of Cumberland, Dauphin and Perry Counties, shall be used in the preparation of such plans. Copies are available in the Cumberland County Conservation District office.

Section 507. STORMWATER MANAGEMENT.

1. Storm Water Management facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure drainage at all points along streets and provide positive drainage away from buildings and on-site water disposal sites.
2. Plans shall be subject to the approval of the Borough Council upon review by the Borough Engineer. The Borough may require a primarily underground detention system to accommodate frequent floods and a secondary surface detention system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed as to only allow a predeveloped runoff rate after development is completed onto adjacent properties.

3. The design and construction of the storm water management system shall comply with the following requirements:
 - A. The minimum design criteria shall be a ten (10) - year storm with a twenty (20) minute duration. Higher frequency conditions shall be used where an overflow would endanger public or private property.
 - B. Drainage calculations for determining pipe sizes for areas under two (2) acres shall be made by the Rational method.
 - C. Street drainage will not be permitted to cross intersections or the crown of the road.
 - D. Maximum spacing of street inlets shall not exceed six hundred (600) feet.
 - E. All culvert ends shall be provided with either reinforced concrete headwalls or pipe end sections.
 - F. Minimum pipe size shall be eighteen (18) inch diameter.
 - G. All street inlets shall be the combination type following PennDOT standard for the four (4) foot special inlet. Inlet tops shall be cast in place reinforced concrete or precast concrete.
 - H. All springs and sump pump discharges shall be collected so as not to flow in the streets.
 - I. When material for storm drain systems is not specified, PennDOT specifications will govern.

4. All rain conductors shall be piped to storm sewer or a natural watercourse and all multi-family unit constructions shall follow the same plan. Storm drains shall be installed as per the following schedule:

Diameter (Inches)	Square Foot Drainage Area	
	Fall 1/4" Per Foot	Fall 1/2" Per Foot
4	1,800	2,500
5	3,000	4,500
6	5,000	7,500
8	9,100	13,600
10	14,000	20,000

Section 508. NATURAL FEATURES PRESERVATION. The design and development of all subdivision and land development plans preserve, whenever possible, natural features which will aid in providing open space for recreation and conditions generally favorable to the health, safety and welfare of the residents of the Borough. These natural features include; the natural

terrain of the site, woodland areas, large trees, natural watercourses and bodies of water, wetlands, rock outcroppings and scenic views.

1. **Tree Preservation and Planting**

- A. Trees, with a caliper of six (6") inches or more as measured at a height of four and one-half (4 1/2') feet above existing grade, shall not be removed unless they are located within the proposed cartway or sidewalk portion of the street right-of-way, or within fifteen (15') feet of the foundation area of a proposed building. In areas where trees are retained, the original grade level shall be maintained, if possible, so as not to disturb the trees.
- B. Where existing trees are removed along the street right-of-way, supplemental planting, in the form of appropriate street trees, shall be introduced. Such trees shall be planted at intervals of between fifty (50') feet and one hundred (100') feet, preferably in random patterns and shall be approved by the Borough Council.
- C. When deemed necessary by the Borough's Planning Commission, a Landscape Plan will be developed for a subdivision or land development. Such plan shall indicate the vegetation or plant cover which exists and, on the same or separate sheet, the vegetation or plant cover which will exist when landscaping is completed. In addition, landscaping shall be designed, installed, and maintained with the aim of allowing as great a portion of the site to remain or become wooded without adversely affecting the availability of solar access to the south.
- D. The location and species of trees and other landscaping elements shall be such that when grown to full maturity shall not impede solar access to neighboring structures.

2. **Lake, Stream, and River Frontage Preservation**

- A. A maintenance easement for the Borough or its designee, with a minimum width of twenty-five (25') feet, shall be provided along all stream and river banks and lake edges. Such easement, in all cases, shall be of sufficient width to provide proper maintenance.
- B. Lake, stream, and river frontage shall be preserved as open space whenever possible.
- C. Access shall be provided to the water and maintenance easement area. The width of such access points shall not be less than fifty (50') feet.

3. Topography

- A. The existing natural terrain of the proposed subdivision tract shall be retained whenever possible. Cut and fill operations shall be kept to a minimum.

Section 509. DESIGN STANDARDS IN FLOODPLAINS.

1. General Standards

- A. Where not prohibited by this or any other laws or ordinances, land located in any identified floodplain area or district may be platted for development with the provision that the developer construct all buildings and structures to preclude flood damage in accordance with this and any other laws and ordinances regulating such development.
- B. Building sites for residences or any other type of dwelling or accommodation shall not be permitted in any identified floodway area or district. Sites for these uses may be permitted outside the elevated one and one-half (1 1/2') feet above the Regulatory Flood Elevation. If fill is used to raise the elevation of a site, the fill area shall extend out laterally for a distance of at least fifteen (15') feet beyond the limits of the proposed structures.
- C. Building sites for structures or buildings other than for residential uses shall not be permitted in any identified floodway area or district. Also, such sites for structures or buildings outside the floodway shall be protected as provided for in "B" above. However, the governing body may allow the subdivision and/or development of areas or sites for commercial and industrial uses at an elevation below the Regulatory Flood Elevation if the developer otherwise protects the area to that height or assures that the buildings or structures will be floodproofed at least up to that height.
- D. If the Zoning Officer determines that only a part of a proposed plat can be safely developed, it shall limit development to that part and shall require that development proceed consistent with this determination.
- E. When a developer does not intend to develop the plat himself and the Borough determines that additional controls are required to insure safe development, it may require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.
2. Where any excavation or grading is proposed or where any existing trees, shrubs or other vegetative cover will be removed, the developer shall consult the County Conservation District representative concerning plans for erosion and sediment control and to also obtain a report on the soil characteristics of the site so that a

determination can be made as to the type and degree of development the site may accommodate. Before undertaking any excavation or grading, the developer shall obtain a Grading and Excavation Permit, if such is required.

3. **Drainage Facilities**
 - A. Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along streets, and provide positive drainage away from buildings.
 - B. Plans shall be subject to the approval of the Borough. The Borough may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.
4. **Streets.** The finished elevation of proposed streets and driveways shall not be more than one (1') foot below the Regulatory Flood Elevation. The Borough may require profiles and elevations of streets to determine compliance with the requirements. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.
5. **Sanitary Sewer Facilities.** All sanitary sewer systems located in any designated floodplain district, whether public or private, shall be floodproofed up to the Regulatory Flood Elevation.
 - A. The installation of sewage disposal facilities requiring soil absorption systems shall be prohibited where such system will not function due to high ground water, flooding, or unsuitable soil characteristics or within designated flood plain areas or districts. The Borough may require that the developer note on the face of the plat and in any deed of conveyance that soil absorption fields are prohibited in any such area or district.
6. **Water Facilities.** All water systems located in any designated floodplain district, whether public or private, shall be floodproofed up to the Regulatory Flood Elevation.
7. **Other Utilities and Facilities.** All other public and private utilities including gas and electric shall be elevated or floodproofed to not less than one and one-half (1 1/2') feet above the Regulatory Flood Elevation.

Section 510. RECREATION AND OPEN SPACE.

1. All residential subdivisions or land development plats submitted after the effective date of this ordinance shall provide for suitable and adequate recreation in order to:
 - A. Insure adequate recreational areas and facilities to serve the future residents of the Borough;
 - B. Maintain compliance with recreational standards as developed by the National Recreation and Parks Association;
 - C. Reduce increasing usage pressure on existing recreational areas and facilities;
 - D. Insure that all present and future residents have the opportunity to engage in many and varied recreational pursuits; and to
 - E. Reduce the possibility of the Borough becoming overburdened with the development and maintenance of many very small, randomly planned and widely separated recreation areas.

2. Exemptions and Requirements
 - A. The following are exempt or partially exempt from the provisions of this Chapter:
 - (1) The conversion of an existing single-family detached dwelling or single family dwelling semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
 - (2) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
 - (3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purpose of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

 - B. The amount of land required to be provided for recreational purposes for residential subdivisions or land development plans not exempted from the provisions of this article shall be as follows:

- (1) **Single-family developments.** In the case of a single-family subdivision, the developer shall provide a minimum of 1500 square feet per lot.
 - (2) **Multiple family developments.** In multiple family developments, a minimum contiguous area of ten (10%) percent of the total area shall be provided for recreation exclusive of roadways of the land being developed.
- C. **A maximum of twenty-five (25%) percent of the total land area required by this article to be provided for recreation may consist of flood plain areas.**
- D. **Such land set aside shall be suitable to serve the purpose of active and/or passive recreation by reason of its size, shape, location and topography and shall be subject to the approval of the Borough Council.**
- E. **The developer shall satisfy the Borough Council that there are adequate provisions to assure retention and all future maintenance of such recreation areas by maintaining ownership, or by providing for and establishing an organization for the ownership and maintenance of the recreation area and such organization shall not be dissolved nor shall it dispose of the recreation area by sale or otherwise, except to an organization conceived and established to own and maintain the recreation area without first offering to dedicate the same to the Borough.**
3. **Recreation Area Location Criteria.** The Planning Commission and the Borough Council, in exercising their duties regarding the approval of subdivision and land development plans, shall consider the following criteria in determining whether to approve the proposed location of recreation areas in the developer's subdivision or land development plans:
 - A. **Site or sites should be easily and safely accessible from all areas of the development to be served, have good ingress and egress and have access to a public road, however, no public road shall traverse the site or sites.**
 - B. **Site or sites should have suitable topography and soil conditions for use and development as a recreation area.**
 - C. **Size and shape for the site or sites should be suitable for development as a particular type of park. Sites will be categorized by the Borough using the standards established by the National Recreation and Parks Association. (Publication No. 10005, as revised).**

- D. When designing and developing these recreation areas, it shall be done according to the standards established by the National Recreation and Parks Association, copies of which may be obtained at the Borough's Municipal Building.
 - E. Site or sites should, to the greatest extent practical, be easily accessible to essential utilities, such as water, sewer and electric.
 - F. Site or sites should meet minimum size requirements for usable acreage with respect to National Recreation and Parks Association standards with seventy-five (75%) percent of such area having a maximum slope of seven (7%) percent.
 - G. Recreation sites shall be located in such a manner which allows maximum practical solar access to neighboring structures.
 - H. Where open space is being provided, it shall be located, wherever possible, to provide a buffer from the shading effects of taller structures or obstructions on existing or proposed shorter buildings.
4. Dedication to Municipality
- A. In a case where the developer does not wish to retain the required recreation area, such area may be offered for dedication to the Borough for public use.
 - B. In addition to approving the recreation site areas to be dedicated to the Borough, the Planning Commission shall make its recommendation to the Borough Council as to whether the dedication should be accepted by the Borough.
 - C. Such area dedicated to the Borough for public use shall be suitable for recreational purposes by reason of size, shape, location, topography and access.
 - D. The Planning Commission may find dedication to be impractical because of the size, shape, location, access, topography, drainage or other physical features of the land and that such dedication would adversely affect the subdivision or land development and its future residents or occupants, or that there is no land area within the proposed subdivision which is practical for dedication to the public because of size, access, topography or other physical characteristics.
 - E. When the Borough Council deems it to be in the public interest to accept dedicated land, such acceptance shall be by means of a signed resolution to which the property description of the dedicated recreation area shall be attached.

ARTICLE VI

IMPROVEMENTS AND CONSTRUCTION REQUIREMENTS

Section 601. GENERAL. No final plan shall be approved by the Planning Commission until the completion of all such required improvements has been certified to the Planning Commission by the Borough Engineer and as-built drawings have been supplied, unless the applicant has complied with Article V of this Ordinance.

Section 602. IMPROVEMENTS REQUIRED. The applicant shall provide all improvements required by these regulations. The specifications for the improvements contained herein shall apply.

Section 603. MONUMENTS AND MARKERS.

1. Monuments must be set:
 - A. The intersection of all street and right-of-way lines;
 - B. There should be two (2) monuments per lot.
 - C. Such intermediate points as may be required by the Borough Engineer.
2. Markers must be set:
 - A. At all corners except those monumented;
 - B. By the time the property is offered for sale.
3. Monuments and markers shall be the following sizes and made of the following materials:
 - A. Monuments shall be six (6") inches square or four (4") inches in diameter and shall be thirty (30") inches long. Monuments shall be made of concrete, stone or by setting a four (4") inch cast iron or steel pipe filled with concrete.
 - B. Markers shall be three quarters (3/4") of an inch square or three quarters (3/4") of an inch in diameter and thirty (30") inches long. Markers shall be made of iron pipes or iron or steel bars.
4. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.

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

Section 604. STREET CONSTRUCTION.

1. Pavements and Construction. Streets shall be designed in accordance with Article V herein and shall be surfaced to the grades and dimensions drawn on the plans, profiles, and dimensions drawn on the plans, profiles, and cross-sections submitted by the Applicant and approved by the Borough Council. Before paving the street surface, the developer shall install the required utilities and provide, where necessary, adequate underdrains and stormwater drainage for the streets, as acceptable to the Borough Council. The pavement base and wearing surface must be constructed according to the following specifications and as outlined in Table 1, Section 502 entitled "Streets", herein.

A. Subgrade

- (1) No base course shall be placed on wet, frozen or unsuitable material. Unsuitable material is defined in the Pennsylvania Department of Transportation, Publication 408, as amended.
- (2) Subgrade in fill area shall be compacted in not more than twelve (12") inch layers with a minimum roller weight of ten (10) tons or equivalent compaction.
- (3) Subgrade that has been distributed by trenching shall be backfilled and compacted in eight (8") inch layers and inspected by the Borough Engineer or his designated agent.
- (4) Unsuitable material in subgrade shall be removed and replaced with material acceptable to the Borough Engineer.
- (5) The moisture content at the time of compaction and density of the finished subgrade shall be in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.
- (6) Any springs or spongy areas shall be provided with a proper underdrain system, which is connected to the storm sewer system.
- (7) Subgrade shall be inspected by the Borough Engineer or his designated agent prior to the placement of the base course.

B. Base Course

- (1) Minor Streets. Base course shall be consistent with Table 1, Section 502 entitled "Streets" herein, in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.
- (2) Collector Streets. Base course shall be consistent with Table 1, Section 502 entitled "Streets" herein, in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.
- (3) Arterial Streets. For the construction of arterial roads or highways the Applicant shall consult the Planning Commission and Borough Council and be governed by the Pennsylvania Department of Transportation for the method of construction to be used.
- (4) Base course shall be inspected by Borough Engineer or his designated agent prior to the placing of binder course.
- (5) Base shall have binder applied as soon as possible to avoid damage to base.
- (6) All foreign material shall be removed from base course prior to placing binder course.
- (7) Base shall be compacted with a vibrating tamper or vibrating roller.
- (8) The Borough Council shall decide if a collector or arterial street is required as a direct result of the subdivision or land development in which case the Developer is responsible for paving the additional width required.

C. Surface Course

- (1) Minor and Collector Streets. Surface course shall be consistent with Table 1, Section 502 entitled "Streets" herein, in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.
- (2) Surface course shall be sealed wherever it comes in contact with another structure (i.e. curb, manhole, inlet, etc.). This work shall be done in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.