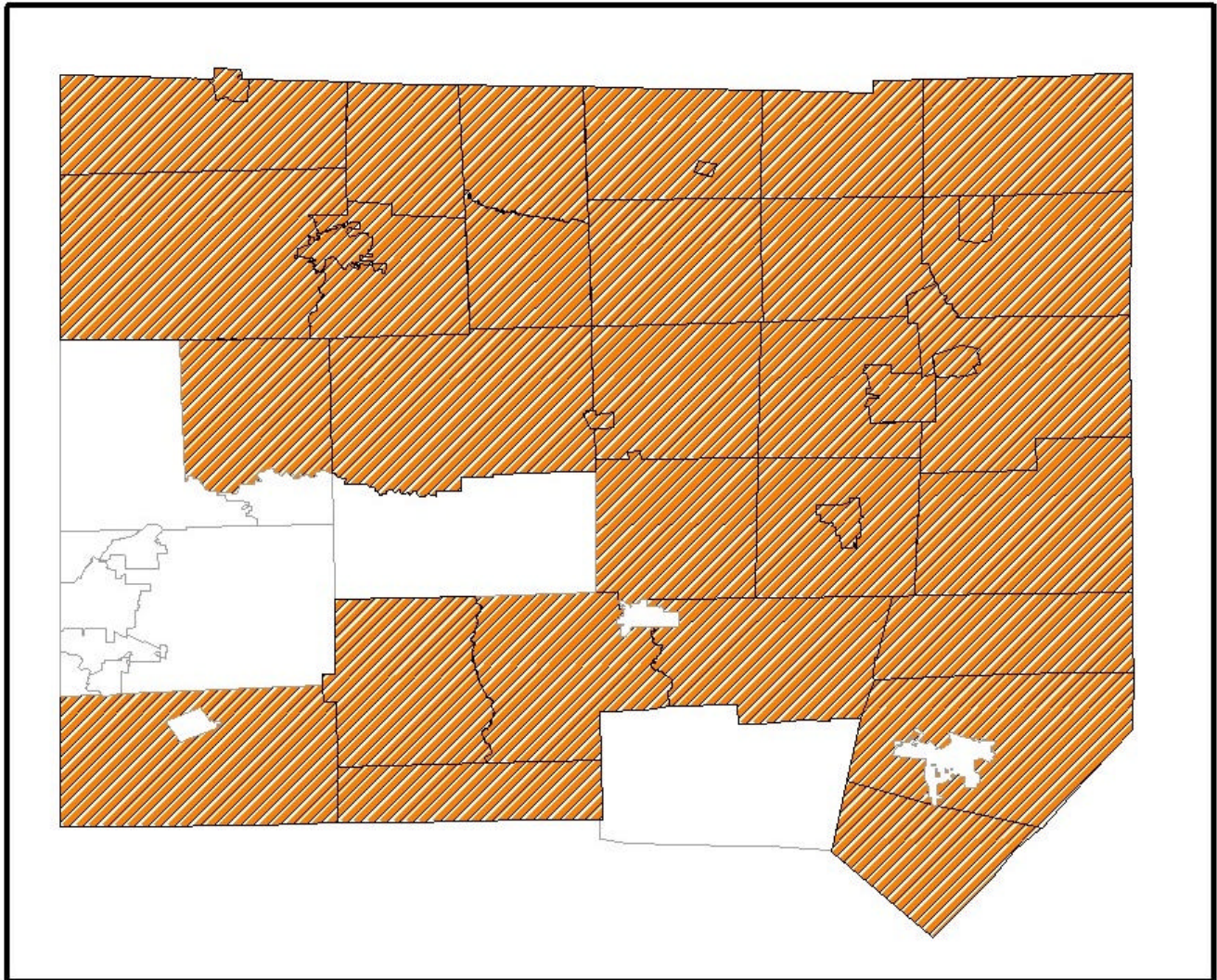


# MERCER COUNTY Subdivision & Land Development Ordinance



Ordinance # 1-2006

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Prepared by: Mercer County Regional Planning Commission  
(MCRPC)

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## **ARTICLE I**

### **GENERAL PROVISIONS**

#### **Section 101: Short Title**

This Ordinance shall be known and may be cited as *The Mercer County Subdivision and Land Development Ordinance*.

#### **Section 102: Authority and Purpose**

This Ordinance is adopted:

1. To promote the public health, safety, morals and general welfare;
2. To assure that the arrangement of each subdivision or land development furthers the safe, harmonious and orderly development of Mercer County.
3. To guarantee that the streets in and bordering each subdivision or land development are coordinated with the municipal circulation system and are of such widths, grades, locations and construction as to accommodate anticipated traffic and facilitate emergency service access;
4. To insure that the sewage disposal and water supply systems are efficiently designed and have adequate capacity, and that on-lot sewage disposal and water supply systems are safely separated from each other;
5. To provide easements of adequate size and location for storm drainage and other utilities;
6. To safeguard land subject to flooding, periodic high water table, or high incidence of erosion from the development practices that would aggravate these circumstances;
7. To curtail unnecessary destruction of natural plant materials or excessive earth disturbance, minimize the impact of stormwater run-off on drainage ways and downstream properties and to prevent destruction of valuable wetland areas and farmland;
8. To encourage development that relates naturally into its environment;
9. To establish a precise, simple, uniform and objective procedure for review and disposition of subdivisions and land development plan proposals, and to ease the process of conveyance of title to property, and;
10. To carry out the Mercer County Comprehensive Plan.

#### **Section 103: Application and Scope of Regulations**

1. On and after the effective date of this Ordinance, no lot in a subdivision may be sold or leased, no permit to erect or move any building upon land in a subdivision or land development plan may be issued, and no building, permanent or temporary, may be erected in a subdivision or land development plan unless and until a subdivision plan or a land development plan has been approved in accordance with the requirements of this

Ordinance and until the improvements required by this Ordinance, if part of the approved plan, have either been constructed or guaranteed by bond.

2. In their interpretation and application, the provisions of this Ordinance are held to be the minimum requirements adopted for the protection of the public health, safety, morals and general welfare.
3. This Ordinance shall not apply to any lot or lots, subdivision, or land development plan created and lawfully recorded prior to enactment of this Ordinance. However, any lot, subdivision, or development plan illegally recorded or not lawfully recorded prior to enactment shall not be given legal status by the enactment of this Ordinance.
4. Any redivision or combining of lots or adjustment of lot lines within a subdivision plan previously approved and/or recorded, or any rearrangement of structures, parking areas, access points, graded land surfaces, or other elements within an already approved land development plan, shall be subject to the provisions of this Ordinance.

#### **Section 104: Jurisdiction of the Mercer County Regional Planning Commission Relative to this Ordinance**

1. In accordance with the provisions of Article V and Section 501 of the Pennsylvania Municipalities Planning Code, the County of Mercer, acting through the Board of County Commissioners, does hereby designate the Mercer County Regional Planning Commission as the agency for the acceptance, review and/or approval of all subdivision and land developments within the County of Mercer, and to have related authorities and responsibilities as specified in this ordinance.
2. All subdivisions of land and land developments, except as noted in number three (3) below, within Mercer County are regulated by the Mercer County Subdivision and Land Development Ordinance. It shall not be lawful to record any plan required to be approved by the Planning Commission in any public office unless the same shall bear, thereon by endorsement, the approval of the Planning Commission. The disapproval of any such plan by the Planning Commission shall be deemed a refusal of the privilege to record said plan.
3. The rules and regulations governing subdivision and land development, as herein outlined, **shall not be applicable** in those municipalities that have a locally adopted subdivision and land development ordinance in accordance with Article V of the Pennsylvania Municipalities Planning Code, as amended.
4. Applications for subdivision and land development located within a municipality having adopted a subdivision and land development ordinance as set forth in Article V of the Pennsylvania Municipalities Planning Code shall be forwarded upon receipt by the municipality to the Planning Commission for review and recommendations. Such municipalities shall not approve such applications until the Mercer County Regional Planning Commission's review is received or until the expiration of thirty (30) days from the date the application was forwarded to the Planning Commission.
5. The rules and regulations governing subdivision and land development, as herein outlined, **shall be applicable** in those municipalities that **have not adopted** a subdivision and land development ordinance, and including those municipalities having adopted a

local zoning ordinance or other adopted ordinance. Provided, however, that where differences occur between the standards of the Mercer County Subdivision and Land Development Ordinance and the standards outlined in the local zoning ordinance or other regulations relative to building development or infrastructure, the standards of such local ordinance shall apply. All other standards, as herein outlined, and not provided for within the local zoning ordinance shall be applicable.

## **Section 105: Types of Subdivisions and Land Developments Governed by this Ordinance**

**105.1: Minor Subdivision:** A subdivision may be classified as a minor subdivision provided that all of the following criteria are met:

1. The subdivision contains not more than ten (10) lots, parcels, or other divisions of land, including residual land.
2. The proposal does not involve the construction, installation, or extension of any public facilities including streets, walkways, water and sewer lines, stormwater management facilities, and related facilities, whether intended for public or private ownership.
3. The proposal does not constitute a subdivision or re-subdivision of any lot, tract, parcel, site, or other division of land or portion thereof that had received previous approval as a subdivision within ten (10) years prior to the submission of the application, and where the cumulative effect of combining said current and prior subdivisions would result in a subdivision not meeting the criteria of this section. If such prior approval has taken place, all applications shall be considered a single application for purposes of classification.

### **105.2: Major Subdivision**

Any subdivision that does not qualify as a minor subdivision.

### **105.3: Mobile Home Park**

Shall be considered a parcel (or contiguous parcels that have been consolidated) of land that has been so designated and improved that it can accommodate two (2) or more mobile home lots for the placement thereon of mobile homes.

### **105.4: Recreational Vehicle Park**

Shall be considered a plot of land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

### **105.5: Land Developments**

Certain land developments, as described by and in this Ordinance and the Municipalities Planning Code, are land developments and are regulated by Article V of this Ordinance.

### **105.6: Lot Combination or Un-Subdivision**

Lot combinations shall be considered the act of eliminating an existing subdivision by combining lots or parcels of land into one (1) deed describing the entire tract as one lot or parcel.

### **Section 106: Legal Standing**

1. If any section, clause, paragraph, regulation, or provision of this Ordinance is found invalid by a court of law, such judgment shall not affect, impair, invalidate, or nullify the remaining sections, clauses, paragraphs, regulations, or provisions.
2. All ordinances or parts of ordinances or regulations in conflict with this Ordinance or inconsistent with its provisions are hereby repealed to the extent necessary to give this Ordinance full force and effect. However, where another ordinance, law, or regulation imposes a higher standard in a particular regulation, that standard shall supersede this Ordinance in the particular instance.
3. The adoption of this Ordinance does not make legitimate development activity in the County illegal under provisions of prior regulations, nor does it annul any litigation currently being pursued in the future against such illegal activity.
4. The approval of any subdivision plan or land development shall not constitute a representation, guarantee, or warranty of any kind by the County or by any official or employee of the practicality or safety of the arrangement of lots and improvements or other elements within the development covered by the approval and shall create no liability upon the County, its officials, or employees.
5. Approval of any subdivision plan or land development is only approval of the specifications and regulations governed by this Ordinance.

### **Section 107: Unlawful Recording or Sale of Lots**

1. No plan of a subdivision or land development proposed within Mercer County shall be recorded in any public office unless or until that plan has been approved or reviewed by the Mercer County Regional Planning Commission, and shall bear the proper certification of such action.
2. It shall be unlawful for any person to sell, trade, or otherwise convey any lot, parcel, or tract of land as part of, or in conformity with, any plan, plat, or replat of any subdivision or land development unless and until said plan, plat, replat, or land development shall have been first recorded in the office of the Mercer County Recorder of Deeds.



## **ARTICLE II**

### **DEFINITIONS**

#### **Section 201: Purpose**

The following words or phrases, when used in this Ordinance, shall have the meanings given to them in this Article unless the context or Pennsylvania Municipalities Planning Code, Act 247, as amended, indicates otherwise.

#### **Section 202: Definitions:**

Acre: A land area of 43,560 square feet.

Administrative Officer: The governmental officer charged with administering the regulations of this Ordinance. The staff of the Mercer County Regional Planning Commission administers this Ordinance.

Agriculture: The production, keeping or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops, grains and seed crops, dairy animals and dairy products, poultry and poultry products, livestock, including beef cattle, sheep, swine, horses, ponies, mules, goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals, bees and apiary products, fur animals, fruits of all kinds, vegetables, or lands devoted to soil conservation.

Alley: A public or private street primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

Applicant: A landowner or developer, hereinafter defined, who has filed an application for a subdivision or land development including his/her 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 or land development plan.

Arterial: A road designed to include highways that provide connections between urban places and other traffic generators that develop substantial volumes of traffic on an intercounty or intertownship-borough-city basis where the average trip lengths are usually five (5) miles or greater.

Average Daily Trips (ADT): The average number of vehicular trips generated by a land use over a twenty-four (24) hour period during the week.

Berm: A mound of soil, either natural or manmade, used to obstruct views.

Bikeway: A pathway designed to be used by un-motorized bicycles.

Buffer: An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences, and/or berms, designed to limit continuously the view of and/or sound from the site to adjacent sites or properties.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Building, Principal: A building in which is conducted the principal use of the lot on which it is located.

Caliper: The diameter of a trunk tree.

Capped (Dry) System: A completed water supply and/or sewage collection system put in place for future use (contingent upon expansion), rather than to meet immediate development needs.

Cartway: The actual road surface area from curb line to curb line that may include travel lanes, parking lanes and deceleration and acceleration lanes. Where there are no curbs, the cartway is that portion between the edges of the paved, or hard surface width.

Channel: The bed and banks of a natural stream that convey the constant or intermittent flow of the stream.

Channelization: The straightening and deepening of channels and/or the constant or intermittent flow of the stream.

Collector Street: Those streets carrying considerable volumes of traffic that, in addition to giving access to abutting properties, intercept local streets and provide routes to community facilities to arterials and to State highways.

Commission: The words Commission or Planning Commission shall mean the Mercer County Regional Planning Commission unless otherwise clearly stated.

Common Open Space: Land within or related to a development, not individually owned or dedicated for public use, that is designed and intended for the common use or enjoyment of the residents of the development. It may include complementary structures and improvements.

Communications Antenna: Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service, or any other wireless communications signals including, without limitation, omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes, television antennas, or amateur radio equipment including, without limitation, ham or citizen band radio antennas.

Communications Equipment Building: An unmanned building or cabinet containing communications equipment required for the operation of communications antennas and covering an area on the ground not greater than 250 square feet.

Communications Tower: A structure, other than a building, such as a monopole, self-supporting, or guyed tower, designed and used to support communications antennas.

Condominium: A building, or group of buildings, in which dwelling units, offices, or floor area are owned individually and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Contour: An imaginary line on the surface of the earth connecting all points of equal height above some reference plane, usually sea level.

Culvert: A structure designed to convey a watercourse, not incorporated in a closed drainage system, under a road or pedestrian walk.

Curb: A vertical or sloping edge marking the edge of a cartway.

Dead- End Street: A local street with only one outlet and having the other end for the reversal of traffic movement (See Street).

Dedication: An act transmitting property or interest thereto.

Design Standards: Standards that set forth specific improvement requirements.

Detention Basin: A man-made or natural water collector facility designed to collect surface and sub-surfaced water in order to impede its flow and to release the same gradually, at a rate not greater than that prior to the development of the property, into natural or man-made outlets.

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

Development: Any planned or construction project involving substantial property improvement and, usually, a change of land-use character within the site; the act of using land for building or extractive purposes.

Divided Street: A street having an island or other barrier separating moving lanes.

Drainage: The removal of surface water or groundwater from land by drains, grading, or other means.

Drainage Facility: Any component of the drainage system.

Drainage System: The system through which water flows from the land, including all watercourses, water bodies and wetlands.

Driveway: A private, paved or unpaved roadway, used for ingress or egress of vehicles, and allowing access from a street to a property and any building or other structure or facility on the property.

Dry System (Lines): See Capped System.

Dwelling: A building, or portion thereof, designed for residential occupancy.

Dwelling Unit: 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 Unit, Attached: A dwelling unit located within the same structure as another dwelling unit or other use.

Dwelling Unit, Detached: A dwelling unit located within a structure separate from and not attached to a structure with another dwelling unit or other use.

Easement: A grant of one or more property rights, usually in a defined area, by the property owner to and/or for use by the public, a corporation, or another person or entity.

Environmental Constraints: Features, natural resources, or land characteristics that are sensitive to improvements and may require conservation measures by the application of creative development techniques to prevent degradation of the environment, or may require limited development, or in certain instances may preclude development.

Equivalent Dwelling Unit (EDU): A term used in planning for water and/or sewer facilities to estimate the water used or generated by a particular use. For residential planning, the term is literal, and typically a residential EDU is estimated at three hundred (300) gallons per day. In commercial, industrial, institutional, or other non-residential uses the EDU sanitary sewer flow is equal to four hundred (400) gallons per day.

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

Escrow: A financial guarantee permitted under Section 509 of the Planning Code.

Family: A group of individuals, not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit.

Fence: An artificially constructed barrier of wood, masonry, stone, wire, metal, or any other manufactured material or combination of materials.

Final Approval: The official action of the Planning Commission taken on a minor subdivision or a preliminarily approved major subdivision or land development plan after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees properly posed for their completion or approval conditioned upon the posting of such guarantee.

Final Plan: The final map of all or a portion of a subdivision that is presented for final approval, and official recording as required by statute.

Flag Lot: A lot not meeting the minimum frontage requirements of this Ordinance and/or local regulations and where access to a public road is provided by a narrow strip of land.

Frontage: See Lot Frontage

Governing Body: The council in cities, boroughs and incorporated towns, the board of commissioners in townships of the first class, the board of supervisors in townships of the second class, the board of commissioners in counties of the second class through eighth class or as may be designated in the law providing for the form of government.

Grade: The slope of a street or other public way specified in percentage (%) terms.

Ground Cover: A planting of low-growing plants or sod that, in time, forms a dense mat covering the area, preventing soil from being blown or washed away and the growth of unwanted plants.

Gross Floor Area: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Historic Site: A structure or place of historical significance. May be designated as such by local, state, or federal government.

Impervious Surface: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

Impoundment: A body of water, such as pond, confined by a dam, dike, floodgate, or other barrier.

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

Individual On-lot Sewage Disposal System: A septic tank, seepage tile sewage disposal system, or any other sewage treatment device serving a single unit and approved by the Department of Environment Protection and the municipal Sewage Enforcement Officer.

Industrial Street: A street designed to provide access from a collector or arterial street to an industrial structure of twenty thousand (20,000) square feet or larger with one (1) or more loading docks.

Land Development: As defined by the MPC subsection 107, is 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 nonresidential 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 (provided that, for the purpose of this Ordinance, the regulations governing subdivisions are separate from those governing other types of land development).
  3. Development in accordance with Section 503 (1.1) of the MPC.

Lane: A private street or roadway designed to provide access for four (4) or fewer dwelling units to a public road.

Local Street: Those streets used primarily to provide access to abutting properties, to provide frontage for access to private lots and carry traffic having destination or origin on the street itself.

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 lot lines of the individual parcels of land as shown on a subdivision plan, excluding the area within the street right-of-way or easement for overhead utility lines, but including any easements, expressed in terms of acres or square feet.

Lot Frontage: That portion of a lot extending along a street line.

Maintenance Guarantee: Any security that may be required and accepted by the governing body of the local municipality to ensure that necessary improvements will function as required for a specific period of time.

Major Subdivision: Any subdivision that is not a minor subdivision.

Marginal Access Street: A service street that runs parallel to a higher-order street that, for purposes of safety, provides access to abutting properties and separation from through traffic. May be designed as a local street or collector as anticipated daily traffic dictates.

Median: That portion of a divided highway separating lanes of traffic proceeding in opposite direction.

Mineral Excavation: The excavation or extraction of any earth products of natural mineral deposit, except where such excavation is for purposes of grading for a building lot or roadway.

Minor Subdivision: A subdivision that meets the requirement of Section 105.1 of this Ordinance. In general, such developments involve no new streets, do not require the

construction/installation of water, sewer, or similar infrastructure, and contain ten (10) lots or less with approved access to a public road.

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 integral unit capable of again being separated for repeated towing, that 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.

Mobile Home Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.

Mobile Home Park: A parcel or contiguous parcels of land that have been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

MPC: The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as subsequently re-enacted and amended.

Multi-Family Dwellings: A building that contains two (2) or more dwelling units.

Municipality: The County of Mercer, unless otherwise noted.

Municipality, Local: A city, borough, or township within Mercer County, but not including the County of Mercer itself.

Municipal Engineer: A professional, licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for the County of Mercer or a local municipality.

Off-Site: Located outside the lot lines of the lot in question but within the property (of which the lot is a part) that is the subject of a development application, or on a contiguous portion of a street or right-of-way.

On-Lot: Located on the property that is the subject of a development application or on a contiguous portion of a street or right-of-way.

On-Site: Located on the lot in question.

On-Street Parking Space: A parking space that is located on a dedicated street right-of-way.

Open Space: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for the public or private use enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

Parcel: Any legally described piece of land under single ownership.

Parking Lane: A lane usually located on the sides of streets, designed to provide on-street parking for vehicular traffic.

Parking Space: An area provided for the parking of a motor vehicle.

Pavement: See cartway.

Performance Guarantee: Any security, consistent with the criteria of Article V of the MPC, that may be accepted as a guarantee that the required improvements are satisfactorily completed.

Pervious Surface: A surface that permits full or partial absorption of storm water.

Planning Commission: The Mercer County Regional Planning Commission, unless otherwise noted.

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

Potable Water Supply: Water suitable for drinking or cooking purposes.

Preliminary Approval: The conferral of certain rights prior to final approval after specific elements of a land development plan or subdivision have been agreed upon by the Planning Commission and the applicant.

Preliminary Plan: A drawing indicating the proposed layout of a land development or subdivision and related information that is submitted for preliminary approval and meeting the requirements of this Ordinance.

Public Hearing: A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with the Ordinance or the MPC.

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 successive weeks in a newspaper of general circulation in the municipality. 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.

Public Open Space: An open space area conveyed or otherwise dedicated to the local municipality, municipal agency, board of education, state or county agency, conservancy, or other public body for recreational or conservational uses.

Recreational Vehicle: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel uses that either has its own motive power or is mounted or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home.



Recreational Vehicle Park: A plot of land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Retaining Wall: A structure erected between lands of different elevation to protect structures and/or to prevent the washing down or erosion of earth from the upper slope level.

Retention Basin: A pond, pool, or basin used for the permanent storage of water runoff.

Right-of-Way: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use.

Screen: A structure or planting that may consist of fencing, berms, and/or evergreen trees or shrubs providing a continuous view obstruction within a site or property.

Sedimentation: A deposit of soil that has been transported from its site of origin by water, ice, wind, gravity, or other natural means as a product of erosion.

Septic System: An underground system with a septic tank used for the decomposition of domestic wastes.

Septic Tank: A watertight receptacle that receives the discharge of sewage.

Sewage Enforcement Officer (SEO): An official of a local municipality who issues permits for on-lot sewage systems under the provisions of the Pennsylvania Sewage Facilities Act.

Setback: The distance between the street right-of-way line and the front line of a building or any projection thereof, excluding uncovered steps.

Sewer: Any pipe conduit used to collect and carry away sewage or stormwater runoff from the generating source to treatment plants or receiving streams.

Shoulder: The graded part of the right-of-way that lies between the edge of the main pavement (main traveled way) and the curb line.

Sidewalk: A paved path provided for pedestrian use and usually located at the side of a road within the right-of-way.

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.

Site Plan: An accurately scaled land development plan that illustrates the existing conditions on a land parcel as well as depicting details of a proposed land development.

Sketch Plan: A rough drawing of a proposed subdivision plan or land development of sufficient accuracy to be used for the purpose of discussion and applicability of this Ordinance.

Stormwater Detention: A provision for storage of stormwater runoff and the controlled release of such runoff during and after a flood or storm.

Street: Includes street, avenue, boulevard, road, highway, freeway, parkway, alley, viaduct, stub street and any other way used or intended to be used by vehicular traffic or pedestrians, whether public or private. Collector and Arterial streets shall be determined as such by the Functional Class Map for Mercer County.

Subdivision: The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, 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 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Subgrade: The natural ground lying beneath a road.

Structure: Anything constructed or erected that requires location on the ground or attached to something having location on the ground.

Topsoil: The original upper layer of soil material to a depth of six (6) inches, that is usually darker and richer than the subsoil.

Traffic Impact Analysis: An analysis prepared by a professional engineer of traffic generated by a new or expanded development plan on roads that provide access to the development.

Trip: A single or one-way vehicle movement to or from a property or study area. "Trips" can be added together to calculate the total number of vehicles expected to enter and leave a specific land use or site over a designated period of time.

Un-Subdivision (also Lot Combination): The act of eliminating an existing subdivision by combining lots or parcels of land into one (1) deed describing the entire tract as one (1) lot or parcel. The procedure for a un-subdivision follows that of a minor subdivision.

USGS: United States Geological Survey or the maps produced by that agency.

Yard: An open space that lies between the principal building or buildings and the nearest lot line.

Yard, Front: A space extending the full width of the lot between any building and the front lot line.

Yard, Rear: A space extending the full width of the lot between any building and the rear lot line.

Yard, Side: A space extending from the front yard to the rear yard between any building and the side lot line.

## **ARTICLE III**

### **PROCEDURE FOR SUBDIVISION PLANS**

#### **Section 301: Purpose**

The purpose of this Article is to establish the procedure for Planning Commission review and action on applications for subdivision plans. The procedure is intended to provide for the orderly and consistent processing of such applications.

#### **Section 302: General**

In order to make the most of the opportunities related to the subdivision and to conserve time, effort and expense, the owner or subdivider should consult with the Planning Commission, the Municipal Engineer and other relevant public officials prior to the preparation of the preliminary plan of the subdivision. This informal review should prevent unnecessary and costly revisions. Requirements for thoroughfares, streets, possible school and recreational sites, shopping centers, community facilities, sanitation, water supply and drainage, and relationship to other developments existing and proposed in the vicinity should be determined in advance of the preparation of the subdivision plan. A thorough estimate of the situation will result in sound decisions with respect to the form, character and intent of the proposed subdivision.

#### **Section 303: Pre-Application Conference and Sketch Plan**

For the purposes of providing an early exchange of information between a subdivider and the Planning Commission, promoting a mutual understanding of the character of a development and the applicability of this Ordinance, and expediting the application and review process, the subdivider or the Planning Commission may request a pre-application conference. At the mutual consent of both parties, the subdivider may appear before the Planning Commission or meet with its staff. At the pre-application conference, the subdivider shall present the following:

1. **Sketch Plan:** A rough drawing of a proposed subdivision plan of sufficient accuracy to be used for the purpose of discussion and applicability of this Ordinance. It may be drawn free-hand on plain paper and shall show the proposed layout of lots and streets and significant existing land features.
2. **General Information:** A description of covenants, land characteristics, community facilities and utilities, street improvements, the number of lots and sizes, hazards on the property, and surrounding land and development. The subdivider is encouraged to present additional maps to convey this information, including location map, topographic map, soils map, and/or aerial photograph.

**Note:** Action under Section 303, including submission of a sketch plan, is a voluntary act and shall never be considered as the submission of the preliminary or final plan, as required by this Ordinance or the MPC.

### **Section 304: Submission of Subdivision Plans**

1. Preliminary and/or final plans for all proposed subdivisions of land within the jurisdiction of the Mercer County Subdivision and Land Development Ordinance shall be submitted to the Mercer County Regional Planning Commission for review and approval.
2. For the filing of a subdivision to be phased over a period of time, each phase shall contain at least twenty-five percent (25%) of the total dwelling units, as shown by the preliminary plan, unless an alternate phasing arrangement is approved by the Planning Commission.

### **Section 305: Preliminary Subdivision Plan**

1. Preliminary plans shall be required for all major subdivisions. Application for preliminary plan approval shall contain drawings and information, meet criteria, and be accompanied by required documentation as specified in Section 601. Subdivision design shall comply with the provisions of Article IV, Design Standards for Subdivisions, of this Ordinance.
2. Two (2) copies of the preliminary plan and one (1) copy of required supporting documentation shall be submitted to the Mercer County Regional Planning Commission by the subdivider or his agent at least seven (7) working days in advance of a scheduled monthly meeting of the Planning Commission or a committee of the Planning Commission duly established for the purpose of reviewing subdivision plans. A plan shall not be considered submitted or filed and shall not be processed until it includes all required drawings, documents, and information as specified in this Ordinance. If the submission is incomplete, it may be returned to the applicant.
3. The Planning Commission shall render its decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed, or after the final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or final order from the court, the said 90-day period shall be measured from the 30<sup>th</sup> day following the day the application has been filed.
  - a. The decision of the Planning Commission shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
  - b. If the application is not approved, as filed, the decision shall specify the defects found in the application, describe any requirements that have not been met and shall cite the appropriate provisions of this Ordinance that were relied upon for the disapproval.
  - c. If the application is conditionally approved by the Planning Commission, such approval will be automatically rescinded if the applicant rejects or fails to accept in writing such conditions within thirty (30) days from the date of the meeting or such conditional approval.
  - d. As set forth by Section 508(3) of the Municipalities Planning Code, failure of the Planning Commission to act upon an application and to communicate its decision to the applicant within the time and manner required in the Ordinance shall result

in a deemed approval of the application unless the applicant has agreed, in writing, to an extension in time or a change in the manner of communicating the decision.

- e. Applicants are entitled to have applications approved in the context of the ordinance(s) in effect at the time the application is filed as described by Section 508(4) of the Municipalities Planning Code.
4. The Planning Commission shall review the preliminary plan at a scheduled public meeting. The Commission may hold a public hearing on the application pursuant to public notice.
5. The Planning Commission action may include, but is not limited to, the following options:
  - a. Approval as submitted.
  - b. Conditional approval, with the conditions clearly noted, along with any pertinent references to this Ordinance.
  - c. Disapproval with the reasons for disapproval and pertinent citations to this Ordinance.
  - d. Tabling consideration until needed information or clarification is obtained.

It is recommended that the owner, his engineer, or agent be present at the meetings of the Planning Commission where the preliminary plan is to be considered.

### **Section 306: Final Plan**

1. Final plans shall be required for all minor and major subdivisions. Application for final plan approval shall contain drawings and information, meet criteria, and be accompanied by required documentation as specified in Section 602. Subdivision design shall comply with the provisions of Article IV, Design Standards for Subdivisions, of this Ordinance.
2. The final plan shall conform, in all important respects, with the preliminary plan as previously approved by the Planning Commission, and shall incorporate any modifications and revisions specified by the Planning Commission in its conditional approval of the preliminary plan.
3. One (1) original and three (3) copies of the final plan and one (1) copy of required supporting documentation shall be submitted to the Mercer County Regional Planning Commission by the subdivider or his agent. Major plan final plans shall be submitted at least seven (7) working days in advance of a scheduled monthly meeting of the Planning Commission or a committee of the Planning Commission duly established for the purpose of reviewing subdivision plans. A plan shall not be considered submitted or filed and shall not be processed until it includes all required drawings, documents, and information as specified in this Ordinance. If the submission is incomplete, it may be returned to the applicant.
4. If the final plan has not been submitted for approval within one (1) year after the Planning Commission acted on the preliminary plan, then the Planning Commission may require the submission of a new preliminary plan if it finds that conditions, including but not limited to land characteristics, ownership of or encumbrances on the property, road and utility service to the property, or surrounding land use, have changed significantly.

5. The Planning Commission shall render its decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed, or after the final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or final order from the court, the said 90-day period shall be measured from the 30<sup>th</sup> day following the day the application has been filed.
  - a. The decision of the Planning Commission shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
  - b. If the application is not approved, as filed, the decision shall specify the defects found in the application, describe any requirements that have not been met and shall cite the appropriate provisions of this Ordinance that were relied upon for the disapproval.
  - c. If the application is conditionally approved by the Planning Commission, such approval will be automatically rescinded if the applicant rejects or fails to accept in writing such conditions within thirty (30) days from the date of the meeting or such conditional approval.
  - d. As set forth by Section 508(3) of the MPC, failure of the Planning Commission to act upon an application and to communicate its decision to the applicant within the time and manner required in the Ordinance shall result in a deemed approval of the application unless the applicant has agreed, in writing, to an extension in time or a change in the manner of communicating the decision.
  - e. Applicants are entitled to have applications approved in the context of the Ordinance(s) in effect at the time the application is filed, as described by Section 508(4) of the MPC.
6. The Planning Commission shall review the final plan at a scheduled public meeting. The Commission may hold a public hearing on the application pursuant to public notice.
7. The Planning Commission action may include, but is not limited to, the following options:
  - a. Approval as submitted.
  - b. Conditional approval, with the conditions clearly noted, along with any pertinent references to this Ordinance.
  - c. Disapproval, along with the reasons therefore and pertinent citations to this Ordinance.
  - d. Tabling consideration until needed information or clarification is obtained.

It is recommended that the owner, his engineer, or his agent shall be present at the meetings of the Planning Commission where the Final Plan is to be considered.

## **ARTICLE IV**

### **DESIGN STANDARDS FOR SUBDIVISIONS**

#### **Section 401: Purpose**

The purpose of design standards is to create a functional and attractive development, to minimize adverse impacts, and to ensure that a project will be an asset to a community. To promote this purpose, the subdivision plan shall conform to the following standards, which are designed to result in a well-planned community without adding unnecessarily to development costs.

#### **Section 402: General Site Standards**

Plans shall follow the regulations of this Ordinance in their site design. In addition to these specific regulations, the Planning Commission notes the following:

1. Site Analysis: The developer, and his design professionals, are encouraged to develop their plan consistent with the physical and built characteristics of the location, considering:
  - a. Topography
  - b. Existing vegetation, including trees
  - c. Any historic or archeological sites
  - d. Geology
  - e. Visual features
2. Additional Regulations: In addition to this Ordinance, there may be other ordinances, laws, or policies that regulate any proposed development. Although the Planning Commission endeavors to identify such additional regulations, **IT WILL BE THE SOLE RESPONSIBILITY OF THE APPLICANT TO DETERMINE AND COMPLY WITH SUCH ADDITIONAL REGULATIONS.** The most common of these regulations are:
  - a. Local zoning regulations;
  - b. Regulations relative to water and sewer facilities as imposed by Department of Environmental Protection, a municipality, a municipal authority or a private utility;
  - c. On-lot sewage regulations as administered by the municipal Sewage Enforcement Officer;
  - d. Other utilities (gas, electric, telephone, cable, etc.);
  - e. Regulations regarding wetlands;
  - f. Regulations regarding floodplains;
  - g. Habitats of endangered wildlife;
  - h. Regulations concerning historic structures;
  - i. Regulations relative to the access of local or State roads;
  - j. Building codes and regulations, State and/or local;

- k. Erosion and sedimentation plans and possible other related permits as administered by the Mercer County Conservation District.
3. Applicants should consult the Mercer County Comprehensive Plan and any applicable local municipality Comprehensive Plan or Official Map.

### **Section 403: Density and Lot Standards**

In the event a municipality has adopted a zoning ordinance or other developmental regulations, the lot and density standards provided for in such ordinance will take precedence over this Section. However, in the absence of such a zoning ordinance or other developmental regulation, and to provide for sufficient light, air, access, orderly design in consideration of the availability of water and sewage facilities, and freedom from hydrologic, geologic, or topographic hazards, all subdivisions shall be designed in conformance with this Section to determine maximum residential density.

#### **403.1: Non-Buildable and Constrained Lands**

Within a proposed subdivision, certain lands shall be considered non-buildable or constrained and shall not be considered as part of the net lot area used to determine if lots meet minimum lot area requirements.

1. Non-Buildable Areas: The following areas are regarded as non-buildable areas:
  - a. Overhead utility line ROWs: All land within the rights-of-way of existing or proposed overhead utility lines.
  - b. Floodways: All land in a designated floodplain floodway.
  - c. Open water: All land covered by lakes, ponds, or other open water, natural or man-made.
2. Constrained Lands Deduction: Due to geologic, topographic and hydrologic hazards, the following areas are considered constrained for building:
  - a. Steep slopes: All land with natural ground slopes exceeding twenty percent (20%).
  - b. Floodplains: All land in a designated 100-year floodplain.

#### **403.2: Net Lot Area**

Net lot area shall be used to determine if a lot meets minimum lot area requirements contained in Section 403.3. Net lot area is calculated by subtracting from total (gross) lot area the following non-building areas and constrained lands as defined above:

1. 1.00 times the area of overhead utility line ROWs, floodways, and open water; and
2. 0.80 times the area in steep slopes; and
3. Either 0.50 times the area in floodplains, or, where a floodway is not designated, 0.75 times the area in floodplains.



**403.3: Lot Requirements**

1. The following table specifies minimum requirements for all proposed lots:

	<b>With Approved On-Lot Sewer</b>	<b>With Community Sewer</b>	<b>With Both Community Water and Sewer</b>
Minimum Net Lot Area	20,000 Square Feet	10,000 Square Feet	7,500 Square Feet
Minimum Lot Width	100 Feet	75 Feet	60 Feet
Minimum Front Setback	35 Feet	25 Feet	10 Feet

2. Lot Averaging: In subdivisions of ten (10) lots or more (excluding the original or residual tract), lots below the minimum standard may be allowed provided no lot has a net lot area less than twenty-five percent (25%) below the minimum and the average net lot area of all proposed lots is not less than the stated minimum.
3. Residual Land: In the event the applicant does not include non-buildable or constrained lands as part of the lots within the proposed subdivision, such residual land shall be retained by the applicant or transferred to a homeowner’s association, a municipality, or a conservancy. Furthermore, the developer shall provide evidence that any recipient entity has the fiscal and administrative capacity to own, pay taxes upon (if appropriate) and maintain such land.
4. Lot Access: Every lot in a subdivision shall abut an existing road, a road created in the plan containing the lot, an access strip abutting an existing road, an access provided over another parcel through an easement agreement, or an approved private road or street, as provided for in Section 404.
5. The depth of a lot shall not exceed four times the width (4:1). However, when the width of a lot exceeds four hundred fifty (450) feet, the regulation on depth and width ratio shall be waived. The lot width shall be measured at the building setback line.
6. Lots shall meet the minimum front yard setback requirements for all sides upon which there is street frontage, as well as along any private right-of-ways or access easements.
7. Front setbacks for all lots that abut an existing or proposed arterial street or road, as determined by the Functional Class Map for Mercer County, shall be increased by twenty percent (20%).
8. Double frontage lots or reverse frontage lots shall be discouraged except where lots abut, along their rear line, arterial or collector roads, in which case the rear building line of the lots shall be seventy-five (75) feet from the street right-of-way line. Such lots shall have no right of access to the abutting arterial or collector street.
9. Sidelines of lots shall generally be at right angles or radial to streets lines.
10. Lot lines within a subdivision shall be arranged to minimize the amount of drainage passing from one lot directly on to a neighboring lot. The Planning Commission may direct the developer to provide drainage easements or grade swales along lot lines to control drainage across lots.
11. Flag Lots: Flag lots are permitted.

12. Adjoiners: A proposed lot not meeting the minimum lot requirements of this section and intended to be conveyed and adjoined to an adjacent property is permitted, provided the following note shall be placed on the plan: *Lot #\_\_\_ is not a separate building lot and is to be conveyed and become part of adjoining land of (name of landowner)*. Both the lot created in effect by combination with an adjoiner and the residual lot shall be in compliance with this Ordinance and local zoning ordinances.

**Section 404: Streets**

**404.1: General Standards**

1. The arrangement of streets and access to roads (driveways) shall conform to the transportation plan of the comprehensive plan or official map for the local municipality and County.
2. For streets not shown on the master plan or official map, the arrangement shall provide for the appropriate extension of existing streets.
3. Proposed street systems may be required to be integrated into existing or proposed street systems in the immediate area of the proposed development.
4. When the subdivision adjoins unsubdivided property large enough for further subdivision into streets and lots, new streets or reserved right-of-way not less than fifty (50) feet in width shall be provided to the boundary lines of the adjoining property at location(s) suitable to enable future access connection with the adjoining property.
5. If lots in a subdivision are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such resubdivision shall be provided. Such access and/or street openings shall not be less than fifty (50) feet in width.
6. For any new streets that will intersect upon a State highway, the developer will be required to obtain a Highway Occupancy Permit from the Pennsylvania Department of Transportation.

**404.2: Street Classification**

Street classification shall be based upon the anticipated daily traffic volume, based on the following table:

Street Type	Daily Traffic Volume
Lane <sup>1</sup>	0-40 <sup>2</sup>
Local	0-1,000 <sup>2</sup>
Collector	1,000+ <sup>2</sup>

<sup>1</sup> Private street

<sup>2</sup> Based on an ADT of 10 vehicles per dwelling unit, per day.

**404.3: Subdivision Types**

Standards for streets, curbs, sidewalks, and street trees shall be based on one of three types of subdivisions:

1. **Type I Subdivision:** A subdivision in which the average lot size is greater than one (1) acre and no lot contains less than thirty-three thousand (33,000) square feet.
2. **Type II Subdivision:** A subdivision in which the average lot size is between twenty-five thousand (25,000) square feet and one (1) acre and no lot contains less than eighteen thousand (18,000) square feet.
3. **Type III Subdivision:** Any subdivision where the average lot size is smaller than twenty-five thousand (25,000) square feet.

Notwithstanding the previous objective criteria, the Planning Commission may determine subdivision type to most closely match the predominant character and design of development, including streets, curbs, sidewalks, and street trees, adjacent to the proposed subdivision.

**404.4: Street Design Standards**

Street Classification	Minimum Cartway Width	Minimum Right of Way	Maximum Length Dead-End Street	Minimum Turning Radius Dead-End Street	Sidewalks	Curbing
Lane	16 Feet	50 Feet	May service up to and including 4 lots	65 Feet Unpaved Center (70 Feet R.O.W.)	Optional	Optional
Local Type I	20 Feet No Curbs 22 Feet Curbed	50 Feet	1,000 Feet	65 Feet Unpaved Center (70 Feet R.O.W.)	Optional	Optional
Local Type II	22 Feet No Curbs 24 Feet Curbed	50 Feet	1,000 Feet	45 Feet (50 Feet R.O.W.)	Optional	Optional
Local Type III	24 Feet Curbed	50 Feet	1,000 Feet	45 Feet (50 Feet R.O.W.)	Required	Required
Collector	24 Feet No Curbs 28 Feet Curbed	60 Feet	Not Permitted	Not Permitted	Required If Servicing Type II or III Local Street	Required If Servicing Type III Local Street
Industrial	24 Feet No Curbs 28 Feet Curbed	60 Feet	1,000 Feet	70 Foot Paved Center	Optional	Optional
Marginal Access	22 Feet No Curbs 24 Feet Curbed	50 Feet	Not Permitted	Not Permitted	Optional	Optional

1. The Planning Commission may require additional right-of-way or cartway width if unique safety or traffic flow considerations make such standards necessary.
2. Arterial streets shall meet applicable Penn DOT standards.

**404.5: Dead-End Streets**

1. No street shall terminate without a cul-de-sac or a T or Y-shaped turnaround. T or Y turnarounds may service no more than six (6) lots.
2. The total traffic volume on a dead-end street shall not exceed 250 ADT.
3. Dead-end streets, permanently designed as such, shall not exceed one thousand (1,000) feet in length, unless topography factors justify a greater distance or whereby intersecting side streets provide additional access to this dead-end street. The length of a dead-end street shall be measured from its entrance to its termination. If a cul-de-sac, T, or Y turnaround is so used, the length shall be the furthermore end of the turnaround cartway.
4. Each arm of a T or Y turnaround shall have a length of twenty-five (25) feet.
5. Unless future extension is clearly impractical, the turnaround right-of-way shall be placed adjacent to the property line and right-of-way of the same width as the street shall be carried to the property line such a way as to permit future extension of the street into the adjoining tract.

**404.6: Design Criteria for Streets (Not to include intersections)**

**Type of Street\***

	<b>Local</b>	<b>Collector</b>	<b>Industrial</b>	<b>Dead End<sup>4</sup></b>	<b>Lane</b>
Maximum Grade <sup>1</sup>	8.0%	6.0%	6.0%	6.0%	8.0%
Minimum Grades <sup>2</sup>	1.0%	1.0%	1.0%	1.0%	1.0%
Minimum Centerline Radius	150 feet	300 feet	300 feet	150 feet	150 feet
Minimum Sight Distance <sup>3</sup>	150 feet	250 feet	250 feet	150 feet	150 feet
Tangent between Curves	100 feet	100 feet	150 feet	N.A.	100 feet

\* For Arterial Roads, PennDOT standards will apply.

<sup>1</sup> Grades in excess of the allowable percentage may be approved by the County Engineer when it is clear that it is necessary and that no traffic hazard is or will be created thereby.

<sup>2</sup> Modifications to the minimum grade must be approved by the County Engineer.

<sup>3</sup> Site distance shall be measured along the centerline of the street between points where a driver's eyes at 3' 6" in height can see an object 2' high.

<sup>4</sup> Dead-end streets include the entire street, not merely the vehicular turn-around.

1. Horizontal curves shall be laid on all deflecting angles along the centerline of streets and the degree of curvature shall be set at least to assure the required sight distance.
2. Vertical curves shall be used in changes of grade exceeding one percent (1%) and shall be designed for maximum visibility.

**404.7: Street Intersections**

1. Streets shall be laid out to intersect, as closely as possible, at right angles. No street shall intersect another at an angle of less than sixty (60) degrees.
2. Intersections involving the junction of more than four (4) approaching road legs shall be avoided. Where this proves impossible, a modification of this provision shall be sought.
3. Where the grade of any street at the approach to an intersection exceeds seven percent (7%), a leveling area shall be provided having no greater than a four percent (4%) grade for a distance of fifty (50) feet measured from the nearest right-of-way line of the intersecting street. The grade at actual intersection shall not exceed two percent (2%) in any direction.
4. Clear sight triangles of seventy-five (75) feet measured along street center lines from their point of junction shall be provided at all intersections, and no structures or vegetation higher than three (3) feet shall be permitted within such triangles. It will be the preferred practice that topography within such triangles shall be level or low enough not to interfere with the clear sight triangle. Where the topography within the triangle is higher than the road, the three (3) foot measurement shall begin from the elevation of the road. The following standards shall be used for measurement:

Topography Elevation	Allowable Structure or Vegetation Height
1 foot higher than the road	2 feet
2 feet higher than the road	1 foot
3 feet or more higher than the road	No vegetation, except lawns, or structure shall be permitted within the sight triangle.

5. To the fullest extent possible, intersections with arterial streets shall be located not less than five hundred (500) feet apart measured from centerline to centerline.
6. Intersecting streets shall be separated by three hundred fifty (350) feet or more, measured between their centerlines, along the centerline of the intersected street.

**404.8: Curbs**

1. Curbing is required within a Type III Subdivision and along collector streets servicing a Type III Subdivision.
2. When a Type I or Type II subdivision, industrial road, or lane is developed in an area where surrounding streets and development contain storm water collection facilities, curbing shall be installed for the purposes of continuing the storm water collection system, safety, and delineation and protection of the pavement edge.
3. All curbs shall be vertical curbs. Rolled curbs may be allowed only with approval of the Planning Commission and the local municipality. All curbs shall be built to the following standards:
  - a. Vertical curbs shall be at least six (6) inches in height.
  - b. Curbing shall be designed to provide a ramp for bicycles and/or wheelchairs as required by applicable PennDOT (ADA) standards.

- c. Curbing shall be constructed of Portland cement concrete with expansion joints every twenty (20) feet and shall follow PennDOT standards where applicable (See Curb Design Detail).
4. Curb radius at intersections:
  - a. Local Streets: Minimum curb radii at street intersections shall be twenty (20) feet.
  - b. All Other Streets: Minimum curb radii at street intersections shall be thirty (30) feet. In industrial or commercial subdivisions or land developments, curb radii may be increased to accommodate truck traffic.

**404.9: Sidewalks**

1. Sidewalks shall be provided on both sides of all streets within a Type III Subdivision and as noted by table 404.4, Street Design Standards.
2. The requirement of sidewalks may be modified in accordance with Section 904 of this Ordinance.
3. The Planning Commission may determine, due to safety and potential volume of pedestrian traffic, that sidewalks shall be required in certain Type II Subdivisions and along collectors servicing Type II or Type III Subdivisions. Specific examples of such instances are when a development abuts or is in close proximity to a school, a public park, or similar use that may generate pedestrian traffic.
4. Minimum widths for sidewalks along each type of public street shall be four (4) feet and shall follow PennDOT construction specifications where applicable. Sidewalks shall be placed at least five (5) feet from the cartway edge.

**404.10: Street Trees**

1. The coordinated planting of deciduous street trees are required on both sides of the street in all Type III Subdivisions and all roads with sidewalks.
2. Street trees shall be planted within the strip between the cartway edge and sidewalk. If that is not feasible, street trees may be placed between the sidewalk and the building; however, the street trees must be placed within 10 feet of the sidewalk. This option can only be done with the approval of the local municipality and the Planning Commission.
3. Such trees shall be 2” to 2.5” in diameter, measured at chest height, when planted, and shall be spaced at intervals no greater than forty (40) feet along both sides of each street, including arterial roads, but not including rear access lanes or alleys.
4. Street tree species shall be selected according to the following criteria<sup>1</sup>:
  - a. Cast moderate shade to dense shade in summer;
  - b. Long-lived (over 60 years);
  - c. Mature height of at least forty (40) feet;
  - d. Be tolerant of pollution and direct or reflected heat;
  - e. Require little maintenance by being mechanically strong (not brittle) and insect- and disease-resistant;
  - f. Be able to survive two (2) years with no irrigation after establishment.

<sup>1</sup>This criteria may be adjusted if street trees are planted in proximity of either overhead or underground utilities. If the tree lawn area is less than required by Section 409.9.4, further adjustments relative to mature tree size may be needed. The selection of specific tree species will generally be left to the applicant. However, the Planning Commission will maintain a list of recommended species for the convenience of applicants. The Planning Commission may reject a selected species if there is clear evidence it cannot be used successfully.

5. The following is a list of recommended street trees capable of withstanding the above mentioned criteria:

- a. Thornless Honeylocust
- b. Seedless Green Ash
- c. Zelkova
- d. Northern Red Oak
- e. English Oak
- f. Shumard Oak
- g. Ginkgo (Maple only)
- h. Hackberry
- i. Baldcypress
- j. Dawn Redwood
- k. Kentucky Coffeetree
- l. Hardy Rubber Tree
- m. The following trees have been identified as resistant to road salt:
  - Norway Maple
  - Silver Maple
  - Horse Chestnut
  - Hackberry (also listed above)
  - Washington Hawthorn
  - Honeylocust
  - Crabapple
  - English Oak (also listed above)
  - Japanese Pagoda

\* This list was obtained from the publication "Selecting Tree Species for the Community Forest" printed by Penn State College of Agricultural Sciences Cooperative Extension and the Pennsylvania Urban and Community Forest Council and from "Street Trees, a Manual for Municipalities, 1993".

6. If a local municipality has a Street Tree Ordinance, that ordinance shall take precedence over these street tree standards.

#### **404.11: Right-of-Way**

1. The right-of-way shall be measured from lot line to opposing lot line and shall be sufficiently wide enough to contain the cartway, curbs, shoulders, sidewalks, street trees, graded areas and, if they are to be placed within the right-of-way, utilities.
2. The right-of-way width of a new street that is a continuation of an existing street shall in no case be continued at a width less than that of the existing street.

## **Section 405: Construction Standards for Opening of New Streets**

The following specifications for new streets are required in all areas of the County governed by this Ordinance:

### **405.1: Plans and Compliance**

1. No person shall construct, open, or dedicate any road, or any drainage facilities in connection therewith, for public use or travel within Mercer County without first submitting plans thereof to the local municipality in which the subdivision is located and the Planning Commission for their approval. Such plans shall be prepared in duplicate in accordance with such rules or regulations as may be prescribed by this Ordinance and any additional requirements of the local municipality. Plans submitted for review and approval by the Mercer County Regional Planning Commission shall be accompanied by a certified report as prescribed in Section 405.9, Responsibility for Inspection.
2. Said plans shall show the cross-sections, profiles, course, structure of such roads, and the capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory. Also, said plans shall show any other details that may be required by the local municipality or the Planning Commission. Construction shall be in strict accordance with the **preliminary plans** as approved.

### **405.2: Nature of Approval**

1. Approval of a preliminary plan by the Planning Commission and the local municipality shall not constitute approval of the final plan, or of roads or other improvements therein, but it is rather an expression of approval of layout submitted on the preliminary plan as a guide to the preparation of the final plan. The final plan shall be submitted for the approval of the local municipality and the Planning Commission, in that order, upon fulfillment of the requirements of this Ordinance.

### **405.3: Excavation and Grading**

1. Streets shall be excavated and graded as indicated on the approved plans. This shall include excavation of the street to the lines, grades and limits indicated on the drawings, or as may be revised by the Planning Commission and local municipality, to meet conditions encountered during construction, the excavation for intersecting roadways, stream channels and culverts within the approved right-of-way limits, and shall also include the widening of cuts, flattening and rounding of slopes outside the right-of-way as called for on approved plans, removal of top soil and excavating of ditches, and the construction of fill. Inspection shall be performed and approval granted by the municipality prior to further work.

### **405.4: Drainage Structures**

1. Drainage structures shown on the approved plans shall be installed to PennDOT standards and to the satisfaction of the Planning Commission and local municipality. Culverts may be corrugated galvanized pipe, high-density polyethylene, plain concrete, or reinforced concrete pipe, as specified on the approved plan, and shall be prepared according to PennDOT standards. Headwalls shall be installed properly and inspected by



the municipality. All construction of drainage structures shall meet appropriate PennDOT standards.

**405.5: Backfilling**

1. After the pipe is laid and inspected, the trench shall be backfilled to a height not exceeding the outside diameter of the pipe with a suitable material installed in four (4) inch layers and thoroughly compacted to the satisfaction of the municipality.

**405.6: Preparation of Sub-Grade**

1. After the drains have been constructed, the sub-grade shall be formed by shaping the graded roadway surface to the approved profile. The surface shall be brought to a firm, thoroughly compacted condition for the width of the base course by rolling with an approved ten-ton power roller, to the satisfaction of the local municipality. Any soft or unsuitable material shall be removed and replaced with suitable material.

**405.7: Procedure When a Street or Road is to Remain Private**

1. Responsibility for inspection and supervision of said improvements shall be the same as outlined in Section 405.9, Responsibility for Inspection.
2. A maintenance agreement shall accompany the plan to be recorded, when submitted, which includes the following:
  - a. Identification of the party(ies) responsible for and the means of financing maintenance of the street or road;
  - b. Identification of the responsibilities, financial or otherwise, of owners of property to be served by the street or road, plus indication of approval by said owners;
  - c. Statement that the agreement shall run with the land and, upon any future conveyance of property, the agreement shall be incorporated into and made part of the conveyance binding upon the parties hereto, their successors and assignees;
  - d. The local municipality, if it so desires, shall be named as part of the agreement and may include additional requirements in the interest of the public health, safety, and welfare.
3. Final Plans will not be approved unless the municipal engineer's certified report is filed on the installation of the new streets.

**405.8: Construction Standards for Private and Public Streets**

\* See appendix exhibits for cross-sections

Street Type	Course	Type of Material <sup>1</sup>	Depth of Material After Compaction <sup>2</sup>
<b>Collector</b>	<b>Alternate One:</b> Wearing Surface	ID-2A	1.5"
	Base	Bituminous Concrete	5"
	Subbase	Subbase <sup>3</sup>	6"
	<b>Alternate Two:</b> Wearing Surface	ID-2A	Wearing 1.5"
Base	Crushed Aggregate, D.G.	Binder 2"	
Subbase	Subbase <sup>3</sup>	8"	
<b>Industrial</b>	<b>Preferred:</b> Wearing Surface	Cement Concrete	8"
	Subbase	Subbase <sup>3</sup>	8"
	<b>Alternate:<sup>4</sup></b> Wearing Surface	ID-2A	1.5"
	Base	Bituminous Concrete	4"
Subbase	2A Course Aggregate	12"	
<b>Local</b>	<b>Preferred:</b> Wearing Surface	ID-2A	1.5"
	Base	Bituminous Concrete	4"
	Subbase	Subbase <sup>3</sup>	6"
	<b>Alternate:<sup>4</sup></b> Wearing Surface	Prime Coat and Seal Coat	-
Base	2 RC	4"	
Subbase	Subbase <sup>3</sup>	6"	
<b>Lane<sup>5</sup></b>	Wearing Base	-	-
	Base	-	-
	Subbase	Subbase <sup>3</sup>	6"

<sup>1</sup> All components of pavement structure shall be in accordance with PennDOT specifications, Form 408.

<sup>2</sup> Compaction shall be by a ten (10) ton roller or equivalent.

<sup>3</sup> Subbase shall extend twelve (12) inches beyond finished width of cartway, on each side, to provide necessary support for wearing surface.

<sup>4</sup> Must be approved by the local municipality.

<sup>5</sup> Privately owned and maintained streets serving five (5) or more lots shall be constructed to standards for local streets.

**405.9: Responsibility for Inspection**

1. Responsibility for inspection and supervision of said improvements shall rest with the municipal engineer. The municipal engineer shall certify that the installation of the new streets meets the minimum requirements of this Ordinance for new streets and any additional specifications that the Planning Commission and local municipality may require. Notification of the intent to install the improvement shall be given to the municipal engineer by the developer or agent prior to starting work on the improvement. This procedure does not preclude the local municipality from retaining the right to monitor the installation of new streets if so desired.

**Section 406: Alleys, Driveways and Easements**

1. Alleys may be included as a secondary means of access in residential subdivisions where public water and public sewer is available. To encourage the use of alleys in those areas where it is appropriate, the Planning Commission may include new alley rights-of-way in lot area computations.
2. Where permitted, alleys in residential developments shall have a minimum width of twenty (20) feet and a minimum cartway surface of twelve (12) feet. Alley rights-of-way may be used for utility easements.
3. Alleys shall be required in commercial and industrial developments except where other adequate provision is made for off-street loading and parking consistent with the proposed use. Where required, alleys in commercial or industrial developments shall have a minimum paved width of twenty-two (22) feet and conform to specifications set forth in Section 404, Streets.
4. Dead-end alleys shall be avoided, but where this proves impossible, they shall be terminated with a paved T or Y or turnaround of adequate dimensions for intended vehicular use.
5. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be rounded or cut back sufficiently to permit safe vehicular circulation.
6. Private driveways, where provided, shall be consistent with Section 404.7, Street Intersections, and shall have such grades as to furnish a safe and convenient parking space.
7. Easements with a minimum width of ten feet shall be provided, as necessary, for utilities.
8. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
9. Where a subdivision or development is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.
10. There shall be a minimum distance of twenty-five (25) feet, measured in the shortest distance, between each proposed dwelling unit and any petroleum products or natural gas transmission line that may traverse the subdivision or development.

**Section 407: Water Supply**

**407.1: General**

1. Every buildable lot shall be provided with a potable water supply of sufficient quality and quantity to at least meet the standards of Department of Environmental Protection.
2. For areas within designated future public or community water service areas (as defined by the Mercer County Comprehensive Plan, a local comprehensive plan, or adopted public water plan), a subdivision or land development shall access an available public or community water system and provide public water service to its development. Also, a subdivision or land development shall access an available public or community water system and provide public water service to its development if it meets the criteria in the following table:

<b>Size of Development</b>	<b>Distance from a public water system<sup>1</sup></b>
2-4 building lots or EDUs	200 Feet
5-14 building lots or EDUs	500 Feet
15+ building lots or EDUs	1,000 Feet

<sup>1</sup> The distance to be measured shall be from the proposed development to the nearest available public water supply line of sufficient size to provide service following a feasible route for connection.

3. Connection shall not be required in the following circumstances:
  - a. Inability or lack of capacity of the public system to serve the development.
  - b. Topographic changes of more than fifteen percent (15%) between the proposed development and existing service area, if the existing service area lies at the lower elevation.
  - c. Intervening environmental conditions that would preclude service, including Agricultural Security Areas.
4. For a subdivision or land development with more than fifteen (15) building lots or EDUs and located within two thousand (2,000) feet of an existing public water system, adequate justification shall be provided if proposing not to provide a connection to the existing public water supply system.
5. All proposals for new or extended public water facilities shall include documentation of approval by appropriate permitting authority and/or the municipal, public, or private owner of the water system into which a connection is being made and from which service is being provided.

**407.2: Capacity**

1. The water system supply shall be adequate to handle the necessary volumes and residual pressures based on the completed development, including the necessary fire flows.
2. The demand rates for all uses shall be considered in computing the total system demand. Where fire protection is provided, the system shall be capable of providing the required fire demand plus the required domestic demand.
3. Fire protection shall be furnished for any development connected to a public water supply system and minimum fire flows shall be approved by the local Municipal Fire Chief

according to nationally accepted standards (NFPA, National Fire Protection Association). See also Section 407.4, Fire Hydrants.

**407.3: System Design and Placement**

1. Waterlines shall be installed in accordance with the regulations of the local municipality, authority, or private company that will assume maintenance of the lines. All systems will be approved by, and be in compliance with, the Department of Environmental Protection regulations.
2. Water distribution lines shall not be less than eight (8) inches in inside diameter where the lines may be extended to other areas or where a fire hydrant is to be served by the line.
3. Individual water wells shall be isolated from the sanitary sewage absorption fields and protected from surface water run-off in accordance with requirements of Pennsylvania State Act 208, as amended.

**407.4: Fire Hydrants**

1. Hydrants shall be spaced to provide necessary fire flow. In residential applications, hydrants shall be spaced so that each residence shall be within six hundred (600) lineal roadway feet of a hydrant. For commercial and industrial developments, the average area per hydrant shall not exceed one hundred twenty thousand (120,000) square feet.
2. A hydrant shall be located at all low points and at all high points with adequate means of drainage provided.
3. Hydrants shall be located within one hundred (100) feet of the ends of lines. Valves of full line size shall be provided after hydrant tees at the ends of all dead lines that may be extended in the future. The end of the lines shall have a 2.5-inch blow-off valve.
4. Size, type and installation of hydrants shall be designated by the local Municipal Fire Chief, according to nationally accepted standards.
5. All fire hydrants shall have National Standard Threading (NST).

**Section 408: Sanitary Sewers**

**408.1: General**

1. All sanitary sewer installations in any subdivision, land plan, mobile home park, or recreational vehicle park shall be properly connected to an approved and functioning sanitary sewer system approved by the local Municipal Sewage Enforcement Officer and/or the local public sewer operating department/authority and approved by the Department of Environmental Protection.
2. For areas within designated future public or community sewer service areas (as defined by the Mercer County Comprehensive Plan, a local comprehensive plan, or adopted Act 537 sewage facilities plan), a subdivision or land development shall access an available public or community sewer system and provide public sewer service to its development. Also, a subdivision or land development shall access an available public or community sewer system and provide public sewer service to its development if it meets the criteria in the following table:

Size of Development	Distance from a public sewer system <sup>1</sup>
2-4 building lots or EDUs	200 Feet
5-14 building lots or EDUs	500 Feet
15+ building lots or EDUs	1,000 Feet

<sup>1</sup> The distance to be measured shall be from the proposed development to the nearest available public sewer line of sufficient size to provide service following a feasible route for connection.

3. Connection shall not be required in the following circumstances:
  - a. Inability or lack of capacity of the public system to serve.
  - b. Topographic changes of more than fifteen percent (15%) between the proposed development and existing service area if the existing service area lies at the higher elevation.
  - c. Intervening environmental conditions that would preclude service, including Agricultural Security Areas.
4. For a subdivisions or land development with more than fifteen (15) building lots or EDUs and located within two thousand (2,000) feet of an existing public sanitary sewer system, adequate justification shall be provided if proposing not provide a connection to the exiting public sewer system.
5. All proposals for new or extended public sewer facilities shall include documentation of approval by appropriate permitting authority and/or the municipal, public, or private owner of the sewer system into which a connection is being made and from which service is being provided.
6. If a public sewer system is not in place or cannot be extended, the developer must provide an individual on-lot sewage disposal system as approved by the Municipal Sewage Enforcement Officer and/or Department of Environmental Protection. Final plan approval shall not be given until the Mercer County Regional Planning Commission has received **written evidence that the proposed system is in compliance with the Pennsylvania Sewage Facilities Act 537, as amended.**

**408.2: System Design and Placement**

1. The sanitary sewer system shall be adequate to handle the necessary flow based on complete development.
2. No storm sewers, footer drains, or downspouts shall be connected to any sanitary sewage disposal system.
3. When a developer installs sewer lines to connect with those of a sewer system, he/she shall do so in accordance with the system's rules and regulations or, if developing a new system, shall follow the standards of the Department of Environmental Protection.
4. No sewer collector line shall be less than eight (8) inches inside diameter and no building lateral less than four (4) inches inside diameter.

## **Section 409: Water and/or Sewer Facilities Plan Approval**

### **409.1: Preliminary Plan Approval**

1. Where public or community water and/or public or community sewer facilities are to be provided by the developer, such facilities shall be properly shown on the preliminary plans. In addition to showing all related facilities on the plans, the developer shall indicate by letter, his anticipated schedule for installation of such facilities.

### **409.2: Final Plan Approval**

1. Prior to the approval of the final plan where public or community water and/or sewer facilities are to be provided, the facilities shall have been installed and given final approval by appropriate permitting authority and/or the municipal, public, or private owner of the water and/or sewer system into which a connection is being made and from which service is being provided. Certification that the installation meets with requirements of this Ordinance shall be made by a Pennsylvania licensed professional engineer and submitted with the final plan.

## **Section 410: Stormwater Management**

### **410.1: Purpose**

1. In accordance with intent and requirements of the Pennsylvania Stormwater Management Act 167, as amended, the stormwater management regulations contained in this section are intended to provide protection against uncontrolled stormwater runoff and to insure that downstream property owners and water courses are not adversely affected by increases in runoff resulting from subdivision and land development.

### **410.2: General**

1. Prior to final approval, the subdivider or developer shall prepare and submit for review and approval to the Planning Commission a storm water management plan. Such plan shall indicate the proposed storm water handling system, proposed water retention and release schedule to eliminate the effects of uncontrolled water runoff on to adjacent properties. The plan shall be referred to the Mercer County Conservation District for review and comment prior to plan approval.

### **410.3: Plan Requirements**

1. The stormwater management plan, for the proposed subdivision or land development, shall include a brief description of the following:
  - a. Existing drainage patterns and stormwater runoff characteristics of the site, including any existing drainage or stormwater runoff problems and facilities;
  - b. The anticipated impact that future development of the property will have on existing stormwater runoff and drainage patterns; and
  - c. The type of structural and nonstructural improvements planned to control post development stormwater runoff.
2. The proposed location of both structural and nonstructural improvements shall be shown on the subdivision plan. The Planning Commission may also require the developer to

include on the subdivision plan topographic contours at five (5) foot (or less) intervals in order to better evaluate the proposed stormwater control techniques.

3. Separate detailed specifications, including cross-sections, profiles, etc., shall be submitted for all structural stormwater control improvements, such as swales, seepage pits, retention and detention basins and controlled release structures.
4. The subdivider or developer shall submit, with the stormwater management plan, a proposal for ownership and maintenance of all stormwater control improvements within the subdivision or development, in accordance with the following:
  - a. Where the subdivider or developer proposes to dedicate such improvements to the local municipality, a deed that dedicates the land to be used for stormwater control improvements to the local municipality shall be recorded with the final plan. A copy of the deed and a letter from the local municipality stating their intent to accept ownership and maintenance responsibility for the improvements shall be submitted with the subdivision plan.
  - b. Alternatively, an Ownership and Maintenance Agreement that specifies ownership and assigns maintenance responsibility for the proposed improvements to either the developer or among the property owners within a subdivision shall be recorded with the final plan and referenced in the deeds to each property within the subdivision.
  - c. Detention basins shall be located on commonly owned land within the subdivision and maintained through the provisions of the ownership and maintenance agreement.

#### **410.4: System Design**

1. Stormwater management controls shall be designed so that the rate of runoff from any development or subdivision, during and after construction, shall be no greater than the rate of runoff from the site prior to such development for all storms up to the 100-year frequency. Analysis shall be made for the 1, 2, 10, and 100-year storms. Either the Rational Method, USDA Soil Conservation Service Technical Release 55 Method, or the Penn State Method shall be used to calculate stormwater detention volumes, time en route and release rates.
2. Design of the stormwater management system shall be consistent with general and specific concerns, values and standards of the local municipal master plan and applicable county, regional and state storm drainage control programs. Design shall be based on environmentally sound site planning and engineering techniques.
3. The best available technology shall be used to minimize off-site stormwater runoff, increase on-site infiltration, encourage natural filtration function, simulate natural drainage systems and minimize off-site discharge of pollutants to ground and surface water. Best available technology may include measures such as retention basins, recharge trenches, porous paving and piping, contour terraces and swales.



### **Section 411: Monuments and Markers**

Survey monuments or markers shall be placed at all points of a subdivision and land development as determined by the following criteria:

1. Monuments shall be concrete with a 3/8" metal dowel in the center at the top. Monument size shall be no less than 6" x 6" x 24" with vertical sides.
2. Markers shall be ferrous metal rods, 1/2" minimum diameter by 24" minimum length or may be standard manufactured steel survey markers of a similar length.
3. Monuments shall be placed so that the center point shall coincide exactly with the intersection of lines to be marked.
4. Monuments shall be placed so that they are at grade in areas that are not paved, at grade if in a paved area not subject to vehicular traffic, and 4" to 8" below grade if in a paved area subject to vehicular traffic. Monuments set in areas subject to traffic shall be protected with a cast iron frame and access cover of adequate design for truck traffic, or may have double monuments, one above the other, with the top monument flush with the pavement.
5. Markers shall be driven into the ground so as to be approximately flush with the final grade.
6. Monuments shall be set at the intersection of the lines forming angles in the perimeter boundaries of major subdivisions. Not less than four (4) such monuments shall be required for all major subdivisions. The developer may propose the location of monuments consistent with this section. In general, the Planning Commission will prefer monuments along street rights-of-way and so configured as to provide convenient access to them.
7. Markers shall be set at all lot angles and corners, and at the beginning and end of all curves in lot and street lines and at the angle points of all streets right-of-ways. Front lot corners (along street right-of-way) may alternatively be located by P.K. nail on the street centerline.
8. The surveyor shall provide a certificate that all markers and monuments have been set and installed as shown on the final plan.

### **Section 412: Open Space / Recreational Lands**

A developer or subdivider may provide open space. The land so designated shall be usable for the purpose intended.

1. Size & Location: The area and dimensions of each open space parcel does not need to meet minimum lot requirements so long as it is of such minimum dimensions as to be functionally usable.
2. Deed Restrictions: If any lands are dedicated for open space purposes, they shall contain appropriate covenants and deed restrictions approved by the Township solicitor ensuring that:
  - a. The open space will not be subdivided in the future;
  - b. The use of the open space will continue in perpetuity for the purpose specified;
  - c. Appropriate provisions will be made for the maintenance of open space; and
  - d. Common open space shall not be turned into a commercial enterprise admitting the general public for a fee.
3. Ownership: The type of ownership of land dedicated for open space purposes shall be selected by the owner, developer, or subdivider. Type of ownership may include, but is not limited to, the following:
  - a. The local municipality, subject to acceptance by the governing body;
  - b. Other public jurisdictions or agencies, subject to their acceptance;
  - c. Quasi-public organizations, subject to their acceptance;
  - d. Homeowner, condominium, or cooperative associations or organizations; or
  - e. Shared, undivided interest by all property owners in the subdivision.
4. Maintenance: The person or entity identified as having the right of ownership or control over the open space shall be responsible for its continuing upkeep and proper maintenance.

## **ARTICLE V**

### **LAND DEVELOPMENT STANDARDS**

#### **Section 501: Jurisdiction**

In defining the term “Land Development,” the Pennsylvania Municipalities Planning Code (MPC) recognizes both subdivisions and other forms of land development. Article IV of this Ordinance sets forth the design standards for subdivisions. This Article sets forth the standards for all other land developments. Subdivisions shall not have to additionally comply with the provisions of Article V.

It shall be unlawful for an applicant to construct land developments, as defined herein, without complying with standards set forth in this Article. Additional criteria for certain land developments are covered in subsequent Sections in this Article.

#### **501.1: Land Development**

Definition: The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving a group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.

The Pennsylvania Municipalities Planning Code excludes the following developments from being enforced as a land development, and thus are not subject to this Article:

1. 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;
2. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building;
3. The addition or conversion of buildings or rides within the confines of an enterprise that would be considered an amusement park. For purposes of this subclause, 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.

#### **Section 502: Provisions for Minor Land Developments**

A land development shall be considered a minor land development if it meets all of the following criteria:

1. It does not involve a non-agricultural earth disturbance of more than five (5) acres.
2. It does not involve a building or combination or group of buildings of greater than forty thousand (40,000) square feet gross floor area.

### **Section 503: Procedures for Minor Land Development**

If the land development meets the criteria for a minor land development, the following steps shall be followed prior to plan approval:

1. The applicant shall submit to the County a copy of all information pertaining to application for a local building permit and other required local municipality permits, as applicable.
2. The applicant shall submit evidence of approval of applicable permits by the issuing municipality.

### **Section 504: Provisions for Major Land Developments**

A land development shall be considered a major land development if it does not meet the criteria for a minor land development specified in Section 502.

### **Section 505: Procedures for Major Land Development**

The submission process for major land developments in those Mercer County municipalities with locally adopted zoning ordinances shall follow the procedures for a minor land development as described in Section 503. However, written, clear evidence must be presented that the proposed major land development has secured all needed local municipal zoning approvals.

In processing a major land development, the three-stage procedure established in this Ordinance for subdivisions shall be used: Sketch Plan (not mandatory), Preliminary Site Plan, and Final Site Plan stages.

Unless otherwise noted, the processing requirements, drawing size, certifications, acknowledgments, number of copies, etc. for submission of land development site plans shall be the same as for a major subdivision, and the final site plan shall be recorded in the Mercer County Recorder's Office.

### **Section 506: Final Plan Review**

In addition to other final plan requirements for a major subdivision, the following items shall be included for Final Plan review for all land developments, as applicable:

1. Site plans, as required in this Article, engineering plans detailing the construction of all required improvements, and other data information establishing compliance with the design standards of this Article.
2. Proof of approvals by all appropriate public and governmental authorities or agencies, where applicable, including, but not limited to, permits for any planned road entrances onto existing roads or highways (PennDOT or municipality) and permits or approvals from the Department of Environmental Protection or other State agencies relating to sewage facilities, water obstructions, air quality, etc., as applicable.
3. In case of multi-owner or multi-tenant developments, proof of the organization and means for management and maintenance of common open space, parking and other

common utilities or improvements. Instruments demonstrating creation of an association or entity or other means of assuring continuing maintenance shall be required.

### **Section 507: Site Plan**

In lieu of a plot plan, the developer shall submit a site plan. Such plan shall be at a scale determined as follows:

1. If the size of the proposed land development is five (5) acres or smaller, (including buildings, parking and nonagricultural earth disturbance areas) the site plan shall be drawn to a scale of one (1) inch equals one hundred (100) feet (1"=100').
2. If the size of the proposed land development is between five (5) acres and fifty (50) acres (including buildings, parking and nonagricultural earth disturbance areas) the site plan shall be drawn to a scale of one (1) inch equals two hundred (200) feet (1"=200').
3. If the size of the proposed land development is over fifty (50) acres (including buildings, parking and nonagricultural earth disturbance areas) the site plan shall be drawn to a scale of one (1) inch equals four hundred (400) feet (1"=400').

Where it is planned that building, parking lot, and earth disturbance of the land development will cover an area in excess of five (5) acres, topographic data at two (2) foot contour intervals shall be included on the site plan.

In addition to the other requirements for preliminary and final subdivision and land development plans set forth, as applicable, each land development site plan shall show:

1. Existing site conditions (topography, drainage, tree clusters, buildings, utilities, streets and neighboring properties).
2. Proposed developments, including buildings (with frontal elevation), parking, vehicular and pedestrian access areas, storm drainage, landscaping, utility location and size.

### **Section 508: Design Standards for Major Land Developments**

Major land developments shall meet the following design requirements. It is recognized by the Planning Commission that the design process should be somewhat flexible, pursuant to Section 503(5) of the Pennsylvania Municipalities Planning Code.

Generally, the criteria and design for facilities for transportation and parking shall be based upon accepted professional publications and/or resources, such as The Dimensions of Parking (Washington, D.C.: Urban Land Institute and National Parking Association) or Transportation and Land Development or Traffic Impact Studies For Site Development: A Recommended Practice (both Washington, D.C.: Institute of Transportation Engineers) or the reasonable application of design standards for major subdivisions.

#### **508.1: General Design**

1. The developer shall make satisfactory provision for the improvements necessary to the proper functioning of the development, including but not limited to, street access signs, water supply facilities, sewage disposal facilities and stormwater management.

2. The development plan shall provide for adequate privacy, light, air and protection from noise through building design, street layout, screening, plantings and placement of buildings.
3. All land developments required to submit plans for approval by the Pennsylvania Department of Labor and Industry shall show evidence of such approval.
4. Where applicable, proof of a Highway Occupancy Permit (Penn DOT) or similar driveway/road access permit shall be required.

**508.2: Transportation**

1. Vehicular access connections to the surrounding existing street network shall be safe, shall have adequate sight distances, and shall have the capacity to handle the projected traffic. The standards set forth by Section 406, Alleys, Driveways and Easements, shall be considered for road access.
2. Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or other association or entity. Private streets shall meet any applicable municipal standards regarding sub-grade preparation, base and surfacing construction, or in the absence of such regulations, shall follow minimum design standards for streets, as described in Section 404, Streets, of this Ordinance. Off-street parking areas may be integrated with public street design and construction provided maintenance responsibilities are mutually agreed upon.
3. For multi-building land developments, a complete interior pedestrian circulation plan shall be submitted by all developers indicating the safe and efficient movement of people within and through the site. All traffic, parking and pedestrian plans shall be completed using such standard resource criteria as provided by the American Planning Association or the Institute for Traffic Engineers.

**508.3: Waste Storage and Disposal**

1. Waste storage and disposal areas for the land development shall be planned and constructed in a way that they are not visible from the public right-of-way or neighboring properties.

**508.4: Parking**

1. A parking and access plan shall be submitted along with estimated traffic flows. The developer shall demonstrate that the proposed parking/access layout is adequate for the proposed development, based upon standard parking capacity measurements, including number of spaces per anticipated development type.

2. Number of Parking Spaces Required: The number of off-street parking spaces provided is determined by the following table:

USE	PARKING REQUIRED
Church / Synagogue	1 per 3 seats in portion of church used for services
Hotel / Motel	1.5 per room
Industrial Use (if not specified otherwise)	1 per 1,000 sq. ft. GFA
Medical / Dental Offices	1 per 250 sq. ft. GFA
Nursing Home / Hospital	1 per 3 beds, plus 1 per employee on largest shift
Office Use (if not specified otherwise)	1 per 300 sq. ft. GFA
Quarrying / Mining Operation	2 per 3 employees on largest shift
Race Track	1 per 5 seats under maximum occupancy
Restaurants, Fast Food	1 per 50 sq. ft. GFA
Restaurants, All other	1 per 3 seats
Retail Establishment, Trailer Sales	1 per each 3,000 sq. ft. of lot area
Retail Establishment, Auto Sales	1 per each 200 sq. ft. GFA indoor display; 1 per each 5,000 sq. ft. GFA outdoor display
Retail Establishment, Furniture Sales	1 per 500 sq. ft. GFA
Retail Establishment, All other	1 per 200 sq. ft. GFA
Schools	1 per each 4 classrooms; 1 per each 4 high school students; and 1 per each teacher and staff
Service Establishment	1 per 300 sq. ft. GFA
Supermarket / Grocery Store	1 per 250 sq. ft. GFA
Warehousing / Storage	1 per 5,000 sq. ft. GFA

3. Parking Space Size and Access: Off-street parking spaces shall have an area determined by their use. In the case of multi-family dwellings, mobile home parks, industrial and manufacturing establishments, warehouses, wholesale and truck terminals, each space shall be not less than one hundred forty-four (144) square feet, being at least eight (8) feet wide and eighteen (18) feet long. For all other uses, each space shall have a uniform area of one hundred eighty (162) square feet, being at least nine (9) feet wide and eighteen (18) feet long. These uniform sizes shall be exclusive of access drives or aisles, and shall be in usable shape and condition. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets. Where an existing lot does not abut on a public or private street, alley, or easement of access, there shall be provided an access drive leading to the parking or storage areas or loading spaces. Such access drive shall be consistent with requirements for private streets or access drive rights-of-way in this Ordinance. Access to off-street parking areas shall be limited to well-defined locations, and in no case shall there be unrestricted access along a street. The width of aisles shall be appropriate based upon the configuration of parking spaces, as recommended by nationally accepted standards contained in professional publications, as noted previously in this section.

4. Drainage and Stormwater Control: All parking and loading areas and access drives shall have either:
  - a. A mud and dust-free surface, graded with positive drainage, and using pervious material to prevent the flow of surface water onto neighboring properties. This option is only allowed for parking lots of less than forty (40) spaces.
  - b. A paved surface, graded with positive drainage to prevent the flow of surface water onto neighboring properties. Paved off-street parking lots in excess of twenty thousand (20,000) square feet shall have minimum planting strips between the parking lot and all lot lines to be planted with one (1) hardwood or coniferous tree per each two (2) parking spaces or combination thereof. Trees that die shall be replaced. Plantings shall conform to Section 510.3. Eight percent (8%) of the total interior space shall be devoted to interior planting strips containing trees, shrubbery, and/or annual plants designed in pervious dust- and mud-free material. Drainage plans shall take full advantage of pervious material areas.
5. Location and Parking: Required parking spaces shall be located on the same lot with the principal use. In areas listed on the Mercer County Comprehensive Plan as either Revitalization Target Areas or Urban/Suburban Preservation of Uses and Features, where there is either on street or public off street parking or available private lots, the County may permit parking spaces to be located not more than two hundred (200) feet from the lot of the principal use, if adequate capacity can be shown.
6. Screening, Landscaping and Setbacks: Off-street parking areas for more than five (5) vehicles and off-street loading areas shall be effectively screened on any side that adjoins a dwelling, residential district, or platted residential lots. In addition, there shall be a planting strip of at least five (5) feet between the front lot line and the parking lot. Such planting strips shall be suitably landscaped and maintained. No off-street loading or parking area for more than five (5) vehicles shall be closer than ten (10) feet to any adjoining property line containing a dwelling, residential district, or platted residential lots.

#### **508.5: Stormwater Management**

1. A Stormwater Management Plan meeting the requirements of this Ordinance and the principle of no net increase in off-site runoff shall be provided.

#### **508.6: Landscaping**

1. For multi-building land developments, a complete landscaping plan shall be submitted that includes a complete interior landscape plan in addition to a landscaped transition to adjoining properties. Landscape treatment shall be provided to enhance architectural features, manage stormwater runoff, or provide energy conservation through climate control.

#### **508.7: Exterior Lighting**

1. Exterior lighting, when used, shall be of a design and size compatible with adjacent areas and in accordance with the standards of the Illuminating Engineer Society. Specifically, lighting shall be designed to reduce glare and excessive illumination to surrounding properties while providing for public safety.



**508.8: Water and Sewer**

1. Water and sanitary sewer service shall be provided in accordance with local standards and requirements as specified in Article IV of this Ordinance, substituting EDU-based information for lot based information as applicable.

**508.9: Utilities**

1. Gas, electric, telephone and cable utilities shall be located in land developments in accordance with utility company standards and requirements. All such utilities shall be underground.

**Section 509: Assurance for Completion and Maintenance of Improvements**

Insofar as the land development involves the lease or rental of buildings and/or space on the site and site improvements (such as streets, parking areas and stormwater drainage devices), that are to be privately maintained or maintained by a private (non-public) organization or entity created by the developer – there may be a need for municipal acceptance of the site improvements. However, in these instances, streets and stormwater drainage shall be designed and built to the standards established in this Ordinance. Where the developer does not intend to maintain the improvement and where a homeowner’s association or similar organization will not be organized for these responsibilities, the developer will submit a plan for maintenance of such facilities. This document will be legally enforceable, clearly establishing maintenance responsibility. It must be approved by the County and the applicable municipality or accepting authority. Any proposed improvement to be offered for public declaration will follow the requirements as specified by these regulations. Among other remedies to enforce this section, the County may refuse to issue building permits.

**Section 510: Additional Criteria for Commercial and Industrial Major Land Developments**

The following standards shall apply to all commercial and industrial major land developments:

**510.1: Transportation**

1. Traffic movements in and out of commercial and industrial areas should not interfere with external traffic, nor should it create hazards for adjacent residential areas.
2. The design of streets, service drives and pedestrian ways should provide for safe and hazard-free internal circulation.
3. Parking areas in excess of twenty thousand (20,000) square feet shall maintain easements to connect to existing or potential future parking lots on the same or adjacent parcels.

**510.2: Setbacks and Yard Sizes**

Building setback lines shall be as specified by the local zoning ordinance. Where no local ordinance is in effect, the following standards shall apply for setbacks and yard sizes:

1. Front Yard: Front yard setback lines shall be not less than forty (40) feet. However, in areas listed on the Mercer County Comprehensive Plan as either Revitalization Target Areas or Urban/Suburban Preservation of Uses and Features and in areas with on-street

parking, front setback lines may be reduced to zero (0) or the average of any abutting buildings to either side and all parking is confined to the side or rear of the lot.

2. **Side Yard:** Side yard setback lines shall be not less than forty (40) feet. Setback lines shall increase three (3) feet for every one thousand (1,000) square feet gross floor area above forty thousand (40,000) square feet. However, in areas listed on the Mercer County Comprehensive Plan as either Revitalization Target Areas or Urban/Suburban Preservation of Uses and Features and with on-street parking, front setback lines may be reduced to ten (10) Feet or the average of any abutting buildings.
3. **Rear Yard:** Rear yard setback lines shall be not less than forty (40) feet. However, in areas listed on the Mercer County Comprehensive Plan as either Revitalization Target Areas or Urban/Suburban Preservation of Uses and Features in areas with on street parking, front setback lines may be reduced to ten (10) Feet or the average of any abutting buildings.

### **510.3: Landscaping and Screening**

Commercial and industrial land developments that abut pre-existing residential development or platted residential lots shall employ the following screening:

1. **Type I Screening:** Major land developments of less than ten (10) acres, or 40,000-100,000 square feet of gross floor area shall include screening consisting of a triple row of Norway Spruce or similar coniferous species that can withstand dense planting, planted at oblique lines to one another so that a continuous screen is provided.
  - a. The planting standards shall be twenty-eight (28) conifer and eight (8) deciduous trees per each one hundred (100) lineal feet of yard area. All trees shall be a minimum of six (6) feet in height at the time of planting. Trees that die shall be replaced within six (6) months.
  - b. **A preferred screening technique is for the developer to preserve a minimum fifty (50) foot buffer of existing natural vegetation. If the preservation of existing natural vegetation is determined to be sufficient for screening the site from neighboring residential properties and sufficient for storm water management and erosion control, it can act as an alternative to the triple row of Norway Spruce or similar coniferous species that can withstand dense planting. This buffer area shall not be used for parking or other uses.**
2. **Type II Screening:** All major land developments of a hazardous nature including communications towers, fuel storage, or similar industrial activities (no matter where their location) shall include screening consisting of:
  - a. An opaque fence at least six (6) feet in height;
  - b. A barrier fence at least eight (8) feet in height;
  - c. On the outside perimeter of the fence, a ten (10) foot planting strip shall be maintained at a planting standard of ten (10) coniferous and ten (10) deciduous trees per one hundred (100) feet. Trees shall be a minimum of six (6) feet tall at planting and replaced within six (6) months of death.
3. **Type III Screening:** Major land developments of greater than ten (10) acres, or greater than 100,000 square feet of gross floor area shall include screening consisting of a

preserved existing natural vegetation buffer of at least fifty (50) feet providing sufficient opaque screening during at least six (6) months of the year.

- a. If the preservation of existing natural vegetation is determined to be insufficient for screening the site from neighboring properties and sufficient for storm water management and erosion control, the developer shall create a buffer. The planting standards shall be eight (8) deciduous trees and twenty-eight (28) coniferous trees per each one hundred (100) lineal feet of buffer yard. Trees that die shall be replaced within six (6) months. This buffer yard shall be in addition to any other yard requirements listed.
  - b. A screening yard of Norway Spruce or similar coniferous species that can withstand dense planting. An initial row of trees shall be planted to follow a lineal centerline with additional rows planted at oblique angles on each side of the centerline row, sufficient to provide complete and constant opaque screening from neighboring properties at the time of planting. This screen of plantings shall be situated at the interior edge of the natural vegetation buffer yard and may be included in calculations of required yard areas.
4. Additional Landscaping Requirements
- a. To further provide for the natural management of storm water runoff within the context of land development, fifty percent (50%) of all hardwood trees of a minimum caliper of four (4) inches that do not lie in buildable lot footprint areas shall be preserved.

## **Section 511: Additional Criteria for Multi-Family Dwellings**

### **511.1: Jurisdiction Exception**

As authorized by the Pennsylvania Municipalities Planning Code, the conversion of an existing single-family detached dwelling into not more than three (3) residential units (unless such units are intended to be a condominium) shall be exempt from the requirements of this Article.

### **511.2: Exception for Minor Alternative**

For the purpose of this Article, a multi-family dwelling development involving not more than nine (9) dwelling units shall be considered a minor land development. Ten (10) or more dwelling units shall be considered a major land development.

### **511.3: Recreation Area**

1. Multi-family dwellings shall reserve no less than ten percent (10%) of total lot area as passive or active recreation space for the benefit of residents. This land shall be suitable for the purpose for which it is proposed.

**511.4: Density**

All multiple-family dwelling land developments shall comply with the following standards:

	<b>With Public Sewer</b>	<b>With Approved On-Lot Sewer Systems</b>
<b>Minimum Lot Area</b>	12,000 square feet for first unit, plus 4,000 square feet for each additional unit thereafter.	1 Acre for the first 3 units, plus 10,000 square feet for each additional unit thereafter.
<b>Minimum Lot Width</b>	100 feet	100 feet
<b>Minimum Front Yard</b>	40 feet	40 feet
<b>Minimum Side Yard</b>	40 feet	40 feet for the first 3 units plus 1 foot for each additional unit thereafter.
<b>Minimum Rear Yard</b>	40 feet	40 feet
<b>Maximum Height</b>	35 feet	35 feet
<b>Maximum Lot Coverage</b>	25%	20%

**Section 512: Additional Criteria for Communication Towers**

**512.1: Exception to Jurisdiction**

Communications towers shall be considered a major land development and comply with this Ordinance unless they are an applicable accessory structure, clearly incidental to the operation of a transportation business, emergency services provider, or similar entity for the exclusive, non-commercial use of its agents in directly providing such service.

**512.2: Standards for Communications Towers**

1. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a communications tower, if applicable, and communication antennas.
2. The applicant shall demonstrate that the proposed communications tower and communications antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
3. Communication towers shall comply with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation and applicable airport zoning regulations. Towers must comply with this Ordinance as a subdivision for lease or land development.
4. Any applicant proposing construction of a new communications tower shall demonstrate that a good-faith effort has been made to obtain permission to mount the communications antennas on an existing building, structure, or communications tower. A good-faith effort shall require that all owners of potentially suitable structures within a one-quarter (1/4) mile radius of the proposed communications tower site be contacted and that one (1) or more of the following reasons for not selecting such structure apply:

- a. The proposed antennas and related equipment would exceed the structural capacity of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
  - b. The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing structure and the interference cannot be prevented at a reasonable cost.
  - c. Such existing structures do not have adequate location, space, access, or height to accommodate the proposed equipment or to allow it to perform its intended function.
  - d. Addition of the proposed antennas and related equipment would result in electromagnetic radiation from such structure exceeding applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
  - e. A commercially reasonable agreement could not be reached with the owners of the structure.
5. Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of twenty (20) feet in width and shall be improved to a width of at least ten (10) feet with a dust-free, all weather surface for its entire length.
  6. A communications tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements for the applicable zoning ordinance or these regulations.
  7. The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function.
  8. The maximum height of any communications tower shall be two hundred fifty (250) feet, provided, however, that such height may be increased to no more than three hundred (300) feet, provided the required setbacks from adjoining property lines (not lease lines) are increased by one (1) foot for each one (1) foot of height in excess of two hundred (200) feet.
  9. The foundation and base of any communications tower shall be set back from a property line (not lease line) with any residential use at least one hundred (100) feet and shall be set back from any other property line (not lease line) at least fifty (50) feet.
  10. The foundation and base of a communications tower and the communications equipment building shall be so landscaped as to screen the foundation and base and communication equipment building from abutting properties.
  11. The communications equipment building shall comply with the required yards and height requirements of any applicable zoning ordinance for an accessory structure.
  12. The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed communications tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association.
  13. The applicant shall submit a copy of its current Federal Communications Commission license, the name, address and emergency telephone number for the operator of the

communications tower, and a Certificate of Insurance evidencing general liability coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence and property damage coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence covering the communications tower and communications antennas.

14. All guy wires associated with guyed communication towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.
15. The site of a communications tower shall be secured by a fence with a maximum height of eight (8) feet to limit accessibility by the general public.
16. One (1) off-street parking space shall be provided within the fenced area.
17. No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration, or other governmental agency that has jurisdiction.
18. If a communications tower remains unused for a period of twelve (12) consecutive months, the owner or operator shall dismantle and remove the communications tower within six (6) months of the expiration of such twelve (12) month period.

## **ARTICLE VI**

### **PLAN REQUIREMENTS FOR SUBDIVISIONS**

#### **Section 601: Major Subdivision – Preliminary Plan Requirements**

1. A preliminary plan shall be submitted with enough print copies for each municipality in which the subdivision lies, as well as two copies for the Planning Commission.
2. The preliminary plan shall be at a scale of fifty (50) feet to the inch (1" = 50'), and may be done in pencil on tracing paper or its equivalent.
3. The preliminary plan shall show or be accompanied by the following information:
  - a. Vicinity sketch, at a scale of not less than 1" = 1,000', showing the relationship of the plat to its general surroundings and showing the following details:
    - i. Existing or mapped streets within one thousand (1,000) feet of the subdivision;
    - ii. Proposed streets with connections to existing or mapped streets;
    - iii. Municipal boundaries within one thousand (1,000) feet of the tract;
    - iv. Public sewer and water lines within one thousand (1,000) feet of the tract, plus any power, gas, or other public utility easements that may go through or over the property. If connection to the site is proposed, only those proposed for access need to be shown.
    - v. Entire tract must be shown including any previous lots, with their lot numbers, sold from the tract with dates of transfer from the original tract and the names of present owners.
  - b. Proposed subdivision name, identifying title, and the words "Preliminary Plan".
  - c. The name of the municipality.
  - d. North point, graphic scale and date.
  - e. Name and address of the property owner and of his authorized agent (if any).
  - f. Deed reference of all parcels involved in the subdivision.
  - g. Zoning district(s) and location of Zoning District boundary lines (if applicable).
  - h. Name of the Pennsylvania registered engineer, surveyor, or architect responsible for the plan plus an accuracy statement.
  - i. Tract boundaries with bearings and distances at the correct scale. The traverse of the exterior boundaries of the tract, when computed from the field measurements of the ground, shall close within a limit of error of one (1) foot to ten thousand (10,000) feet of the perimeter before balancing the survey.
  - j. Contours at vertical interval of two (2) feet are necessary when new streets are proposed and must be drawn to the same scale as the plan, and contours at a minimum vertical interval of five (5) feet where no new streets are proposed.
  - k. Datum to which contour elevations refer. Where practical, data shall refer to known, established elevations.

- l. All existing watercourses, steep slopes, wooded areas, floodplain or wetland areas of the site, and other significant natural features (see Section 403.1)
- m. All existing buildings and approximate location of all clusters of trees or areas of woodlands on the property.
- n. All existing streets, alleys, sidewalks, railroads, utility easements, sewer and water facilities, fire hydrants, culverts, petroleum or petroleum products lines, or other significant man-made features on or within 100 feet of the property(ies). All streets shall include the name, Township or State Route number, right-of-way width and cartway width.
- o. Location and width of all existing private lanes.
- p. All existing property lines, easements and rights-of-way, and the purpose for which the easements or rights-of-way have been established.
- q. Location and width of all proposed streets, alleys, sidewalks, rights-of-way and easements, proposed lot lines with dimensions and bearings, proposed minimum building line for each street, playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.
- r. Lots within a subdivision shall be numbered and the number identified in the title block.
- s. Wherever practicable, the preliminary plan shall show the names of owners and of all abutting unplotted land and the names of all abutting subdivisions and their lot numbers.
- t. Where the preliminary plan covers only a part of the subdivider's entire holding, **a sketch shall be submitted of the prospective street layout for the remainder** at a scale of one hundred (100) feet to the inch.
- u. If recommended by the Planning Commission, a study prepared by an engineer demonstrating the traffic impact of the proposed development on all roads in the vicinity of the site, and a traffic impact mitigation plan.
- v. If a subdivider plans to complete public improvements between the preliminary plan approval and final plan approval, the subdivider shall meet all the requirements for the final plan, Section 602, for preliminary plan approval.
- w. A stormwater management plan shall be submitted for the entire subdivision for preliminary approval.
- x. Signature block for preliminary approval of the Mercer County Regional Planning Commission and, if new streets are involved, a signature block for preliminary approval by the municipality in which the subdivision is located.



## **Section 602: Major/Minor Subdivision Final Plan Requirements**

1. If the plan is submitted for preliminary and final approval at the same time, all requirements of the preliminary plan shall be met, except that contour lines shall not be shown on final plans.
2. The subdivision plan submitted for final approval shall be produced on mylar or its equivalent so that all numbers and letters shall be legible and of the same density when microfilmed at the Office of the Recorder.
3. Final plans shall be submitted with one (1) print on mylar and enough print copies for each municipality in which the subdivision lies, as well as two (2) copies for the Planning Commission. Accurate, permanent photographic reproductions in black will be accepted in lieu of inked drawings, although the inked drawings will be required for recording.
4. Final Plans shall be on sheets no smaller than 18" x 24" nor larger than 24" x 36" overall, as prescribed by the Planning Commission. The minimum size lettering shall be 3/16" in height, legible as reduced.
5. The final plan shall be at a scale of fifty (50) feet to the inch (1" = 50') and shall include the following information:
  - a. Vicinity sketch, at a scale of not less than 1" = 1,000 feet, showing the relationship of the plat to its general surroundings, and showing the details listed in Section 601(3)(a)(i - iv)
  - b. Subdivision name or identifying title (A replat shall carry the name of the original subdivision of record).
  - c. The name of the municipality.
  - d. North point, graphic scale and date.
  - e. Name and address of the property owner and his authorized agent (if any).
  - f. Deed reference of all parcels involved in the subdivision.
  - g. Name and seal of the Pennsylvania registered surveyor plus an accuracy statement. Name and seal of a Pennsylvania registered engineer is required.
  - h. Tract boundaries with bearings and distances at the correct scale. Each lot shall close within a limit of error of one (1) foot to ten thousand (10,000) feet of the perimeter before balancing the survey.
  - i. Location and width of all proposed and existing public streets and private lanes, including right-of-way and cartway widths, alleys, rights-of-way and easements, proposed minimum building line for each street, playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use, and all proposed lot lines with dimensions and bearings.
  - j. Sufficient data to determine readily the location, bearing and length of every street, lot and boundary line and to reproduce such lines upon the ground. Exact acreage of the entire subdivision and each individual lot shall be provided, rounded to the nearest hundredth acre, exclusive of street right-of-ways and other public areas.
  - k. The length of all straight lines, radii, lengths, or curves and tangent bearings for each street.

- l. Location, including right-of-way and cartway widths, of all proposed and existing private streets, rights-of-way and easements.
  - m. The proposed front yard setback line for each street with dimensions plus all existing buildings shall be shown.
  - n. Location, size and invert elevation of all sanitary, storm and combined sewers and location of all manholes, inlets and culverts, existing and proposed. Water facilities shall be shown in all cases as well.
  - o. All dimensions shall be shown in feet and hundredths of a foot.
  - p. Lots within a subdivision shall be numbered and the number identified in the title block.
  - q. Names and road numbers of all existing and proposed streets within and abutting the subdivision shall be shown.
  - r. Permanent markers shall be placed at all corners of a subdivision and/or land development, unless already marked or referenced by an existing monument or witness to the corner (see Section 411). All markers and monuments shall be identified on the plan. All markers or monuments identified on the Final Plan shall be located and installed under the direction of a Pennsylvania registered surveyor or engineer.
  - s. Names of the owners or name of plan of any adjoining subdivision shall be shown.
  - t. Names of the owners of any adjoining unplotted land shall be shown.
  - u. Any other information required by these regulations.
  - v. If a lot is to be conveyed to an adjoining landowner, the following note shall be placed on the plan: Lot #\_\_\_\_ is not a separate building lot and is to be conveyed and become part of adjoining land of (name of landowner).
  - w. Signature block for final approval by the Mercer County Regional Planning Commission and if new streets are involved, a signature block for final approval by the municipality in which the subdivision is located.
6. The final plan shall include:
- a. An affidavit that the applicant is the owner or equitable owner of the land proposed to be subdivided.
  - b. A statement duly acknowledged before a notary public authorized to take acknowledgement of deeds and signed by the owner or owners of the property to the effect that the subdivision, as shown on the final plan, is made with his/her or their free consent and that it is desired to record the same. The notary acknowledgement must contain the names, dates, signatures and a legible stamp.
7. The final plan shall be accompanied by:
- a. Typical cross sections and street profiles for all streets, as shown in Appendix. Such profiles shall show at least the following: existing (natural) grade along the proposed street centerline, existing (natural) grade along each side of the proposed street right-of- way and proposed finished centerline grade.
  - b. Certification by all appropriate authorities that all public sewage facilities and/or water facilities have been properly installed and approved. If the developer

intends to install improvements by guarantee, such guarantee shall be submitted in accordance with Article X of these regulations.

- c. If the proposed lot or lots are to be served by an existing sanitary sewer system, the location and size of the existing sanitary sewer system shall be shown on the plan. Also, written notice shall accompany the plan stating that the lot is served by sanitary sewers and tap-in is permitted, and that the existing system is functioning in compliance with Department of Environmental Protection standards.
- d. Written evidence from appropriate authority stating that all proposed lot(s) or any remnant parcel(s) comply with the Pennsylvania Sewage Facilities Act 537, as amended, shall be required for Final Plan approval.
- e. Sealed Certified Report prepared by a Pennsylvania licensed professional engineer certifying that the installation of the new streets meets the minimum requirements of the Mercer County Subdivision and Land Development Ordinance.
- f. Documentation from the municipality(ies) the subdivision is located in stating that the proposed names of new streets in the development do not duplicate the names of streets now in use and that states approval of those street names.

### **Section 603: Modification of Requirements**

1. The above requirements for preliminary and final plans and for supporting data may be modified in accordance with Section 904 of this Ordinance by the Planning Commission, as warranted by special circumstances.
2. In subdivisions requiring no new streets, the requirements for contours may be waived at the discretion of the Planning Commission.

## **ARTICLE VII**

### **MOBILE HOME PARK REGULATIONS**

#### **Section 701: Applicability**

Mobile home parks shall meet all standards contained in this Article.

1. The standards set forth under this section are intended for those mobile home parks where lots within the park are for rental or lease only.
2. Where it is intended by the owner or developer to offer Mobile Home lots for sale, the development shall be regarded as a standard subdivision and the standards set forth under Article IV, Design Standards, shall be applicable.

#### **Section 702: Certification of Registration**

All applications for the Certificate of Registration shall be made by the owner of the mobile home park or his authorized representative.

#### **Section 703: Plan Requirements**

1. No person, firm, or corporation proposing to operate a mobile home park in Mercer County, shall proceed with any construction work on the proposed park until they have obtained from the Planning Commission written approval of the preliminary plan of the proposed park, according to procedures outlined herein.
2. Preliminary and final plans, as required, shall comply in form and content to Sections 601 and 602 of these regulations insofar as applicable and the standards set forth herein.

##### **703.1: Pre-Application Procedure:**

1. The mobile home park developer should meet with the Planning Commission, prior to formal application, to discuss his plans and prepare a suitable sketch and plans sufficient to give a general understanding of the proposal. The Planning Commission shall inform the developer as to the general suitability of the plans and of any modifications required by this ordinance, if deemed advisable. This step is voluntary and will never be considered as a formal plan submission.

##### **703.2: Preliminary Plan**

1. The developer shall then prepare and submit a preliminary plan, together with improvement plans and other supplementary material, as required.
2. Where a mobile home park is proposed for construction in a series of stages, a preliminary plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.
3. Preliminary plans, as required, shall comply in form and content as follows, insofar as applicable and the standards set forth herein.

### **703.3: Plan Preparation Requirements**

All applications to Planning Commission shall contain the following:

1. Name, mailing address, legal address and telephone number of applicant and of the owner of the land, if a different person.
2. Interest of the applicant in the proposed mobile home park.
3. Location, address and legal description of the entire proposed mobile home park site.
4. Complete engineering plans and specifications of the proposed mobile home park showing:
  - a. The area and dimensions of the entire tract of land;
  - b. The land uses occupying the adjacent properties;
  - c. The number, size and location of the proposed mobile home sites and other parking areas;
  - d. The location, right-of-way and surfaced roadway width, roadway design and walkways;
  - e. The proposed interior vehicular and pedestrian circulation patterns;
  - f. The location of service buildings, sanitary stations and any other existing or proposed structures;
  - g. The location of water and sewer lines and riser pipes;
  - h. Plans and specifications of the water supply, sewage disposal and refuse facilities. These plans shall be approved by the municipality, the Municipal Sewage Enforcement Officer, or the Pennsylvania Department of Environmental Protection, as appropriate, prior to final plan approval;
  - i. Plans and specifications of all buildings constructed or to be constructed within the mobile home park.
  - j. The locations and details of area lighting, electric and gas systems as related to all applicable codes and sound engineering practice.
5. Stormwater Management: The owner shall prepare and submit, for review and approval to the Planning Commission, a stormwater management plan in accordance with Section 410 of these regulations. Such plan shall indicate the proposed storm water handling system, proposed water retention, and release schedule to eliminate the effects of uncontrolled water runoff on adjacent properties. The plan shall be referred to the Mercer County Conservation District for review and comment prior to plan approval.

### **703.4: Planning Commission Action**

1. The Planning Commission shall review the preliminary plan in accordance with Section 305 of this Ordinance.

### **703.5: Nature of Approval**

1. Approval of a preliminary plan by the Planning Commission shall not constitute approval of the final plan or of roads or other improvements therein but it is rather an expression of approval of layout submitted on the preliminary plan as a guide to the preparation of the final plan, which shall be submitted for approval to the Planning Commission upon fulfillment of the requirements.

**703.6: Final Plan**

1. Upon completion of any modifications required by the Planning Commission and/or upon completion of required improvements or the alternate posting of acceptable surety, the developer may apply for approval of final plans.

**703.7: Planning Commission Review**

1. The Planning Commission shall review the final plan in accordance with Section 306 of this Ordinance.

**703.8: Filing**

1. Following approval, the developer shall file one copy of the approved plan with the Mercer County Recorder's Office within ninety (90) days. Should the developer fail to file such plan within said period, the approval shall be null and void.

**Section 704: Design Requirements**

1. Minimum Area of Tract or Park: The minimum area of the tract or park shall be five (5) acres. The site shall be designed so that soil conditions, groundwater level, drainage and topography shall not create hazards to the property, health, or safety of the occupants or adjacent property owners.
2. Length of Residential Occupancy: Parks shall be designed to serve the long-term placement of mobile homes.
3. Individual Lots: The planning and location of individual lots shall be guided by the following requirements:
  - a. Access: Each lot shall be directly accessible from an approved internal street without the necessity of crossing any other space.
  - b. Size: Each mobile home lot shall have a minimum lot width of fifty (50) feet and a minimum area of five thousand (5,000) square feet.
  - c. Yard Requirements:
    - i. Mobile homes shall be parked on each lot so that there will be a minimum of ten (10) feet between the mobile home, appurtenant structures and any adjacent side or rear lot line.
    - ii. There shall be a minimum of twenty (20) feet between an individual mobile home, attached structure and accessory structure, and the paved area or cartway of a private interior park street or common parking area. The setback from the right-of-way of any public street or highway shall be to thirty-five (35) feet.
    - iii. Mobile homes shall be located a minimum of twenty (20) feet from any structures on adjacent lots or common open space.
    - iv. Secondary entranceways may utilize stoops, landings, patios, or awnings that may extend to a depth of five (5) feet within the ten (10) foot yard requirements.

- d. Identification: Each lot shall have a number placed on the lot either in the form of a sign or directly on the mobile home. It shall be arranged in such a way so that it is visible from the road on which the mobile home or lot is fronting.
  - e. Skirting: The plans shall specify that skirting shall be provided on all mobile homes.
  - f. Drainage: Drainage and storm water management plans shall be submitted with the preliminary plan.
4. Mobile Home Stands:
- a. The location of each mobile home stand shall be at such elevation, distance and angle in relation to the, access street so that the removal of the mobile home is practical.
  - b. The size of each mobile home stand shall be suitable for the general market to be served by the individual park, be sufficient to fit the dimensions of mobile homes anticipated, and sufficient to handle any appurtenant structures and appendages, including prefabricated "Florida rooms," car ports and storage structures.
  - c. A one percent (1%) to five percent (5%) gradient longitudinal crown or cross gradient for surface drainage shall be provided.
  - d. Mobile home stands shall be either concrete pads or piers. The piers shall be set at least thirty-six (36) inches deep.
  - e. Each mobile home shall follow national and manufacturer's standards for tie downs.
5. Internal Street System: The internal street system in privately owned mobile home parks shall be privately owned, constructed and maintained in accordance with the applicable sections set forth in Article IV, Design Standards, of this Ordinance, except street widths, which shall be governed by the following minimum requirements:

<b>Interior Street</b>	<b>Cartway Width</b>
One or two-way, with no parking	22 feet
One or two-way, with parking on one side only	28 feet
One or two-way, with parking on both sides	34 feet

- 6. Street Widths at Access Points: At points where general traffic enters or leaves the park, streets shall be thirty-five (35) feet in width within twenty (20) feet of the existing public street to permit free movement from or to the public street, and no parking shall be permitted that in any way interferes with such free movement.
- 7. Cul-De-Sac Streets: Shall be provided with a turnaround having an outside roadway diameter of at least eighty (80) feet.
- 8. Parking Spaces: Car parking spaces, at a minimum size of 8 x 18 feet, shall be provided in sufficient number to meet the needs of the occupants of the property and their guests without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least two (2) parking spaces for each mobile home lot, located in adjacent parking bays. If no on-street parking is permitted, then an additional parking space for each four (4) lots shall be provided for guest parking and for delivery and service

vehicles. Required car parking spaces shall be located for convenient access to the mobile home.

### **Section 705: Utility and Fire Requirements**

1. General: In accordance with the Rules and Regulations, Commonwealth of Pennsylvania, Department of Environmental Protection, provisions for all sewage disposal and treatment of water supply, including plumbing, refuse disposal and such other information required by the Department of Environmental Protection, shall be shown on plans and submitted to and approved by the Department of Environmental Protection.
2. Electric: All electrical facilities shall be installed and inspected according to the standards set forth in the latest edition of the National Electrical Code and the local power company regulations. All electrical facilities shall be inspected as required by the Commonwealth Electric Inspection, Middle Department Inspection Agency, Atlantic-Inland Inc., or other inspection companies acceptable and approved by the Commonwealth of Pennsylvania.
3. Exterior Lighting: Adequate lights shall be provided to illuminate streets, driveways and walkways for the safe movement of vehicles and pedestrians at night. Lighting fixtures shall generate a minimum illumination of (.5) of foot-candle power per pole.

#### **705.1: Fire Prevention**

1. General: For the safety and welfare of the residents and future residents of the mobile home park, the following fire prevention regulations shall be complied with. All fire safety plans shall be approved by the Fire Chief of the municipality, according to nationally accepted standards (NFPA).
2. Fire hydrants shall hereafter be required in any new mobile home park of ten (10) lots or more, where the extension of central water lines, whether public or private, are proposed for the mobile home park development.
  - a. Hydrant Size and Type: All hydrants installed shall be of a standard size and type as specified by the Planning Commission and the Fire Chief of the municipality, according to nationally accepted standards.
  - b. Spacing: Hydrant spacing shall be adequate to serve all lots within the mobile home park. Hydrants shall be located not more than one thousand (1,000) feet apart from one another. Where an existing hydrant is less than one thousand (1,000) feet from the park, the existing hydrant shall be deemed satisfactory and spacing can be determined and shown, taking the existing hydrant into consideration.
  - c. Location: Hydrants shall be located within dedicated public utility right-of-ways or easements.
  - d. Design: The proposed locations of fire hydrants shall be shown on the submitted plans. Any existing fire hydrants less than one thousand (1,000) feet from the proposed park shall be shown in the vicinity sketch with an exact distance in feet from the hydrant to the nearest lot line of the mobile home park.



3. In areas where there are no central water line extensions proposed, the following standards for fire prevention shall be incorporated into the park. The developer retains the option of installing either the tank or pond system.
  - a. The Tank System: Approved underground static water tanks of not less than three thousand (3,000) gallons suitably arranged for fire department drafting at a spacing of five hundred (500) feet. In addition:
    - i. The tank shall be designed to permit a discharge of no less than five hundred (500) gallons per minute.
    - ii. Each tank shall have two (2) combination vent pipe and dump valve openings above ground. The openings shall be twenty-four (24) inches square covered by either a removable type lid or a hinged type lid.
    - iii. Each tank shall have an approved outlet above ground, no less than four and one-half (4-1/2) inches in diameter. This outlet shall be encased in a hydrant for drafting, with at least two (2), two-and-one-half- (2-1/2) inch outlets.
  - b. The Pond System: A water pond shall be located in such a way as to service all park lots. The pond shall be utilized by a "dry hydrant" type of outlet. The volume of water within the pond shall be sufficient, as determined by the Fire Chief of the municipality, according to nationally accepted standards, to adequately serve all park lots. In addition, a cyclone fence at a minimum height of six (6) feet with single strand barbed wire shall enclose the pond.

# **ARTICLE VIII**

## **RECREATIONAL VEHICLE PARK REQUIREMENTS**

### **Section 801: Applicability**

For the purpose of this Article, recreational vehicles and recreational vehicle parks shall be defined as follows:

1. Recreational Park: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel uses that either has its own motive power or is mounted or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home.
2. Recreational Vehicle Park: A plot of land upon which four (4) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as **temporary living quarters** for recreation or vacation purposes.
3. The standards set forth under this section are intended for those recreational vehicle parks where lots within the park are for rental or lease and are to serve the short-term placement of recreational vehicles as outlined.

### **Section 802: Permits**

In addition to the rules and regulations specified in this Ordinance, the developer shall submit any needed permits or approvals from other County and/or State agencies. In particular, compliance with drinking water, sanitary sewage facilities and solid waste disposal regulations will be required.

### **Section 803: Plan Requirements**

Persons, firms, or corporations proposing to open a recreational vehicle park in Mercer County shall not proceed with any construction work on the proposed park unless and until they have obtained, from the Planning Commission, written approval of the preliminary plan of the proposed park according to the following procedures:

1. Pre-Application Procedure: The recreational vehicle park developer should meet with the Planning Commission, prior to formal application, to discuss his plans and shall prepare a suitable sketch and plans sufficient to give a general understanding of the proposal. The Planning Commission shall inform the developer as to the general suitability of the plans and of any modifications required by this Ordinance, if deemed advisable.
2. Preliminary Plan: The developer shall then prepare and submit a preliminary plan, together with improvement plans and other supplementary material, as required.
  - a. Where a recreational vehicle park is proposed for construction in a series of stages, a preliminary plan for the development of the entire tract of land shall be

submitted, along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.

- b. Preliminary plans, as required, shall comply in form and content as follows insofar as applicable and the standards set forth herein.

### **803.1: Plan Preparation Requirements**

All applications to the Planning Commission shall contain the following:

1. Name, mailing address, legal address and telephone number of applicant.
2. Interest of the applicant in the proposed travel park.
3. Location, address and legal description of the entire proposed travel park site.
4. Complete engineering plans and specifications of the proposed travel park showing:
  - a. The area and dimensions of the entire tract of land;
  - b. The land uses occupying the adjacent properties;
  - c. The number, size and location of the proposed vehicle sites and other parking areas;
  - d. The location, right-of-way and surfaced roadway width, roadway design and walkways;
  - e. The proposed interior vehicular and pedestrian circulation patterns;
  - f. The location of service buildings, sanitary stations and any other existing or proposed structures;
  - g. The location of water and sewer lines and riser pipes;
  - h. Plans and specifications of the water supply, sewage disposal and refuse facilities with requisite approvals;
  - i. Plans and specifications of all buildings constructed or to be constructed within the travel park;
  - j. The locations and details of area lighting, electric, natural or propane gas systems, cable television and telephone, as related to all applicable codes and sound engineering practice.
  - k. Any other information required by this Article.
5. Stormwater Management: The owner shall prepare and submit, for review and approval to the Planning Commission, a stormwater management plan, in accordance with Section 410 of this Ordinance. Such plan shall indicate the proposed stormwater handling system, proposed water retention, and release schedule to eliminate the effects of uncontrolled water runoff on adjacent properties. The plan shall be referred to the Mercer County Conservation District for review and comment prior to plan approval.

### **803.2: Planning Commission Action**

1. The Planning Commission shall review the preliminary plan as submitted in accordance with Section 305 of this Ordinance.

**803.3: Nature of Approval**

1. Approval of a preliminary plan by the Planning Commission shall not constitute approval of the final plan or of roads or other improvements therein, but it is rather an expression of approval of layout submitted on the preliminary plan as a guide to the preparation of the final plan, which shall be submitted for approval to the Planning Commission upon fulfillment of the requirements.

**803.4: Final Plan**

1. Upon completion of any modifications required by the Planning Commission and/or upon completion of required improvements or the alternate posting of acceptable surety, the developer may apply for approval of final plans.

**803.5: Planning Commission Review**

1. The Planning Commission shall review the final plan in accordance with Section 306 of this Ordinance.

**Section 804: Design Requirements**

1. Lot Area Requirements: The planning and location of individual recreational vehicle lots shall be governed by the following minimum requirements:
  - a. Lot Area: Recreational vehicle lots shall be designated to accommodate a minimum width of thirty (30) feet and shall not be less than one thousand five hundred (1,500) square feet in total area, excluding right-of-ways and the environmental constraints stated in Section 403. Such size is considered to accommodate parking for one recreational vehicle, one automobile parking space, an accessory structure and related outdoor facilities (grill, picnic tables, benches, etc.).
  - b. Setback Requirements: Front setback for recreational vehicle units shall be fifteen (15) feet along any road or street. However, structures, such as bathhouses, administration offices, recreation centers and other ancillary facilities of a permanent nature, shall be setback from adjacent or access streets seventy-five (75) feet as measured from the centerline of the street or roadway.

Side Setback	5' minimum to closest point
Rear Setback	5' minimum to closest point

2. Perimeter Requirements:
  - a. When abutting residentially developed properties, a buffer strip with a minimum width of thirty (30) feet shall be provided parallel to the park property line. When abutting non-residential properties, the buffer strip shall be twenty (20) feet from the park property line.
  - b. When abutting an existing dedicated public right-of-way, the setback shall be seventy-five (75) feet as measured from the street or roadway centerline, or twenty-five (25) feet from the existing right-of-way, whichever results in the greater setback distance.

3. Roadway Design Standards: Recreational vehicle park roads shall be designed for the safe and convenient movement of recreational vehicles minimizing disturbance of the natural environment. The internal street system shall be generally as outlined in Article IV, Design Standards, and specifically as follows:

- a. Collector Street: Cartway width shall be twenty-two (22) feet, as per Article IV, Design Standards. All requirements for a public street shall be applicable, including a fifty (50) foot right-of-way. Such streets shall serve as collector internal to the development and provide access to park lots, administration and ancillary facilities. Such collector streets shall be improved as outlined in Section 404, Streets.
- b. Local Streets:

	<b>Cartway Width</b>
<b>One-way</b>	12'
<b>Two-way</b>	22'

- i. Local streets shall be constructed of select material surfacing as per current PennDOT Highway Specifications, as amended, or approved by the Municipal Engineer as equivalent. Materials used shall be No. 2 R.C. aggregate. The street shall be made from stone, slag, or gravel and meet the following gradation:

Passing 1-1\2 sieve	100%
Passing #4 sieve	15-60%
Passing #100 sieve	0-20%

- c. Construction Requirements: The aggregate shall be uniformly spread upon the graded areas, without segregation of coarse and fine material, in loose layers not exceeding five (5) inches in depth and compacted with a ten (10) ton roller meeting the requirements and specifications of the Pennsylvania Department of Transportation.
  - d. The surfacing shall be crowned or sloped as indicated and the final compacted depth shall comply with the depth shown on the drawings.
  - e. Satisfactory compaction and stability of the material under the specified compaction equipment, in accordance with Form 408 of the Department of Transportation, will be determined by the Municipal Engineer. The Municipal Engineer will specify in writing to the developer any additional needs for satisfactory compaction.
  - f. Cul-De-Sac Streets: Shall be provided with a turnaround having an outside roadway diameter of at least eighty (80) feet.
4. Parking Spaces: Car parking spaces, at a minimum size of 8 x 18 feet, shall be provided in sufficient number to meet the needs of the occupants of the property and their guests. Such facilities shall be provided at the rate of at least one-and-a-half (1.5) parking spaces

for each recreational vehicle lot and shall be on the recreational vehicle lot or in designated parking areas. **No** on-street parking shall be permitted for safety reasons.

5. Recreation: At least ten (10%) percent of the park area should be reserved for active and passive recreation purposes with appropriate location, dimensions and topographic characteristics that lend themselves to recreational use. Such area shall exclude required buffers and setbacks.
6. Ancillary Services: The developer may include certain ancillary services such as a laundromat, camp store, grocery store, office, bathhouse, caretaker's residence, etc., provided that such services shall be strictly for the use and convenience of those persons utilizing the recreational vehicle park.
7. Plans and Compliance: No person shall construct, open, or dedicate any road, or drainage facilities in connection therewith, for public use or travel in Mercer County without submitting plans thereof to the Planning Commission for approval. Such plans shall be prepared in duplicate in accordance with these regulations. Plans for review and approval shall be accompanied by a certified report as prescribed in Section 405.
  - a. Said plans shall show the profiles, course, structure of such roads, capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory. Construction shall be in accordance with street specifications and the final plan as approved.
  - b. Subsequent to final plan approval where new streets are to be constructed, the streets shall be installed and a certified report, prepared by a registered professional engineer, as outlined in Section 405, shall be submitted. Such street shall also be inspected by the Municipal Engineer and recommendation forwarded to the Municipal Secretary.
8. Excavation and Grading: Streets shall be excavated and graded as indicated on the approved plans. This shall include excavation of the street to the lines, grades and limits indicated on the drawings or as may be revised by the Planning Commission to meet conditions encountered during construction, the excavation for intersecting roadways, stream channels and culverts within the approved right-of-way limits, and shall also include the widening of cuts, flattening and rounding of slopes outside the right-of-way, as called for on approved plans, removal of top soil and excavating of ditches, and the construction of fill. Inspection shall be performed and approval granted by the governing body of the local municipality prior to further work.
  - a. All drainage structures shown on the approved plans shall be installed to current State standards. Culverts may be corrugated metal pipe, concrete, or reinforced concrete as specified and prepared according to Form 408 specifications.

## **Section 805: Fire Requirements**

1. Fire Prevention:
  - a. General: For the safety and welfare of the occupants of the recreational vehicle park, the following fire prevention regulations shall be complied with. All fire safety plans shall be approved by the Fire Chief of the municipality, according to nationally accepted standards (NFPA).

- b. Fire hydrants shall, hereafter be required in any new recreational vehicle park of ten (10) lots or more, where the extension of central water lines, whether public or private, are proposed for the recreational vehicle park development.
  - i. Hydrant Size and Type: All hydrants installed shall be of a standard size and type, as specified by the Planning Commission, and the Fire Chief of the municipality, according to nationally accepted standards.
  - ii. Spacing: Hydrant spacing shall be adequate to serve all lots within the recreational vehicle park. Hydrants shall be located not more than one thousand (1,000) feet apart from one another. Where an existing hydrant is less than one thousand (1,000) feet from the park, the existing hydrant shall be deemed satisfactory and spacing can be determined and shown, taking the existing hydrant into consideration.
  - iii. Location: Hydrants shall be located within dedicated public utility or right-of-way easements.
  - iv. Design: The proposed locations of fire hydrants shall be shown on the submitted plans. Any existing fire hydrants less than one thousand (1,000) feet from the proposed park shall be shown in the vicinity sketch with an exact distance in feet from the hydrant to the nearest lot line of the recreational vehicle park.
- c. In areas where there are no central water line extensions proposed, the following standards for fire prevention shall be incorporated into the park. The developer retains the option of installing either the tank or pond system.
- d. The Tank System: Approved underground, static water tanks of not less than three thousand (3,000) gallons suitably arranged for fire department drafting at a spacing of five hundred (500) feet. In addition:
  - i. The tank shall be designed to permit a discharge of no less than five hundred (500) gallons per minute.
  - ii. Each tank shall have two (2) combination vent pipe and dump valve openings above ground. The openings shall be twenty-four (24) inches square covered by either a removable type lid or a hinged type lid.
  - iii. Each tank shall have an approved outlet above ground, no less than four-and-one-half (4-1/2) inches in diameter. This outlet shall be encased in a hydrant for drafting, with at least two (2) two-and-one-half (2-1/2) inch outlets.
- e. The Pond System: A water pond shall be located in such a way as to service all park lots. The pond shall be utilized by a "dry hydrant" type of outlet. The volume of water within the pond shall be sufficient, as determined by the Fire Chief of the municipality and Municipal Engineer according to nationally accepted standards, to adequately serve all park lots. In addition, a cyclone fence at a minimum height of six (6) feet with single strand barbed wire shall enclose the pond.

## **ARTICLE IX**

### **ADMINISTRATION**

#### **Section 901: Administrative Officer**

The Planning Commission shall appoint an Administrative Officer whose tasks are specified herein. In addition, the administrative officer shall be given the responsibility for ensuring orderly and expeditious processing of subdivision and land development plan applications.

#### **Section 902: Jurisdiction**

Pursuant to the Municipalities Planning Code, Act 247, as amended, approval of subdivision and land development plans by the Planning Commission is hereby required as a condition for the recording of such plans with the Mercer County Recorder of Deeds.

#### **Section 903: Filing Fee and Review**

The filing fee for subdivision and land development plans shall be established by resolution of the Mercer County Board of Commissioners. Such filing fees shall include those for mobile home parks, recreational vehicle parks, and land developments. Review fees shall also include the field inspection of such plats, plans, or site plans or their final inspection. The fees charged shall be in accordance with Sections 503(1), 509, and 510 of the Planning Code.

#### **Section 904: Modification of Specific Subdivision and Land Development Plan Requirements**

1. The Planning Commission, when acting upon applications for preliminary, final, major, or minor subdivision approval, land development, mobile home park, or recreational vehicle park, shall have the power to grant such modifications from the requirements for subdivision approval as may be reasonable and within the general purpose and intent of the provisions of this Ordinance, if the literal enforcement of one or more provisions of this Ordinance is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.
2. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.
3. The Planning Commission shall keep a written record of all action on all requests for modifications.



### **Section 905: Preventive Remedies**

The Planning Commission may refuse to issue any permit or grant any approval necessary to further improve or develop any real property that has been developed or that has resulted from a subdivision of real property in violation of any ordinance adopted pursuant to this Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:

1. The owner of record at the time of such violation.
2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
5. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee, or lessee for the development of any such real property, the developer or subdivider must be in compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

### **Section 906: Enforcement Remedies**

1. Any person, partnership, or corporation who or which has violated the provisions of this Ordinance, upon being found liable therefore in a civil enforcement proceeding commenced by the municipality, shall pay a judgment of not more than five hundred dollars (\$500) plus all court costs, including reasonable attorney fees incurred by the municipality as a result thereof. No judgment shall commence or be improved, levied, or payable under the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
3. Nothing contained in this Section shall be construed or interpreted to grant, to any person or entity other than the municipality, the right to commence any action for enforcement pursuant to this section.

**Section 907: Revision and Amendment**

The Planning Commission may revise, modify and amend this Ordinance by appropriate action in accordance with the Municipal Planning Code, Act 247, as amended.

**Section 908: Mediation Option**

The Planning Commission and subdivider or developer may choose to complete the approval proceedings of this Ordinance by way of the mediation option. In exercising such an option, the Planning Commission and mediating parties shall meet the stipulations and follow the procedures set forth in Article IX, Section 908.1 of the MPC, Act 247, as amended.

**Section 909: Planning Commission Records**

1. The Planning Commission shall keep a record of its findings, decisions and recommendations relative to all subdivision and land development plans submitted filed with it for review.
2. All records of the Planning Commission relative to subdivision and land development plans shall be public records.

**Section 910: Exhibits**

The exhibits contained in the Appendix section of this Ordinance are hereby adopted by reference to be used in conjunction with the plan requirements and design standards of this Ordinance by the Planning Commission, developer or subdivider, engineer, administrator, or any other applicable person utilizing these requirements.

## **ARTICLE X**

### **IMPROVEMENT GUARANTEES**

#### **Section 1001: Improvement Guarantees**

1. Purpose: Improvement guarantees may be provided by the developer or subdivider to ensure the proper installation and maintenance of required street, utility and other public improvements. The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the developer. These guarantees are to comply with Section 509 of the MPC.
2. Completion of Improvements:
  - a. Before the recording of final subdivision plans, the Planning Commission may require and shall accept in accordance with the standards adopted by ordinance the following guarantees:
    - i. The furnishing of a performance guarantee in an amount not to exceed one hundred and ten percent (110%) of the cost of installation for improvements;
    - ii. Provision for a maintenance guarantee in the form of financial security for a period not to exceed eighteen (18) months after final acceptance of the improvement, in an amount not to exceed fifteen percent (15%) of the cost of the improvement. In the event that other governmental agencies or public utilities automatically will own the utilities to be installed, or the improvements are covered by a performance or maintenance guarantee to another governmental agency, and such guarantees are satisfactory to such agencies, no performance or maintenance guarantee, as the case may be, shall be required by the Planning Commission for such utilities or improvements.
  - b. The time allowed for installation of the improvements for which the performance guarantee has been provided may be extended one (1) time for not more than one (1) year by the Planning Commission and/or local municipality by resolution.
3. Release from Improvement Surety:
  - a. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the local municipality, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Planning Commission. The municipality shall, within ten (10) days after receipt of such notice, direct and authorize the Municipal Engineer to inspect all of the aforesaid improvements. The Municipal Engineer shall thereupon file a report, in writing, with the Planning Commission, the local municipality 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 Municipal Engineer of the aforesaid authorization from the Planning Commission. Said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected

- by the Municipal Engineer, said report shall contain a statement of reasons for such non-approval or rejection.
- b. The Planning Commission, working as an agent of the County, and the local municipality shall notify the developer, within fifteen (15) days of receipt of the Engineer's report, in writing, by certified or registered mail, of the action of said municipality with relation thereto.
  - c. If the Planning Commission or the Municipal Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from a liability, pursuant to its performance guaranty bond or other security agreement.
  - d. If any portion of the said improvements shall not be approved or shall be rejected by the Planning Commission and the local municipality, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed. Upon acceptance of the public improvements, one set of as-built construction drawings shall be delivered to the Planning Commission and one set to the Municipal Secretary.
  - e. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the municipality, county, or the Municipal Engineer.
  - f. Where herein reference is made to the Municipal Engineer, he/she shall be a duly Pennsylvania registered professional engineer employed by the Planning Commission or engaged as a consultant thereto.
  - g. The applicant shall reimburse the municipality for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Planning Commission when fees are not reimbursed or otherwise imposed on applicants.
    - i. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the Planning Commission that such expenses are disputed as unreasonable or unnecessary, in which case the municipality shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.
    - ii. If, within twenty (20) days from the date of billing, the Planning Commission and the applicant cannot agree on the amount of expenses that are reasonable and necessary, then the applicant and municipality shall jointly, by mutual agreement, appoint another Pennsylvania registered professional engineer to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
    - iii. The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion

deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.

- iv. In the event that the Planning Commission and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the municipality is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the Planning Commission Engineer nor any professional engineer who has been retained by, or performed services for, the municipality or the applicant within the preceding five years.
- v. The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one thousand dollars (\$1,000) or more, the Planning Commission shall pay the fee of the professional engineer, but otherwise the Planning Commission and the applicant shall each pay one-half (1/2) of the fee of the appointed professional engineer.

4. Remedies to Effect Completion of Improvements:

In the event that any improvements that may be required have not been installed as provided in this Ordinance or in accord with the approved final plat, the Planning Commission is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the municipality may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

5. Performance and Maintenance Mechanisms: Performance and maintenance guarantees shall be provided in a number of forms including, but not limited to, the following:

- a. Security Bond, Performance Bond and Labor and Materials Bond: The applicant may obtain a bond from a security bonding company authorized to do business in the Commonwealth of Pennsylvania.
- b. Letter of Credit: The applicant may provide an irrevocable letter of credit from a bank or other reputable institution.
- c. Escrow Account: The applicant shall deposit cash, or other instruments readily convertible into cash at face value, either with the local municipality, or in escrow with a bank.

- d. Property: The applicant may provide, as a guarantee, land or other property.
- e. Subdivision Improvement Guarantee: An applicant may provide, as a guarantee, a subdivision improvement agreement between the applicant, lender and Planning Commission.
- f. Cash Deposit: The applicant may establish a CD account opened in the name of the local municipality.

## **ARTICLE XI ENACTMENT**

### **Section 1101: Repealer**

All ordinances, or parts thereof, conflicting herewith are hereby repealed. Specifically repealed is the Subdivision and Land Development Regulations of Mercer County adopted by the Board of County Commissioners on December 4, 1958, as amended.

### **Section 1102: Enactment**

ENACTMENT: Be it ordained and enacted by the Board of County Commissioners of Mercer County, Pennsylvania, and it is hereby ordained and enacted by the Authority of the same, that from and after the passage of this Ordinance, all design standards and review procedures for subdivision and land development applications shall be in full force and effect. ENACTED AND ORDAINED THIS 23<sup>RD</sup> DAY OF FEBRUARY, 2006.

## **APPENDICES**

### **Typical Exhibits for Preliminary & Final Plans**

#### **Acknowledgment Box**

STATE OF PENNSYLVANIA

COUNTY OF MERCER

BEFORE ME THE SUBSCRIBER A \_\_\_\_\_ IN AND FOR THE SAID COUNTY AND STATE PERSONALLY APPEARED \_\_\_\_\_ AND ACKNOWLEDGE THE BELOW. WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

SIGNATURE \_\_\_\_\_

I, UNDERSIGNED HEREBY DECLARE THAT I AM THE OWNER OF THE LAND SHOWN HEREON AND WISH IT TO BE RECORDED AS SUCH.

SIGNATURE \_\_\_\_\_

I HEREBY CERTIFY THAT THE TRACT SHOWN HEREON IS A TRUE AND ACCURATE SURVEY.

SIGNATURE \_\_\_\_\_

---

#### **Notation that the State Roads Require a Highway Occupancy Permit Box**

ACCESS TO (THIS LOT/THESE LOTS) FROM S.R. \_\_\_\_\_ (AND S.R. \_\_\_\_\_) WILL REQUIRE A HIGHWAY OCCUPANCY PERMIT(S) ISSUED BY THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, PURSUANT TO SECTION 420 OF THE ACT OF JUNE 1, 1945 (P.L. 1242, 428), KNOWN AS THE "STATE HIGHWAY LAW".

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#### **Plan Approval Expiration Box**

PLAN IS NULL AND VOID UNLESS RECORDED BY _____
NO DEEDS MAY BE TRANSFERRED UNTIL PLAN IS RECORDED.



### Approval Boxes for Preliminary & Final Plans

For Municipalities without their own subdivision and land development ordinance and use this Ordinance.

APPROVED: MERCER COUNTY REGIONAL PLANNING COMMISSION	DATE:
_____	_____
CHAIRMAN	SECRETARY

For Municipalities with their own subdivision and land development ordinance that do not use this ordinance.

REVIEWED: MERCER COUNTY REGIONAL PLANNING COMMISSION	DATE:
_____	_____
CHAIRMAN	SECRETARY

For subdivisions or land developments in townships

DATE OF ACTION: _____ _____ BOARD OF TOWNSHIP SUPERVISORS	DATE OF APPROVAL _____ (all conditions met)
_____	_____
CHAIRMAN	SECRETARY

For subdivisions or land developments in boroughs

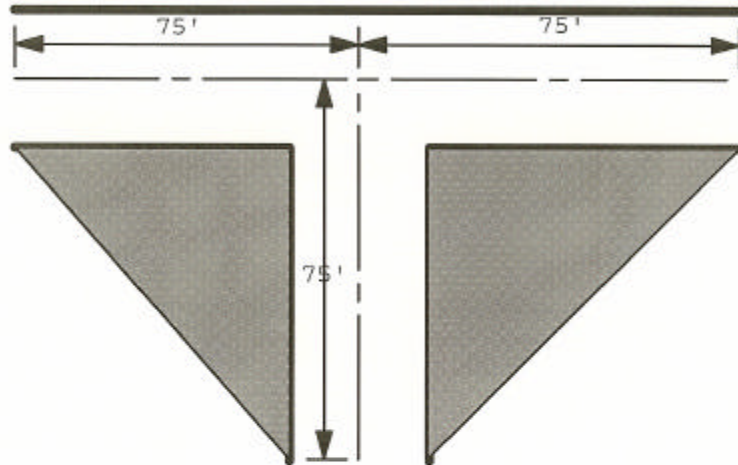
DATE OF ACTION: _____ BOROUGH COUNCIL OF	DATE OF APPROVAL: _____ (all conditions met)
_____	_____
CHAIRMAN	SECRETARY

For subdivisions or land developments in cities

DATE OF ACTION: _____ CITY OF _____	DATE OF APPROVAL: _____ (all conditions met)
_____	_____
CHAIRMAN	SECRETARY

## CLEAR SIGHT TRIANGLE

(Not to Scale)

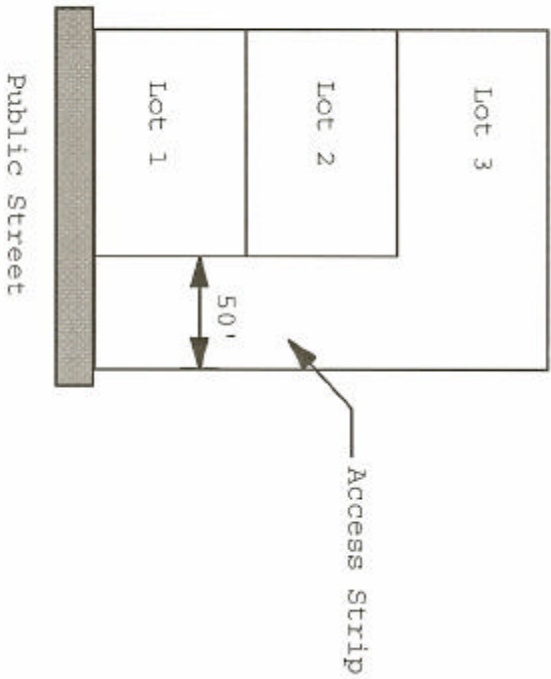


### NOTES

Clear Sight Triangles of seventy-five feet (75') measured along street centerlines from their point of junction shall be provided at all intersections and no structures or vegetation higher than three (3) feet shall be permitted within such triangles. The three (3) foot measurement shall begin from the elevation of the road, where topography within the triangle is higher than the road, the following standards shall be used for measurement:

Topography Elevation	Allowable Structure or Vegetation Height
1 foot higher than the road	2 feet
2 feet higher than the road	1 foot
3 or more feet higher than the road	No vegetation or structures shall be permitted within the sight triangle.

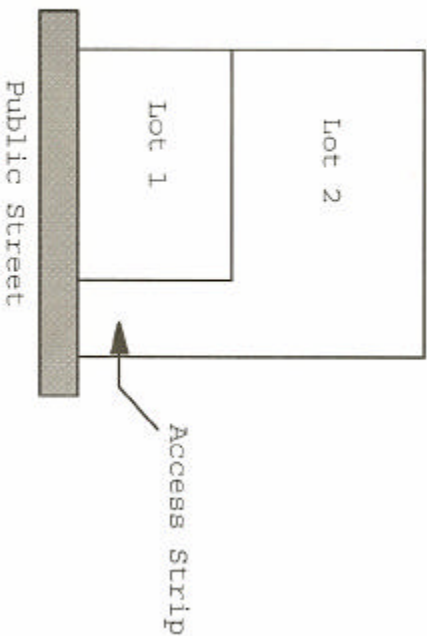
### FLAG LOTS



**NOTES**

1. Lot 1 has access to the public street.
2. Lot 3 has access to the public street through a 50' Access Strip.
3. Lot 2 has access to the public street through an easement over the Access Strip owned by lot 3.
4. The Access Strip must be at least 50' wide when it services more than 1 lot.

### FLAG LOTS

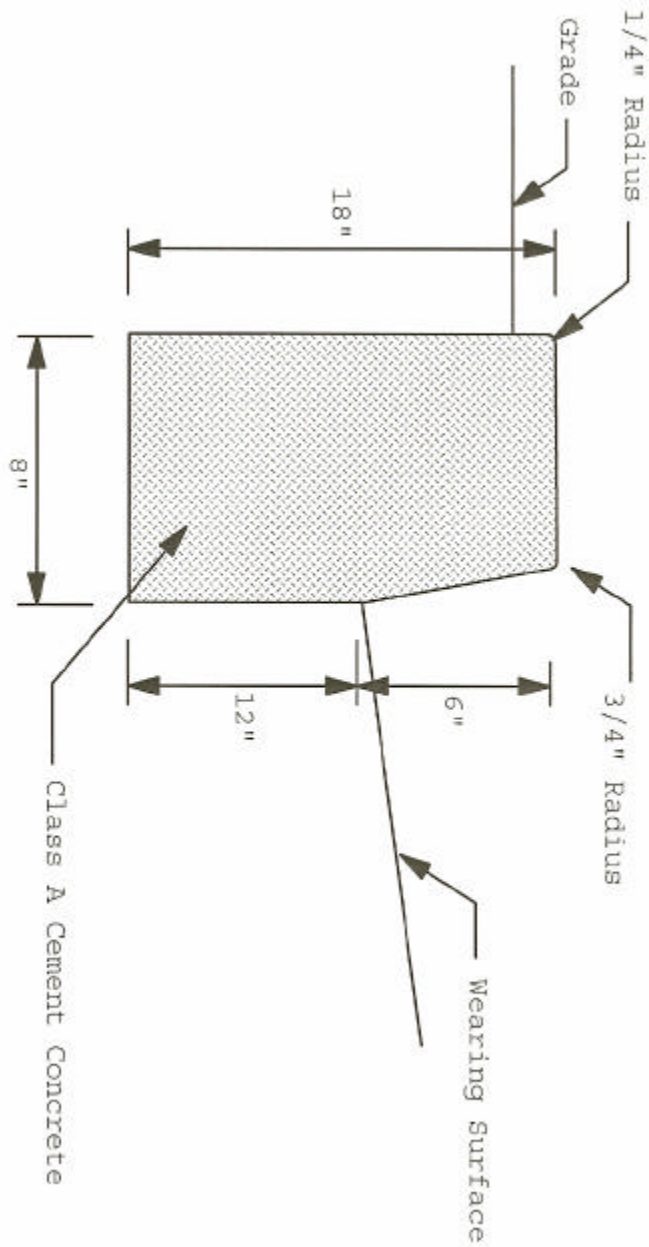


**NOTES**

1. Lot 1 has access to the public street.
2. Lot 2 has access to the public street through an Access Strip.
3. If Lot 2 is large enough to be resubdivided, than the Access Strip shall be at least 50' wide.
4. If Lot 2 is not large enough to be resubdivided, than the Access Strip width may be less than 50' but no less than 20'.

## Concrete Curbs

### Typical Construction Detail

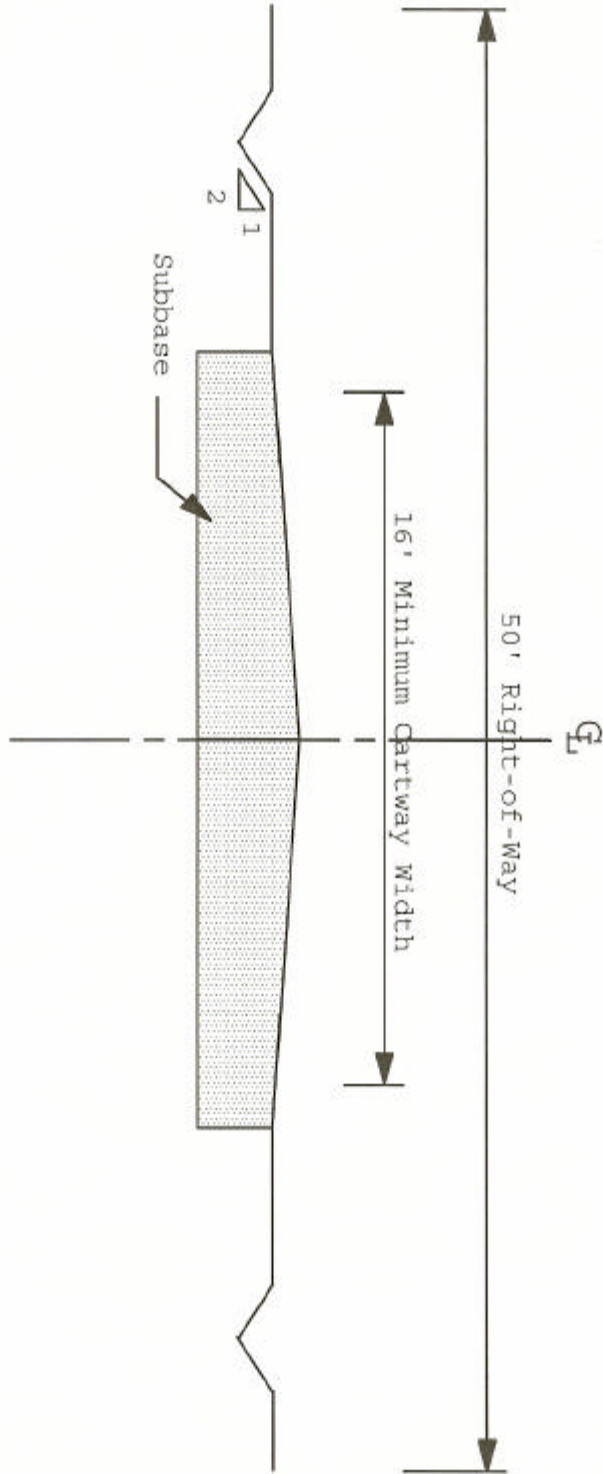


#### NOTES

1. Contraction joints shall be placed at a minimum spacing of 4' and at a maximum spacing of 20'.
2. See Section 404.8 for Construction Standards for Curbs.

# Lane

## Typical Cross Section

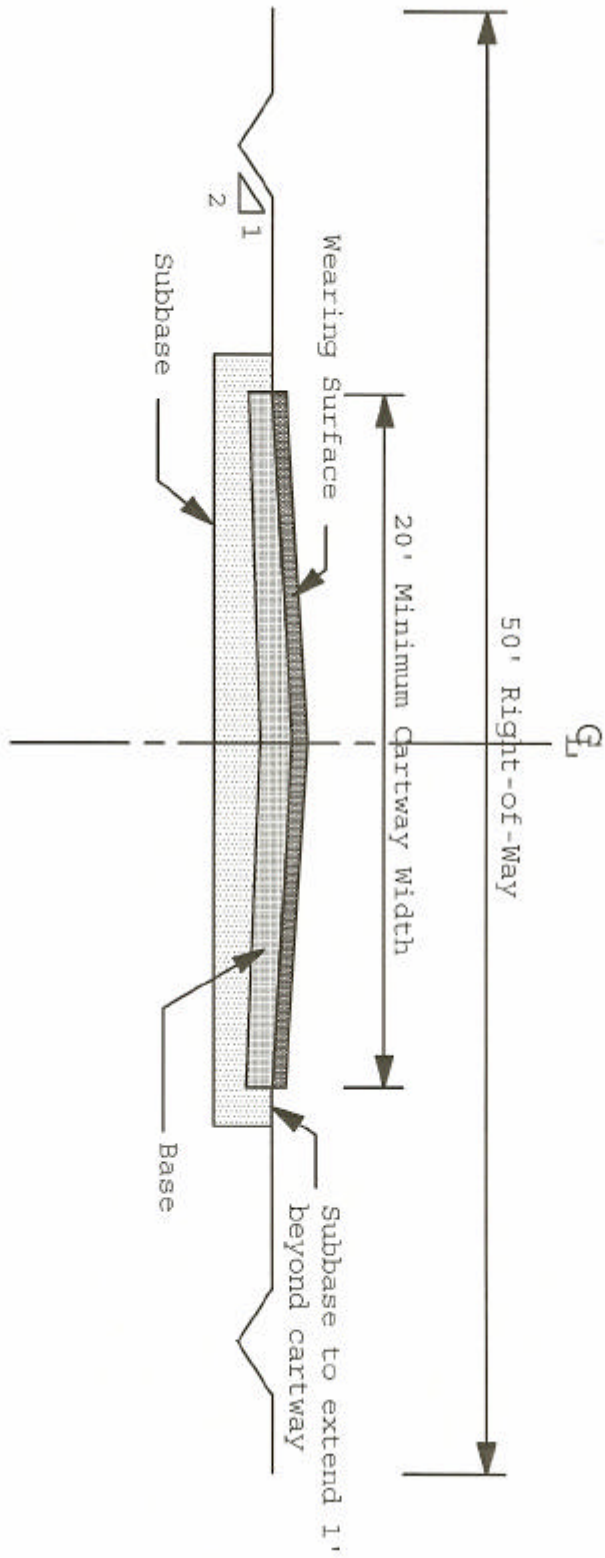


### NOTES

1. A Lane may service up to and including 4 lots.
2. See Section 404.4 for Street Design Standards for Lanes.
3. See Section 405.8 for Construction Standards for Lanes.

## Local Type I Street, No Curbs

### Typical Cross Section



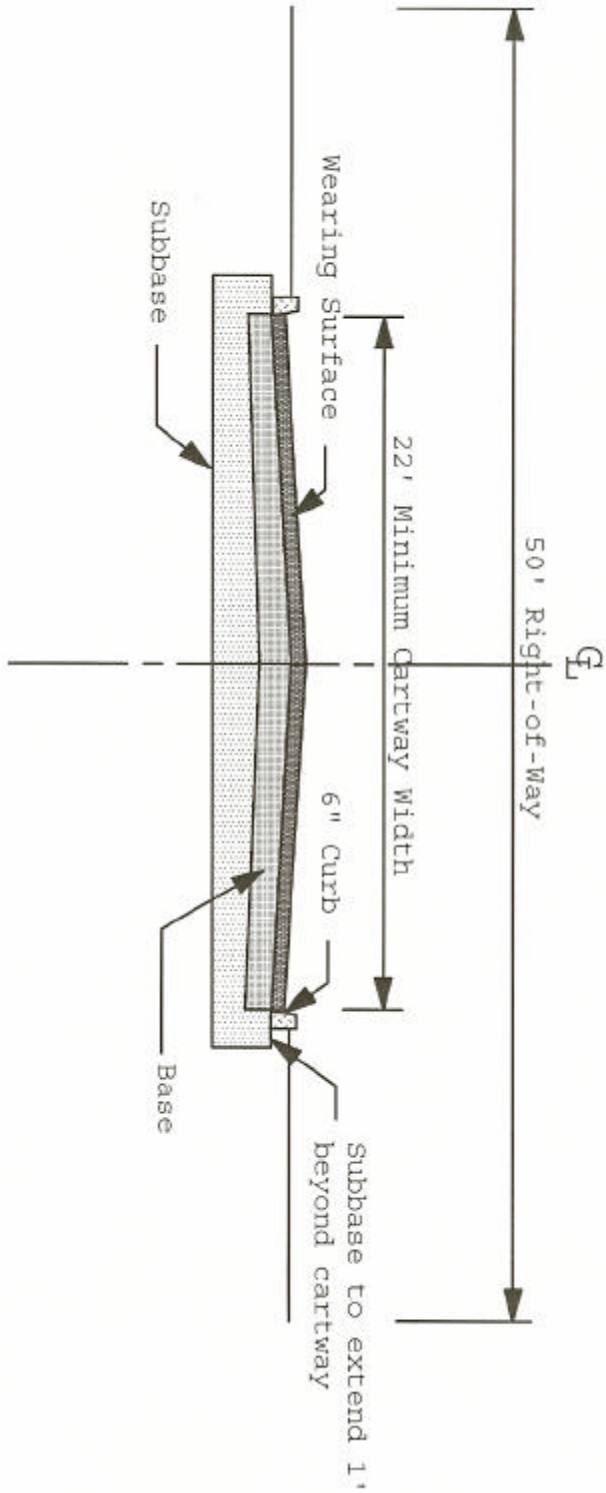
**NOTES**

1. Local Type I Streets may service up to and including 25 lots.
2. See Section 404.4 For Street Design Standards for Local Streets.
3. See Section 405.8 for Construction Standards for Local Streets.



## Local Type I Street, With Curbs

### Typical Cross Section

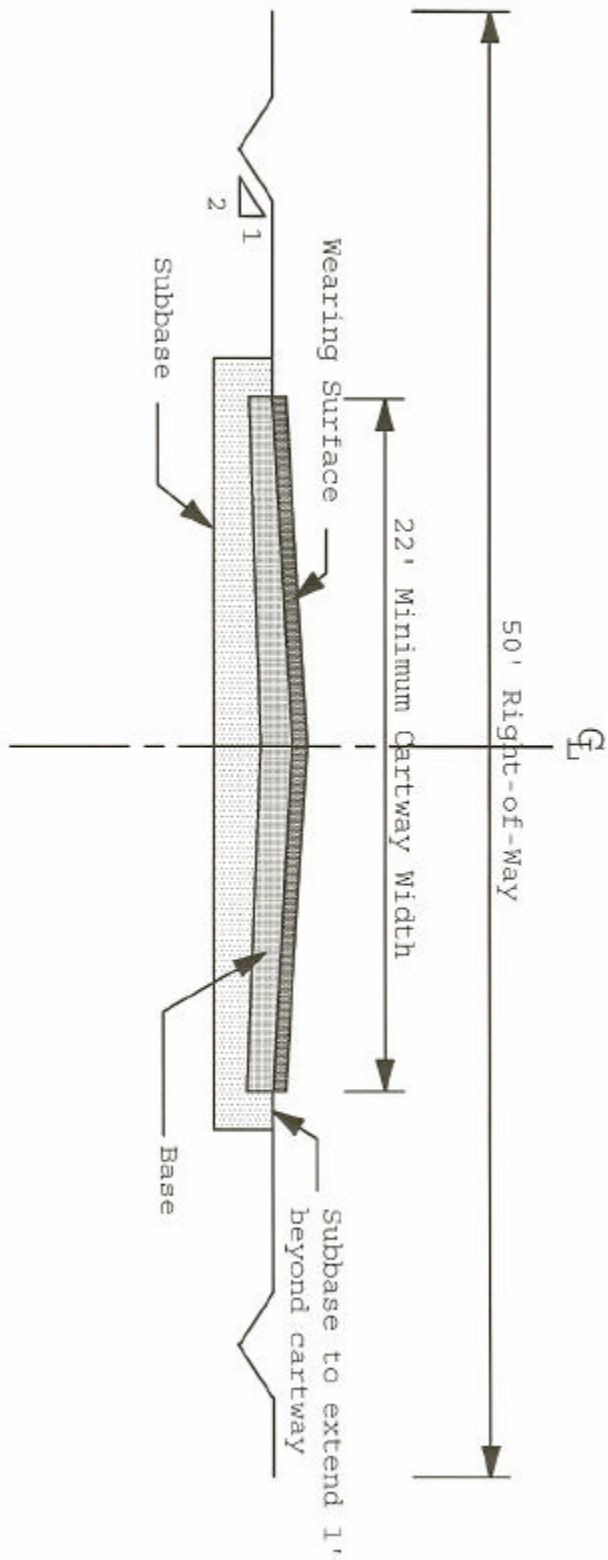


#### NOTES

1. Local Type I Streets may service up to and including 25 lots.
2. See Section 404.4 for Street Design Standards for Local Streets.
3. See Section 405.8 for Construction Standards for Local Streets.
4. See Section 404.8 for Construction Standards for Curbs.

## Local Type II Street, No Curbs

### Typical Cross Section



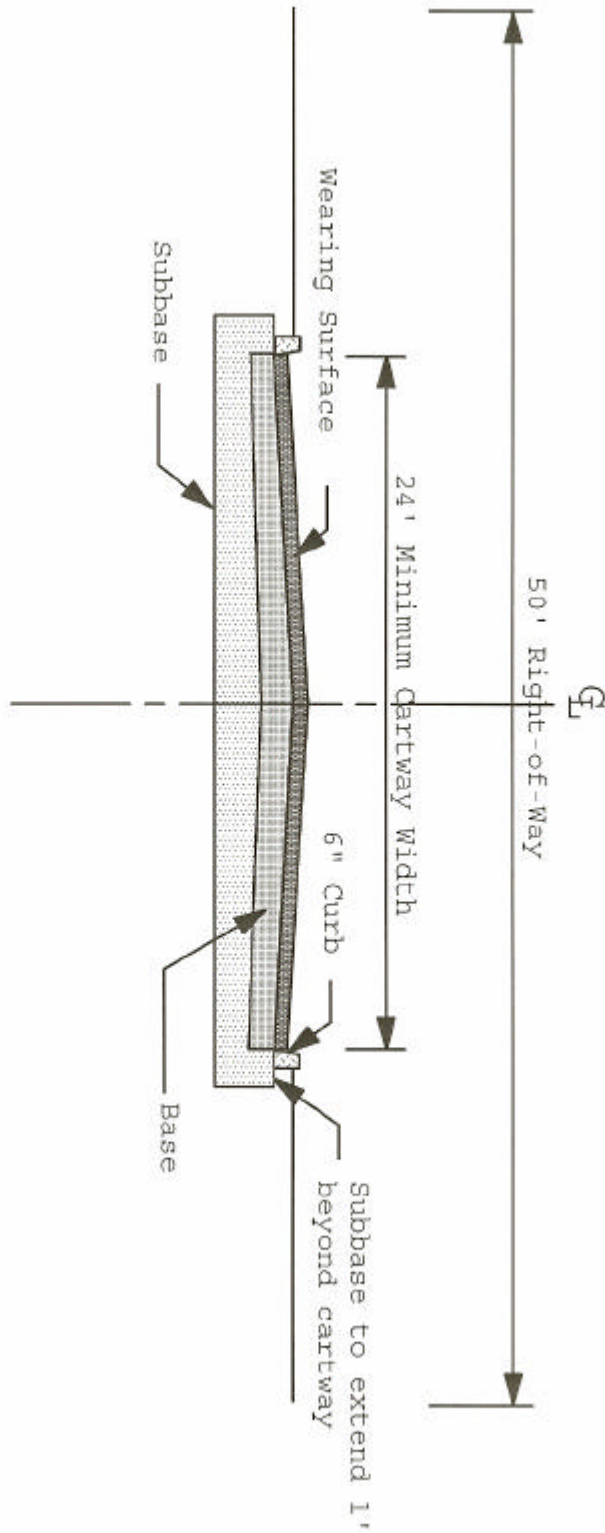
**NOTES**

1. Sidewalks may be required along Local Type II Streets where heavy pedestrian traffic is likely.
2. See Section 404.4 for Street Design Standards for Local Streets.
3. See Section 405.8 for Construction Standards for Local Streets.



# Local Type II Street, With Curbs

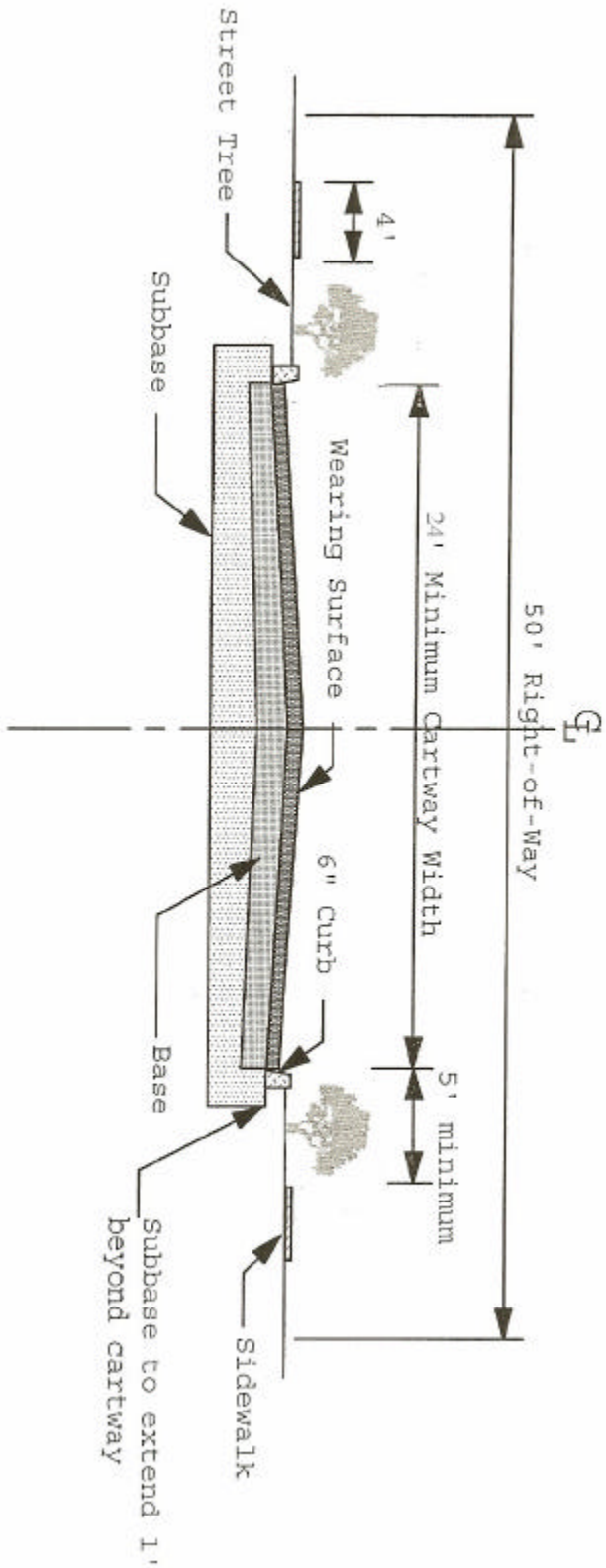
## Typical Cross Section



### NOTES

1. Sidewalks may be required along Local Type II Streets where heavy pedestrian activity is likely.
2. See Section 404.4 for Street Design Standards for Local Streets.
3. See Section 405.8 for Construction Standards for Local Streets.
4. See Section 404.8 for Construction Standards for Curbs.

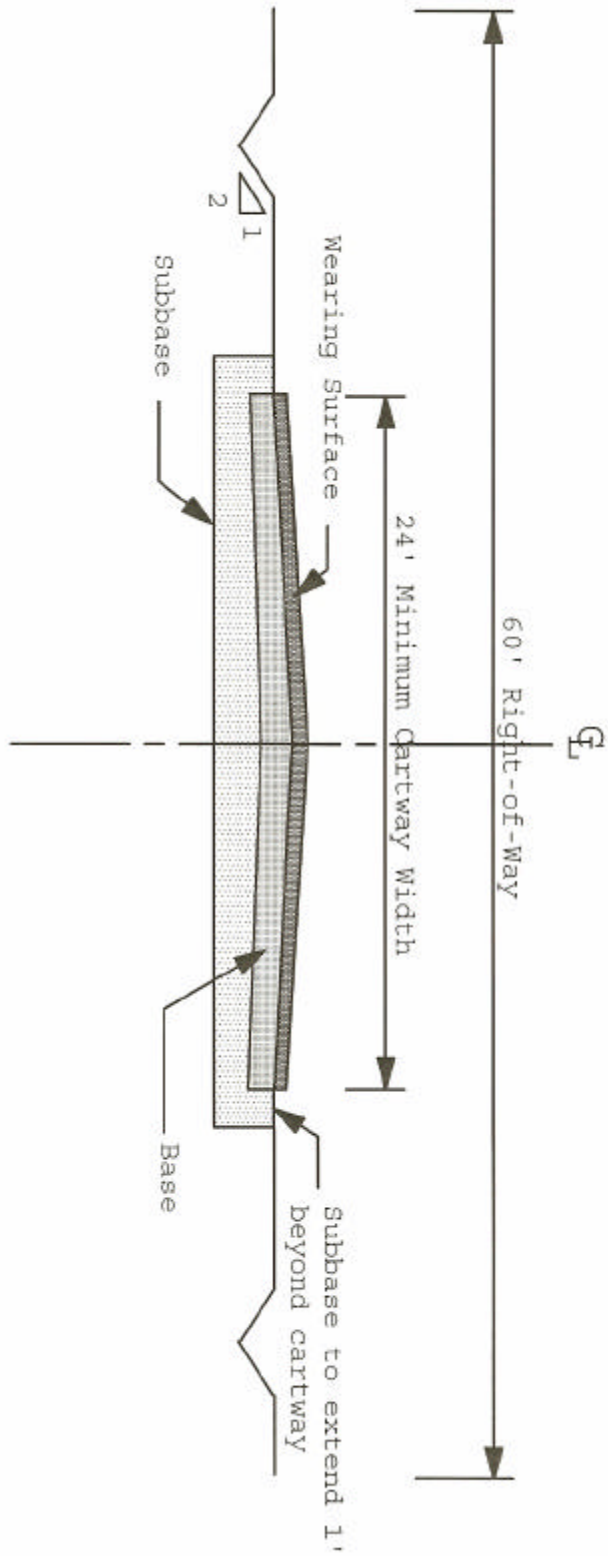
## Local Type III Street Typical Cross Section



**NOTES**

1. Street trees and sidewalks are required along all Local Type III Streets.
2. Sidewalks shall be placed at least 5' from the cartway edge.
3. Street trees shall be placed in the strip between the cartway edge and the sidewalk.
4. See Section 404.4 for Street Design standards for Local Streets.
5. See Section 405.8 for Construction Standards for Local Streets.
6. See Section 404.8 for Construction Standards for Curbs.
7. See Section 404.9 for Construction Standards for Sidewalks.
8. See Section 404.10 for Street Tree Standards.

## Collector Street, No Curbs Typical Cross Section

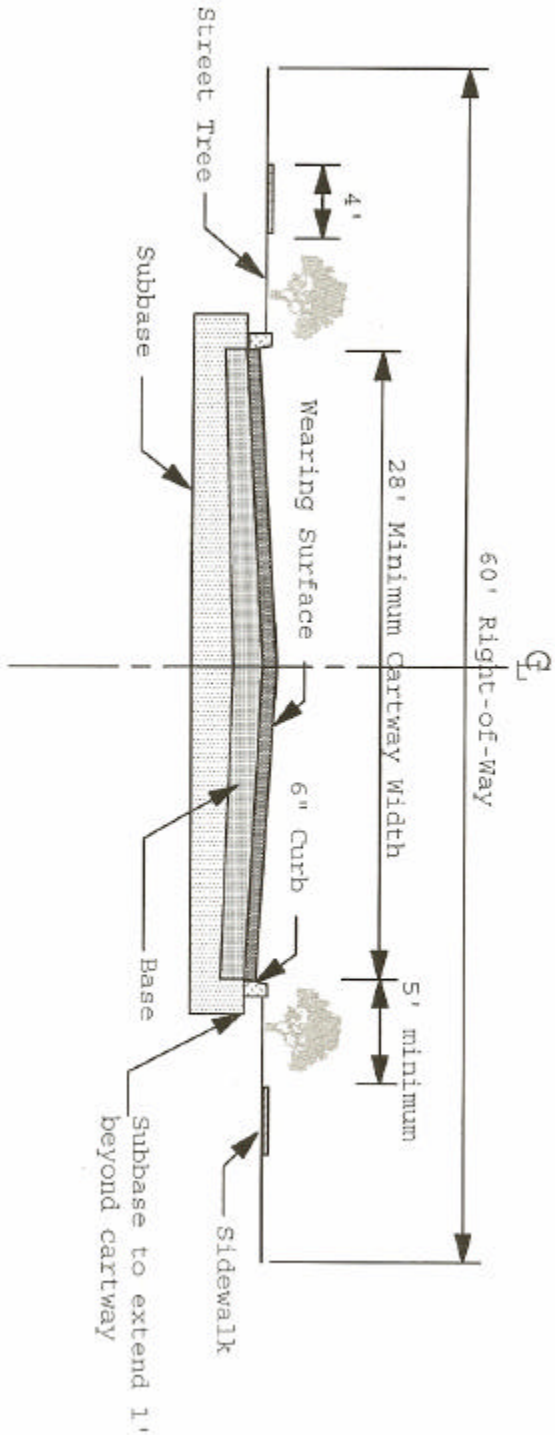


**NOTES**

1. See Section 404.4 for Street Design Standards for Collector Streets.
2. See Section 405.8 for Construction Standards for Collector Streets.

## Collector Street, With Curbs

### Typical Cross Section

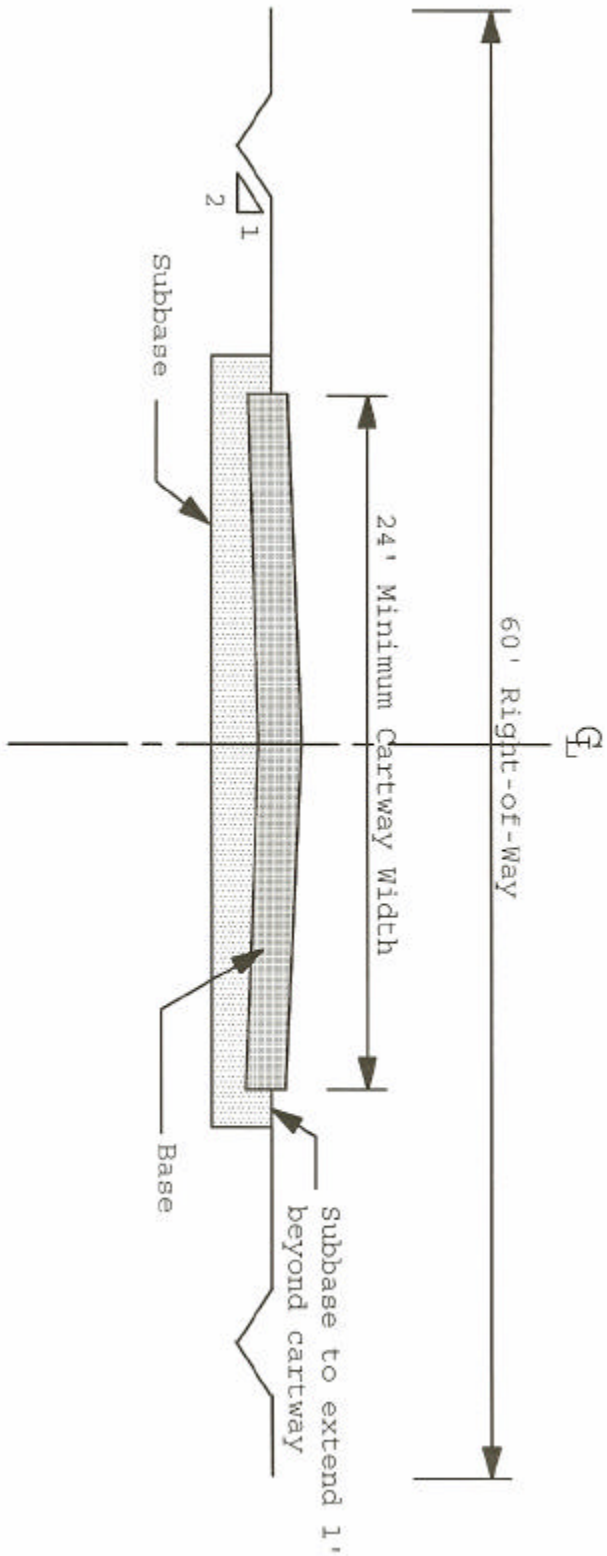


**NOTES**

1. Sidewalks are required along all Collector Streets servicing a Local Type II or Type III Street and shall be placed at least 5' from the cartway edge.
2. Street Trees are required along all Collector Streets that have sidewalks and shall be placed in the strip between the cartway edge and the sidewalk.
3. Curbing is required on all Collector Streets servicing a Local Type II or Type III Street
4. See Section 404.4 for Street Design Standards for Collector Streets.
5. See Section 405.8 for Construction Standards for Collector Streets.
6. See Section 404.8 for Construction Standards for Curbs.
7. See Section 404.9 for Construction Standards for Sidewalks.
8. See Section 404.10 for Street Tree Standards.

# Industrial Street, No Curbs

## Typical Cross Section



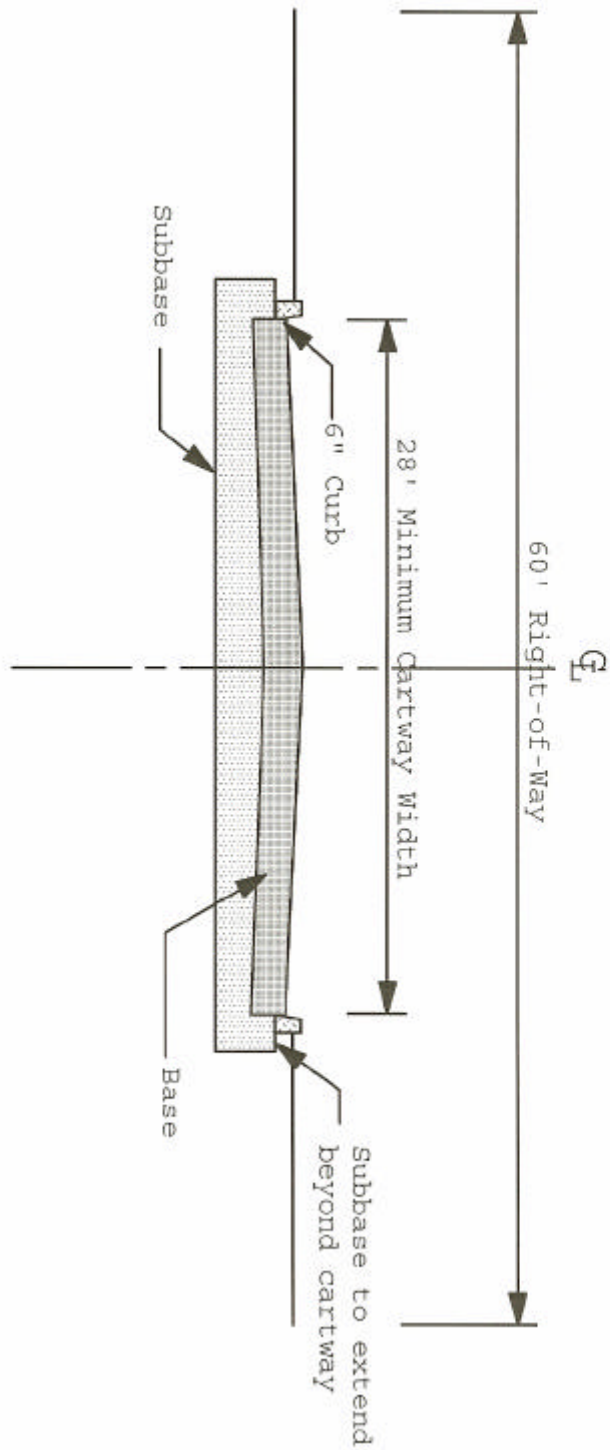
### NOTES

1. See Section 404.4 for Street Design Standards for Industrial Streets.
2. See Section 405.8 for Construction Standards for Industrial Streets.



# Industrial Street, With Curbs

## Typical Cross Section



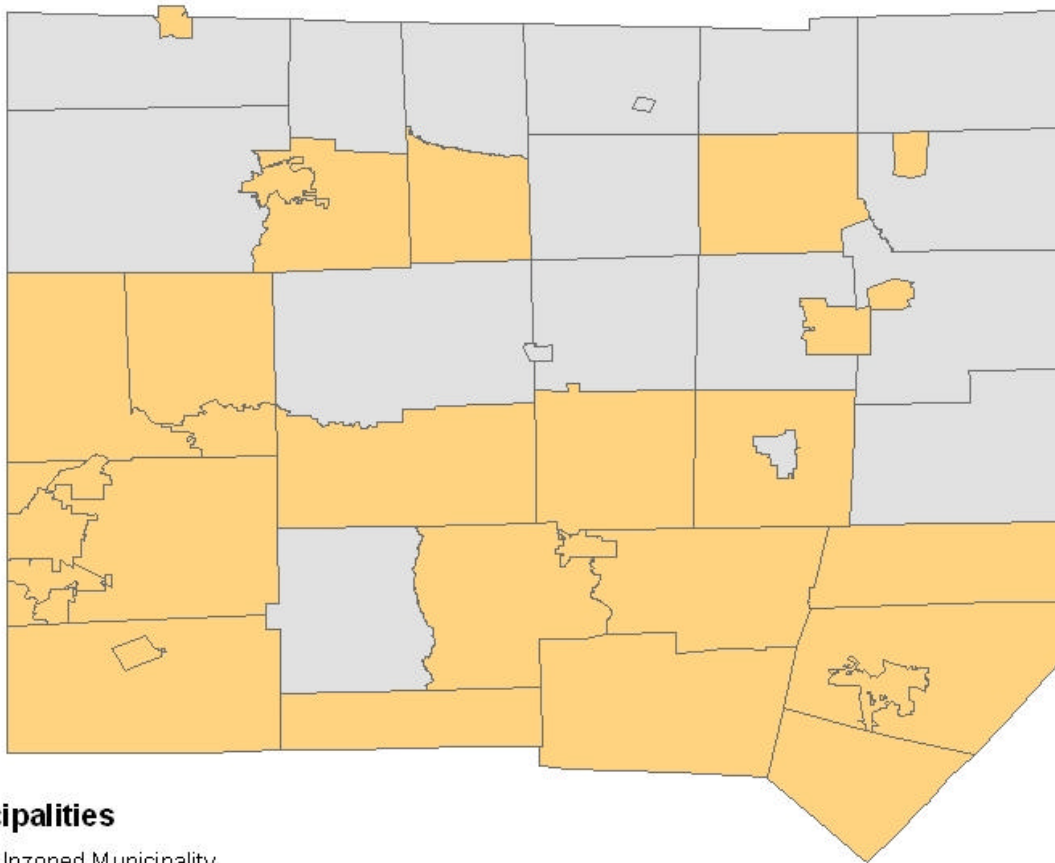
### NOTES

1. See Section 404.4 for Street Design Standards for Industrial Streets.
2. See Section 405.8 for Construction Standards for Industrial Streets.
3. See Section 404.8 for Construction Standards for Curbs.

**Land Development Review Process:**

- For minor land developments in all communities, the applicant shall submit a copy of all information pertaining to the application for a local building permit and all other required local municipality permits.
- Major land developments in zoned municipalities will be treated as a minor land development. All local municipal approvals must be granted, and evidence presented, before a minor land development can be approved.
- For major land developments in unzoned municipalities, the applicant shall submit all information required in the ordinance, specifically Sections 506, 601, & 602.

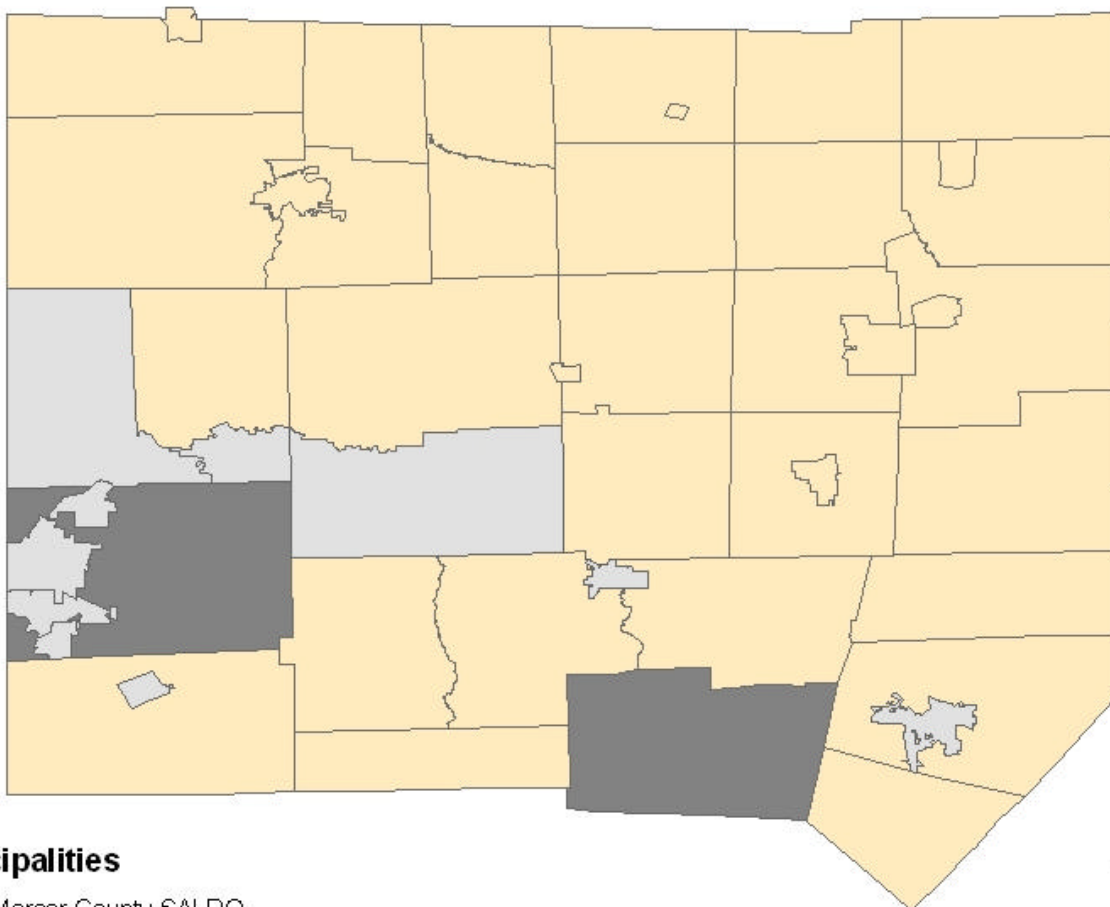
## Mercer County Municipalities With Zoning



Source: MCRPC  
December 2004

**Subdivision Review Process:**

- For a plan located in a municipality that has their own Subdivision & Land Development Ordinance and that municipality’s planner is in charge of the technical review, the subdivision plan shall be submitted to that municipality. The municipality will then forward the subdivision to the County for review.
- For a plan located in a municipality that has their own Subdivision & Land Development Ordinance and MCRPC’s planner is in charge of the technical review, the subdivision plan shall be submitted to MCRPC. MCRPC will forward their findings and review comments, as well as the plan, to the municipality for their decision.
- For a plan located in a municipality that is under the Mercer County Subdivision & Land Development Ordinance, the subdivision plan shall be submitted to MCRPC. MCRPC will forward the plan to the municipality for their comments through the Municipal Subdivision Review form, and the approval will come from MCRPC.



**Municipalities**

- Mercer County SALDO
- Own SALDO, MCRPC planner reviews
- Own SALDO, Municipality planner reviews

Source: MCRPC  
January 2005