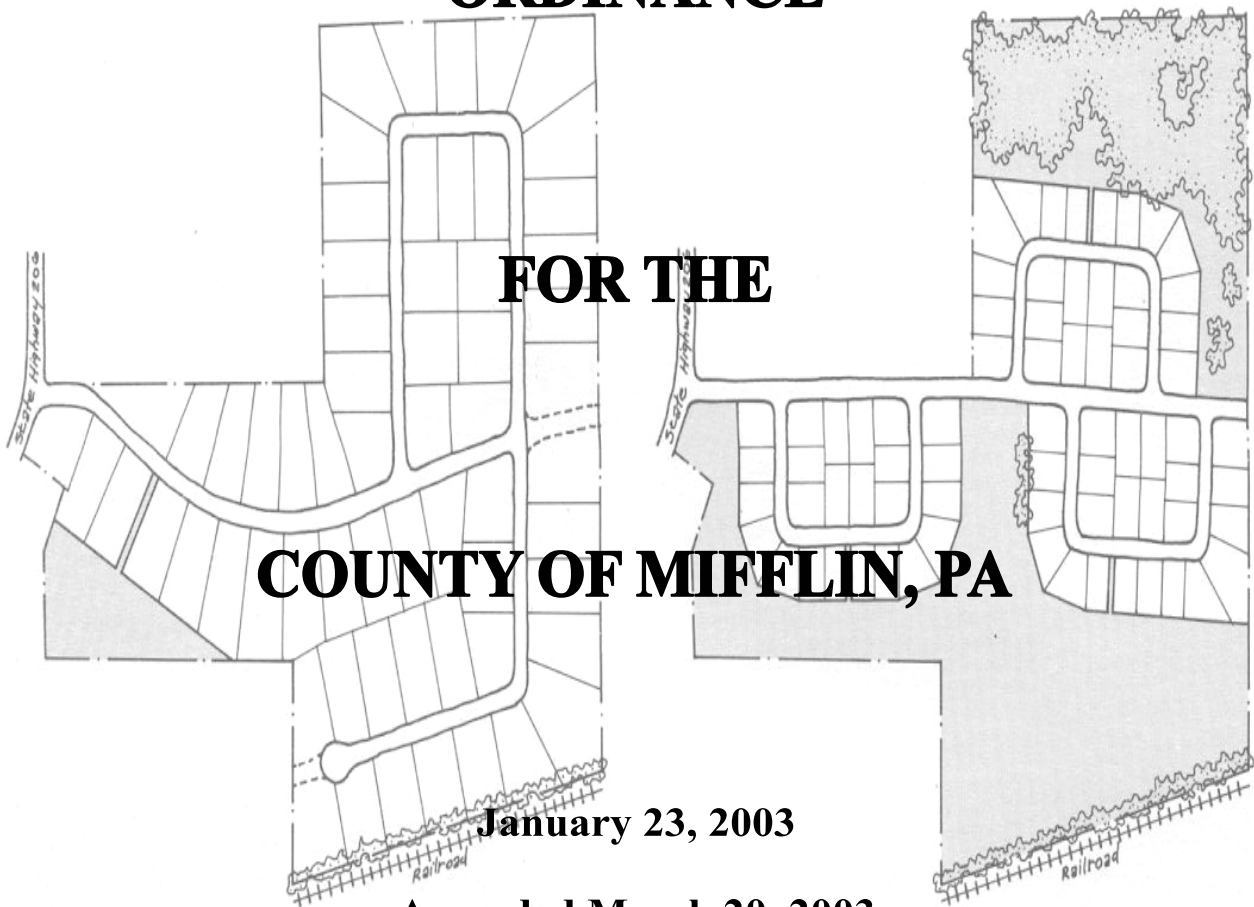


SUBDIVISION AND LAND DEVELOPMENT ORDINANCE



**FOR THE
COUNTY OF MIFFLIN, PA**

January 23, 2003

Amended March 20, 2003

Amended February 16, 2006

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE NO. 03-1
FOR THE
COUNTY OF MIFFLIN, PA

Prepared by the
MIFFLIN COUNTY PLANNING COMMISSION

Adopted January 23, 2003

Amended March 20, 2003

Amended February 16, 2006

by the
MIFFLIN COUNTY BOARD OF COMMISSIONERS

Funding for this project was provided through a PA Small Communities Planning Assistance Program (SCAP) Grant and local assistance from the Mifflin County Board of Commissioners.

Cover illustration courtesy of *Cluster Development* by William H. Whyte, 1971.

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Mifflin County, Pennsylvania

January 23, 2003

Amended March 20, 2003

Amended February 16, 2006

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Raymond M. Snyder
Charles E. Laub

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Otis Riden, Jr., Chairman
Daniel Dunmire, Vice Chairman
James Spendiff, Secretary
John Morris
Donald Kauffman
John Pannizzo
Thomas Moore
Kirk Moon
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Daniel Dunmire, Mifflin County Planning Commission
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INTRODUCTION

After adoption of this Ordinance by the County Commissioners, State Law requires that all subdivision and land development plans must be submitted to the Mifflin County Planning Commission for the Commission's review and action. If the Municipality in which the plan is located also has a local municipal Subdivision Ordinance, then the review and recommendations of the County Planning Commission are only considered to be advisory, and the Municipality has the sole power to approve or disapprove a plan. Where the Municipality does not have a Subdivision and Land Development Ordinance, then the County Planning Commission does have the authority to review and approve or disapprove or to establish Conditions for the approval of such plans.

The County Planning Commission takes this responsibility very seriously, and it is the objective of the Commission to expedite all reviews to minimize delays and to work in a cooperative manner with landowners and developers, while at the same time safeguarding the public health, safety and welfare of the County.

Early Consultation

While the Mifflin County Planning Commission will confer, advise and cooperate with the Applicant, it will not be able to do the work of preparing the subdivision plan. Best results will be obtained when the Applicant retains qualified professionals to prepare the subdivision plan: a planner, landscape architect, engineer, surveyor, or combination of these professionals. It will be necessary to have a certified registered engineer or land surveyor involved in the planning process. It is important that the persons engaged have the skills and imagination necessary to produce the best design under given conditions.

Many subdivisions in the County will be relatively simple and may not require extensive review. However, where a major subdivision is involved, the Applicant is invited to informally contact the staff of the Mifflin County Planning and Development Department with a sketch plan of the land they propose to subdivide. The best time for this visit is before the land has been finally acquired or at least before significant funds are spent for engineering. Any discussion of such a sketch and any accompanying materials are not official and are considered strictly confidential by the County. The goal of the County is to furnish the kind of advice a developer can best use at the time that it will be most valuable. Early discussion of a sketch plan can result in significant savings in final engineering and development costs.

The preliminary plan stage of a subdivision is also important. It is the stage when ideas are considered and plans formulated, but not when construction begins and it also takes place before final engineering is completed. It requires the coordinated efforts of many agencies, utility companies, and public officials. Therefore, haste is not the solution to long-term subdivision proposals. However, the Planning Commission will expedite plan reviews whenever possible to avoid unreasonable delays.

Proper consideration of topography and the slopes of a site and also the size of lots in a subdivision are one of the first considerations to be made. These factors influence the street design, block length, community facilities required, etc. Therefore, in those subdivisions that will not be provided with a public sanitary sewer system, i.e., those that will have on-site septic tanks and absorption fields, the first step in preparing the preliminary plan is to make necessary soils evaluations and percolation tests of the tract to be subdivided to assure compliance with PA DEP requirements.

Where the Municipality in which the plan is located has an officially adopted Zoning Ordinance, the plan must also comply with the requirements of that ordinance. Zoning regulates how the land can be used, while subdivision regulates the process for creating lots or developing land. Compliance is required with both ordinances before use of the land.

Introduction

Other Requirements

The Plan shall also be subject to the requirements of other state and federal regulations, including applicable requirements relative to flood plains, wetlands, erosion and sedimentation control, sanitary sewage, utilities and storm drainage, major roads, environmental factors, excavation and fill(s), encroachment of streams and rivers and other possible requirements.

Environmental regulations, as established by the Pennsylvania Department of Environmental Protection (“PA DEP”), governing land to be developed or subdivided have become complex and in many cases require considerable review by DEP. Land subdivisions cannot be approved until such DEP reviews have been completed. It is therefore important that the Applicant contact DEP as early as possible. All requirements of the Mifflin County Conservation District must also be met. To expedite the review by the Municipality and the County the Applicant may wish to complete and submit the required DEP Planning Module to the Municipality at the same time that the Subdivision Plan is submitted. All of these requirements are intended to protect the general public and welfare of the County and to prevent possible problems that may adversely affect all parties involved in the Subdivision or Land Development process.

Proper planning and design can avoid many potential problems and can save the developer considerable expense. It will ensure proper development and result in more desirable community growth.

Implementation of the Plan

The subdivision plan must be properly carried out and any required construction must be completed. Planning is judged by the completed project and its value to the community. It is important that all facilities be either properly installed or their completion guaranteed. The completed project should not be a burden on the general tax monies of the governmental entities involved. The result of good planning and good construction is a safer and a more vital community -- a community that is an asset to the County.

This Ordinance establishes necessary design standards and required improvements for various types of land developments and subdivisions. However, construction and supervision of improvements must be installed and in accordance with local Township or Borough regulations and ordinances. It is the responsibility of the local Municipality, with the help of the County, to be sure that all required improvements meet local standards.

The following Ordinance governing the subdivision of land and new development, as defined under Article 2 of this Ordinance, in Mifflin County has been prepared by the Planning Commission of Mifflin County and other interested local groups and persons. This Ordinance will be reviewed and updated on a continuing basis and may be amended from time to time.

To Avoid Delays

Consult by telephone, or in person, with both the specific Municipality and the Staff of the Mifflin County Planning and Development Department before proceeding with subdivision plans.

If on-site sewage disposal facilities are contemplated, consult with the PA DEP for recommendations and also with the local Sewage Enforcement Officer.

Make certain the design of the subdivision meets the minimum design standards required by the Ordinance.

Submit plans no later than the prescribed date, if consideration of the plans is expected at the next regularly scheduled meeting of the Mifflin County Planning Commission.

ORDAINING CLAUSE

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE NO. 03-1

FOR

MIFFLIN COUNTY, PENNSYLVANIA

ENACTED BY THE MIFFLIN COUNTY BOARD OF COMMISSIONERS

AT A MEETING HELD ON JANUARY 23, 2003

This Ordinance regulates the subdivision and development of land within the County of Mifflin and requires that all proposed plans for subdivision and land development located within the County shall be submitted to the Mifflin County Planning Commission for review and/or approval. Said Ordinance includes provisions for the following:

- The submittal, review, processing and recording of subdivision and land development plans.
- Required information to be included in such plans.
- Design standards governing the layout of such plans relative to streets, easements, rights-of-way, reservations for public grounds, and other facilities and uses.
- The subdivision, development, and use of lands subject to environmental or other hazards.
- Establishment of standards for the installation and improvement of facilities, in accordance with local Township requirements.
- Subdivision and development of land not intended for immediate use.
- Conformance with the County and local Comprehensive Plan(s).
- Adequate utility services.
- Other requirements to ensure the safe and proper subdivision and development of land in accordance with the requirements of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247, as reenacted and amended (hereinafter referred to as the "Pennsylvania MPC").

BE IT AND IT IS HEREBY ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF MIFFLIN COUNTY, PENNSYLVANIA, AS FOLLOWS:

ARTICLE 1

GENERAL PROVISIONS

1.100 LEGISLATIVE AUTHORITY

This Ordinance is enacted pursuant to the authority conferred by the Pennsylvania MPC.

1.200 APPLICATION

1.201 Jurisdiction - This Ordinance shall apply to all subdivisions and land developments located within Mifflin County except for the following:

- A. This Ordinance shall not apply to any Municipality that has in effect or that subsequently adopts a Municipality Subdivision and Land Development Ordinance in accordance with Pennsylvania MPC, and that has filed a certified copy of said adopted Municipality Ordinance with the County Planning Commission.

However, the Planning Code does require that in such case, any Municipality that has adopted its own Subdivision and Land Development Ordinance shall forward a copy of any Application for a proposed Subdivision and Land Development, upon receipt by the Municipality, to the County Planning Commission for review and report. Such Municipality shall not act upon said Application until the County report is received or until the expiration of thirty days from the date that the Application was forwarded to the County Planning Commission.

- B. Where the Municipality has not adopted its own Subdivision and Land Development Ordinance, it is the responsibility of the Owner, Applicant, or Developer as defined herein to comply with this County Ordinance and to submit plans directly to the County Planning Commission. In such case, the County Planning Commission shall review said plans and either approve, disapprove, or approve with conditions and shall communicate said action to the Applicant and to the Municipality.

1.202 Interpretation - The provisions of this Ordinance shall be held to be minimum requirements to meet the above stated purposes. Where provisions of this Ordinance impose greater restriction than those of any statute, other ordinance, or regulation, the provisions of this Ordinance shall prevail. However, where the provisions of any statute, other ordinance, or regulation impose greater restrictions than those of this Subdivision Ordinance, then the provisions of such statute, ordinance, or regulation shall prevail.

1.203 Grant of Power to County Planning Commission - The Mifflin County Board of Commissioners hereby designates the Mifflin County Planning Commission as the agency to receive and review all plans submitted under this Ordinance and to determine compliance with this Ordinance and the Commission is hereby granted the power to approve, disapprove, or approve with conditions all plans required to be submitted under the terms of this Ordinance, or to review and file a report as required under Section 1.201 A. above.

1.204 Municipal Adoption of this Ordinance By Reference - Any Municipality located in Mifflin County may adopt this Subdivision and Land Development Ordinance by reference and may, by separate Municipal ordinance, designate the Mifflin County Planning Commission as its official administrative agency for review and approval of

subdivision and land development plans, in accordance with the terms of an agreement to be entered into by the County and the Municipality. Any Municipality that presently has its own Subdivision and Land Development Ordinance may designate the County Planning Commission as its official administrative agency as set forth above.

1.205 Effect of This Ordinance - No subdivision or land development (as defined herein) of any lot, tract, or parcel of land shall be carried out; no street, sanitary sewer, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for public use and travel, or the common use of occupants of buildings abutting thereon, except in strict accordance with the provisions of this Ordinance.

1.206 Recording of Approved Plan - Within 90 days of the approval of the Final Plan for any Subdivision or Land Development, or 90 days after the date of delivery of an approved plat signed by the County Planning Commission, following completion of conditions imposed for such approval, whichever is later, the Applicant shall record a copy of said Final Plan in the office of the Mifflin County Recorder of Deeds.

The Mifflin County Recorder of Deeds shall not accept any such plan for recording unless it is the Final Record Plan as defined herein and unless it complies with the requirements of Section 3.400. Failure to record the Final Plan as required herein shall render all approvals null and void.

1.207 Status of Recorded Plans -Any Subdivision or Land Development Plan recorded prior to the effective date of this Ordinance shall be subject to the provisions of this Ordinance in the event that any change or re-subdivision is made or legally required to be made in the said Plan.

When a Final Plan has been approved and recorded, subsequent to the effective date of this Ordinance, and in conformance with the terms of this Ordinance, then no subsequent change or amendment in any zoning, subdivision, or other governing ordinance or plan shall be applied to affect adversely the right of the Applicant to commence and to complete any aspect of the approved development in accordance with terms of such approval within five years from such approval. The five-year period shall be extended for litigation or sewer or utility prohibitions.

Where final approval is preceded by preliminary approval, the five-year period shall be counted from the date of the preliminary approval. In the case of any doubts as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances, or plans as they stood at the time when the application of such approval was duly filed.

1.300 PURPOSE

This Ordinance has been adopted for the purpose of regulating subdivision and land development within Mifflin County in order to create conditions favorable to the health, safety, morals, and general welfare of the citizens of the County through the provision of regulations that will insure the harmonious development of the County.

1.400 SHORT TITLE

This Ordinance shall be known and may be cited as "The Mifflin County Subdivision and Land Development Ordinance".

ARTICLE 2

DEFINITIONS

2.100 GENERAL

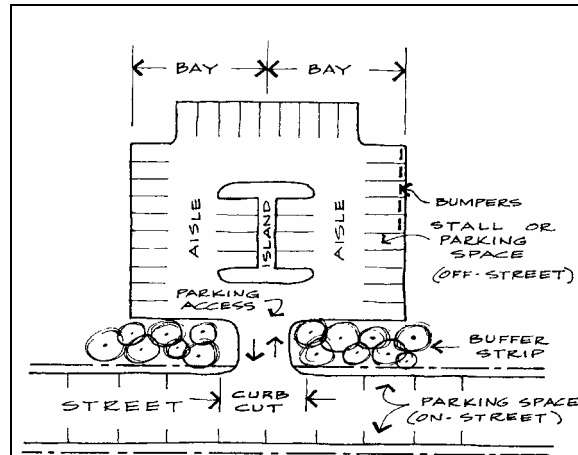
For the purpose of this Ordinance, words used in the present tense include the future tense; the term "shall" is always mandatory; other terms or words used herein shall be interpreted or defined as follows:

2.200 SPECIFIC TERMS

- 2.201 Access - The means by which vehicles or pedestrians obtain entrance or entry into a parcel, lot or building, or into a subdivision or land development.
- A. Easement of Access - An easement granted for use by the public for the purpose of providing vehicular and/or pedestrian access to a parcel, lot, building, subdivision, or land development.
- B. Right-of-Access - The right of the public to have vehicular and/or pedestrian access over a specifically designated area, easement, or property.
- 2.202 Agricultural Operation - An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock, and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural, and aquacultural crops and commodities. The term includes enterprises that implement changes in production practices and procedures or types of crops, livestock, livestock products, or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.
- 2.203 Alley - A permanent service way providing a secondary means of access to abutting lands.
- 2.204 Applicant - A landowner or developer, as hereinafter defined, who has filed an application for development including his/her heirs, successors and assigns.
- 2.205 Block - Property bounded on one side by a street, and on the other three sides by a street, railroad right-of-way, waterway, un-subdivided area, or other definite barrier.
- 2.206 Bona-Fide Bid - A bona-fide bid is a bid secured by the Applicant, from a contractor or contractors, for the purpose of verifying the estimated cost to complete the required improvement or improvements that are the responsibility of the Applicant to provide under the terms of this Ordinance. Said bona-fide bid shall include all costs and activities, as determined by the Commission or the Municipality that will provide for the completion of all of the required improvements or maintenance.

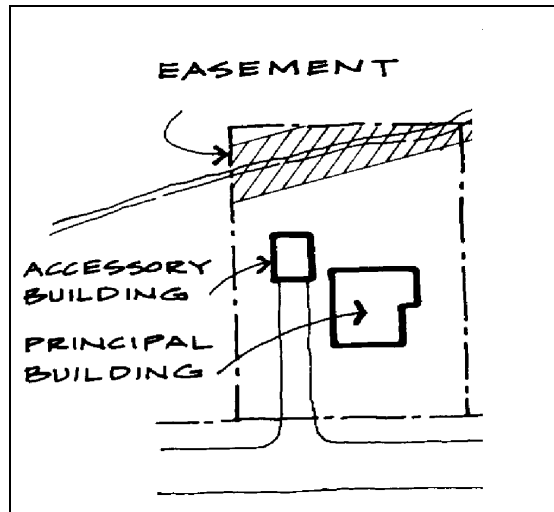
Article 2, Definitions

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



Source: The New Illustrated Book of Development Definitions

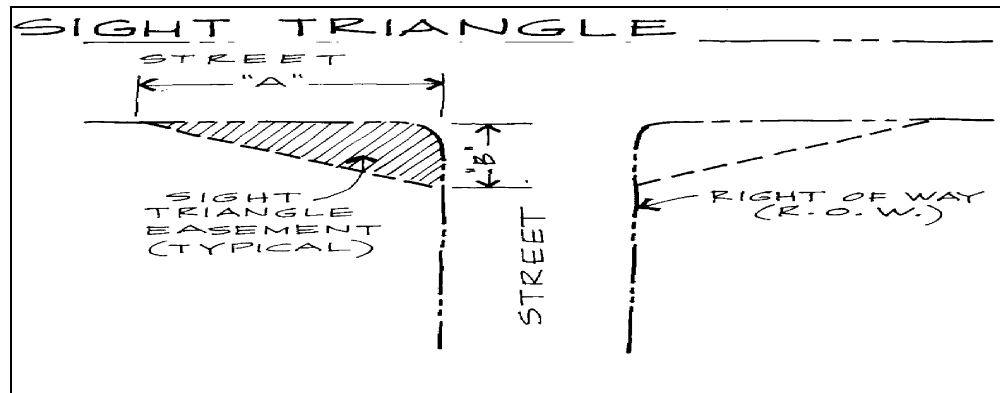
- 2.208 Building, Accessory - A detached subordinate building or structure, the use of which is customarily incidental to that of the principal building or use and that is located on the same lot as occupied by the principal building or use and is not considered a substantial improvement.



Source: The New Illustrated Book of Development Definitions

- 2.209 Building Setback Line - The minimum distance from any lot line to any building or structure to be erected on the lot.
- 2.210 Cart-way - The term "cart-way" shall include the portion of the entire right-of-way of a street that contains an improved travel way for vehicles, including space for shoulders and/or parking lanes.

- 2.211 Clear Sight Triangle – A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorist entering or leaving the intersection.



Source: The New Illustrated Book of Development Definitions

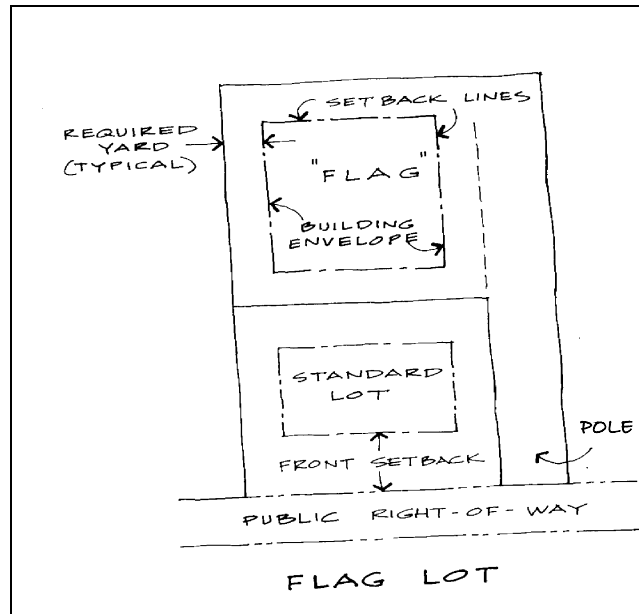
- 2.212 Cluster Development – A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots under conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to Open Space, active recreation, preservation of environmentally sensitive areas, or agriculture.
- 2.213 Commission or County Planning Commission - The Planning Commission of the County of Mifflin, designated to perform various administrative, review, supervisory and other duties required by this Ordinance.
- 2.214 Commissioners - The Board of County Commissioners of Mifflin County.
- 2.215 Comprehensive Plan - The complete plan, or any part of a plan designed to govern and direct the future development and growth of the County or Municipality.
- 2.216 Community Impact Analysis - A study to determine the potential direct or indirect effects of a proposed development on activities, utilities, circulation, surrounding land uses, community facilities, and the environment.
- 2.217 Consistency – An agreement or correspondence between matters being compared that denotes a reasonable, rational, and similar connection or relationship.
- 2.218 County - Mifflin County, Pennsylvania.
- 2.219 County Comprehensive Plan – A land use and growth management plan adopted by the County Commissioners that establishes broad goals and criteria for municipalities to use in preparation of their comprehensive plans and land use regulations.
- 2.220 Cul-de-sac - A local street having one end open to traffic and being permanently terminated by a vehicular turn-around. A “Hammerhead” is another type of turn-around (See Section 4.204 J. 3. f.).

Article 2, Definitions

- 2.221 Designated Engineer - The Engineer or other qualified representative, designated by the Commission or Municipality in which the subdivision is located, to perform various engineering duties required by this Ordinance.
- 2.222 Detention Pond - A vegetated basin designed to drain completely after storing runoff only for a given storm event and release it at a pre-determined rate. Also known as a dry pond.
- 2.223 Developer - Any land Owner or agent of such land Owner or tenant with the permission of such land Owner, who makes or causes to be made, a subdivision of land or a land development. The term "developer" is intended to include the term "Applicant" as defined herein.
- 2.224 Development Plan – The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common Open Space, and public facilities. The phrase "provisions of the development" when used in this Ordinance shall mean the written and graphic materials referred to in this definition.
- 2.225 Driveway - A private drive providing access between a public or private street or access drive and a parking area for a single unit of occupancy, a farm, or land development; which shall comply with any other Ordinance regulating the placement and/or construction of driveways that may be enacted. A shared driveway is a single driveway serving two adjoining lots that meet minimum road frontage requirements (See Sections 4.204 G. 4. and 4.208).
- 2.226 Dwelling - Any building, vehicle or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons.
- 2.227 Easement - A grant by the property Owner of the use of a strip of land by the public, a corporation, or persons for specified purposes.
- 2.228 Financial Security - A deposit made out to the benefit of the Municipality or the Commission, as determined by the Commission, in an amount sufficient to guarantee and cover the entire costs of any required improvement or maintenance that is the responsibility of the Applicant to provide under the terms of this Ordinance but that will allow the Municipality or the Commission to complete said improvements or maintenance in their entirety, without any additional cost to the Municipality or the Commission, in the event of a default, negligence, cost overrun, or inflationary increase in price or failure of any type of the Applicant to provide or complete said required improvements or maintenance.

Said Financial Security shall be approved by the Commission and/or Municipality and may include irrevocable letters of credit and restrictive or escrow accounts in a Federal or Commonwealth chartered lending institution or other type of Financial Security acceptable to the Commission and/or Municipality, and such security shall be posted with a bonding company or with a Federal or Commonwealth chartered lending institution authorized to conduct business in the Commonwealth.

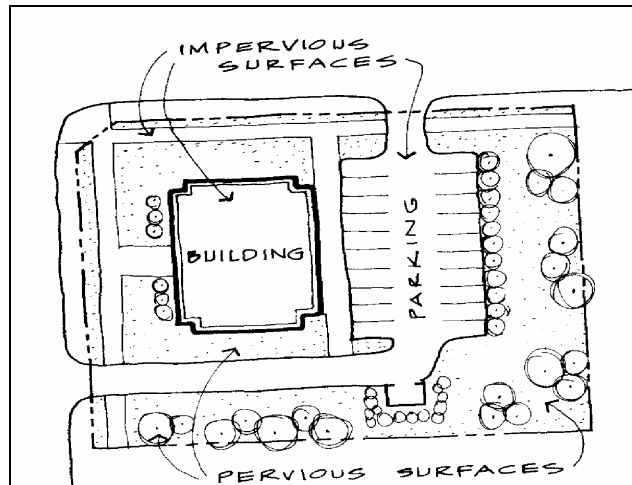
- 2.229 Flag Lot – A lot with less lot frontage on a public or private street than is normally required. The flagpole is a narrow access corridor to a lot located behind other lots that usually meet the required lot frontage (See Section 4.205 G.).



Source: The New Illustrated Book of Development Definitions

- 2.230 Floodplain - The area of inundation, including the floodway and floodway fringe that functions as a conveyance, storage, or holding area for floodwater to a width required for a one hundred (100) year flood.
- 2.231 Floor Area, Gross – The sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.
- 2.232 Forestry - The management of forests and timberlands when practiced in accordance with accepted silvicultural principals, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes that do not involve any land development.
- 2.233 Frontage - The horizontal or curvilinear distance along a public street or private street line upon which a lot abuts.
- A. Double Frontage - A lot that has frontage on and access from two streets that are approximately parallel to each other.
- B. Reverse Frontage Lot - A double frontage lot that extends between and that has frontage on a major street and a local or collector street and that has access only from the local or collector street and that has its access prohibited from the major street.
- 2.234 General Consistency, Generally Consistent – That which exhibits consistency.
- 2.235 Impervious Area – The total area of a lot covered by an impervious surface. The impervious area is generally represented as a percentage of the overall lot area.

- 2.236 Impervious Surface - A surface that prevents the percolation of water into the ground. For the purpose of this Ordinance, stoned parking areas shall be considered as an impervious surface.



Source: The New Illustrated Book of Development Definitions

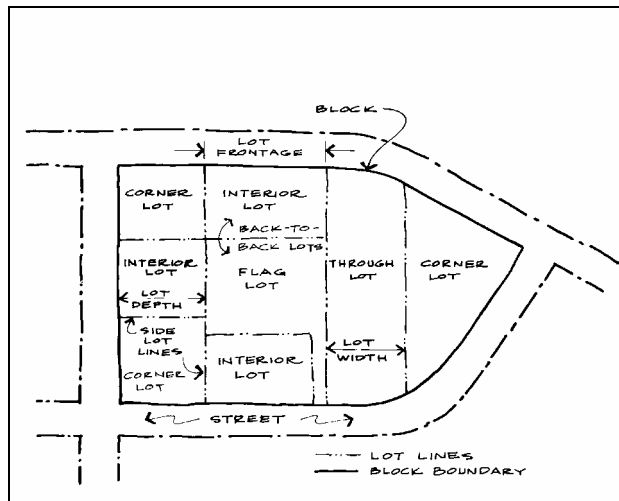
- 2.237 Land Development - Any of the following activities:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:
 - 1. 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; or
 - 2. 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; or
 - 3. Where a substantial improvement occurs and/or a Pennsylvania Department of Transportation Highway Occupancy Permit is required.
- B. A subdivision of land.
- C. Excluded from this definition of land development are the following:
 - 1. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three 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 the purposes of this subclause, an amusement park is defined as a tract or area used principally as the 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; or

Article 2, Definitions

4. An improvement that is not considered a substantial improvement and/or no Pennsylvania Department of Highway Occupancy Permit is required. This exemption does not eliminate the responsibility of complying with Articles 4, 6, and 8 of the Mifflin County Subdivision and Land Development Ordinance, and obtaining applicable local, state and federal permits.

- 2.238 Landowner - The legal or beneficial Owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.
- 2.239 Lot - A designated parcel, tract, or area of land established by a plat or otherwise permitted by law and to be used, developed or built upon as a unit. *Note: See Diagram under "Lot Frontage"*
- 2.240 Lot Addition – Lot Addition subdivisions involve parcels of land that may or may not meet all of the requirements of a lot as defined by this Ordinance. Lot addition subdivisions allow owners of land to subdivide land and convey such subdivisions to adjacent property owners. The subdivision shall not create a “non-conforming lot” of the residual tract after subdivision. The lot created by the subdivision shall be conveyed to the adjoining property Owner and shall be considered to be an extension of that property Owner’s original lot (See Sections 3.501 and 7.302 7.).
- 2.241 Lot Frontage – The length of the front lot line measured at the right-of-way of a public street or private road. On an interior lot, the lot line abutting a street; or, on a corner lot, the shorter lot line abutting a street; or, on a through lot, the lot line abutting the street providing the primary access to the lot; or, on a flag lot, the lot line most parallel to and nearest the street from which access is obtained.



Source: The New Illustrated Book of Development Definitions

- 2.242 Lot Line Adjustment – The process of adjusting or eliminating an existing lot line that divides one lot from another lot, from a public street, private street or any other public space. The act of adjusting a lot line requires submission of a subdivision plan (See Section 3.501).

Article 2, Definitions

- 2.243 Lot Width - The width of the lot at the front building line measured parallel to the street right of way line or in the case of a curvilinear street parallel to the chord of the arc between the intersection of the side lot lines and the street right of way. For a flag lot, the lot width shall be measured at the flag. The relation of the depth of any single family detached dwelling lot to its width shall not be greater than three to one. *Note: See Diagram under "Lot Frontage"*
- 2.244 Low and Very Low Density Residential - Very Low Density Residential includes developments having a density of no more than one dwelling unit per acre.
- Low Density Residential includes developments having a density of between one and three dwelling units per acre.
- These areas generally conform with the more rural or open areas of the County requiring lesser development standards and improvements than developments located in the Medium Density Residential Areas.
- 2.245 Medium Density Residential - Medium Density Residential includes residential developments having a density of more than three dwelling units per acre. This generally defines the more urbanized or built-up areas of the Township requiring higher development standards and improvements than those that are located in the Low Density Residential Areas.
- 2.246 Minerals - Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.
- 2.247 Mobile Home - A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor or incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation, except for a "travel trailer" as defined herein.
- 2.248 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.
- 2.249 Mobile Home Park - Any lot, parcel, or tract of land at least five acres in size, upon which three or more mobile homes are located for occupancy and used by persons of different families other than members of one household.
- 2.250 Multimunicipal Planning Agency – A planning agency of two or more municipalities constituted in accordance with Act 247, the Pennsylvania Municipalities Act, or otherwise by resolution of the participating municipalities to address multimunicipal issues.
- 2.251 Municipal Authority – A body politic or corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945."
- 2.252 Municipal Engineer – A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a Municipality, planning agency or joint planning agency.

Article 2, Definitions

- 2.253 Municipality - The Borough or Township in which a proposed Subdivision or Land Development is located.
- 2.254 Nonconforming Lot - A lot the area or dimension of which was lawful prior to the adoption or amendment of this Ordinance, but which fails to conform to the requirements of the Zoning District in which it is located by reasons of such adoption or amendment.
- 2.255 Nonconforming Structure - A structure or part of a structure manifestly not designed to comply with the applicable use or extent-of-use provisions in a Zoning Ordinance or amendment heretofore or here-after enacted, where such structure lawfully existed prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.
- 2.256 Nonconforming Use - A use, whether of land or of a structure, which does not comply with the applicable use provisions in a Zoning Ordinance or any amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this Ordinance or amendment, or prior to the application of this Ordinance or amendment to its location by reason of annexation.
- 2.257 Official Map - Any map adopted by Ordinance of the Municipality pursuant to Article IV of the Pennsylvania MPC.
- 2.258 Open Space – An area that is intended to provide light and air, and is designed for either environmental, scenic or recreational purposes. Open space may include but is not limited to lawns, decorative planting, walkways, and active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas and watercourses. Open space shall not be deemed to include driveways, parking lots or other surfaces designed or intended for vehicular travel, or detention ponds or retention ponds. In no event shall any area of a lot constituting the minimum lot area or any part of an existing or future road or right-of-way be counted as constituting Open Space.
- 2.259 Parking Space - An off-street space (10' x 20') available for the parking of a vehicle. Parking spaces shall not be obstructed by another parking space or by any other structural impediments to vehicular access.
- 2.260 Plan - A map or chart, also known as a plat, indicating the subdivision or re-subdivision of land that in its various stages of preparation can include the following:
- A. Sketch Plan - An informal plan indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision to be used as a basis for informal consideration by the Commission.
 - B. Preliminary Plan - A tentative plan showing proposed streets and lot layout and such other information as required by this Ordinance.
 - C. Final Plan - A complete and exact plan, prepared for official recording as required by this Ordinance to define property rights and proposed streets and other improvements, as required by this Ordinance.
 - D. Record Plan - The copy of the Final Plan that contains the original endorsements or approvals of the Commission and the Municipality and that is intended to be recorded with the Mifflin County Recorder of Deeds, as required by this Ordinance.

Article 2, Definitions

- 2.261 Planned Residential Development - An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density or intensity, lot coverage and required Open Space to the regulations established in any one district created, from time to time, under the provisions of a Municipal Zoning Ordinance.
- 2.262 Plat - The map or plan of a subdivision or land development, whether preliminary or final.
- 2.263 Preservation or Protection - When used in connection with natural and historic resources, shall include means to conserve or safeguard these resources from wasteful or destructive use, but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.
- 2.264 Private Street - A street that is constructed in accordance with the applicable provisions of this Ordinance that is not owned by a public entity. Neither Mifflin County nor the Municipality in which the private street is located shall be responsible for maintenance of the private street.
- 2.265 Prime Agricultural Land - Land used for agricultural purposes that contains soils identified as Prime Farmland Soils and Additional Farmland Soils of Statewide Importance, as defined by the United States Department of Agriculture natural resource and conservation services county soil survey.
- 2.266 Public Grounds - Includes:
- A. Parks, playgrounds, trails, paths and other recreational areas and other public areas;
 - B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and
 - C. Publicly owned or operated scenic and historic sites.
- 2.267 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 Pennsylvania MPC.
- 2.268 Public Meeting - A forum held pursuant to notice under 65 PA C.S. CH.7 (Relating to open meetings).
- 2.269 Public Notice - Notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.
- 2.270 Public Street – A street that is constructed in accordance with the applicable provisions of this Ordinance and is offered for dedication to the Municipality and accepted by the Municipality to ensure permanent public ownership and maintenance by the Municipality.

Article 2, Definitions

- 2.271 Recreational Subdivision (Very Low Density) - Subdivisions designed primarily for seasonal use, including mountain areas and areas for hunting, camping, and similar uses that will have an intensity of land use equivalent to or less than one housing unit per net acre as determined by the Supervisors.
- 2.272 Renewable Energy Source - Any method, process or substance whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy and excluding those sources of energy used in the fission and fusion processes.
- 2.273 Retention Pond - A pond containing a permanent pool of water and designed to store runoff for a given storm event and release it at a predetermined rate.
- 2.274 Right-of-Way - Land reserved for use as a street, alley, interior walk, or for other public purpose.
- A. Ultimate Right-of-Way - The maximum width to which an existing or proposed right-of-way may be widened in accordance with the Comprehensive Plan or Plans of the Municipality, County or the Pennsylvania Department of Transportation, or other appropriate official agency.
- 2.275 Setback or Building Line - The line within a property defining the required minimum distance between any enclosed structure and the lot lines.
- 2.276 Sight Distance - The length of road visible to the driver of a vehicle at any given point in the road when viewing is unobstructed by traffic. Sight distance shall be in accordance with minimum standards established by the Commonwealth of Pennsylvania Code, Title 67 -Transportation, Chapter 441 Access to and Occupancy of Highways by Driveways, and Local Roads.
- 2.277 State Land Use and Growth Management Report – Growth management report prepared by the Center for Local Government Services. This report shall contain information, data, and conclusions regarding growth and development patterns, and shall offer recommendations to commonwealth agencies for coordination of executive action, regulations, and programs.
- 2.278 Street
- A. Marginal Access Street - A strip of land, including the entire right-of-way or cartway, intended primarily as a means of vehicular and pedestrian travel. Street includes avenue, boulevard, road, highway, freeway, parkway, lane, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private, but shall not include an alley.
- Unless the existing streets are officially classified, the following general classifications will prevail:
1. Arterial Street; Highway - A street or road that is used primarily for fast or heavy traffic including all roads classified as main and secondary highways by the Department of Transportation.

Article 2, Definitions

2. Collector Street - A street that carries traffic from minor streets to the major system or arterial streets, including the principal entrance or circulation streets of a residential development and all streets within industrial and/or commercial subdivisions or developments.
 3. Local Street - A street that is used primarily for access to abutting properties.
 4. Cul-de-sac - A street intersecting another street at one end and terminating at the other in a vehicular turnaround.
 5. Non-Residential Street – A street designed to serve and give access to commercial, industrial, public and other non-residential uses.
- 2.279 Subdivision - The division or re-division 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, petition by the Court for distribution to heirs or devisee, 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. A "land development", as defined herein, shall also be considered to be a subdivision.
- A. Subdivision, Lot Addition – Lot addition subdivisions involve parcels of land that may or may not meet all of the requirements of a lot as defined by this Ordinance. Lot addition subdivisions allow owners of land to subdivide land and convey such subdivisions to adjacent property owners. The subdivision shall not create a “non-conforming lot” of the residual tract after subdivision. The lot created by the subdivision shall be conveyed to the adjoining property Owner and shall be considered to be an extension of that property Owner’s original lot (See Sections 3.501 and 7.302 7.).
 - B. Subdivision, Major – Any subdivision or land development involving seven or more lots or units, parcels of land or other divisions of land, whether or not they involve any new streets, additional utilities, or other facilities immediate or future.
 - C. Subdivision, Minor – A lot addition, a subdivision and/or a land development of a single lot into six or fewer lots or units for the purpose of transfer of ownership or of building development. Provided such lots, tracts or parcels of land thereby created shall have frontage on an existing improved public street or private street, and providing further there is not created by the subdivision or land development any new streets (See Sections 3.501 and 7.302 7.).
- 2.280 Subdivision Officer - The specific person designated by the Commission to perform all of the administrative duties required by this Ordinance.
- 2.281 Substantially Completed - Where, in the judgment of the municipal engineer, at least 90% (based on cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.
- 2.282 Substantial Improvement – Any repair, alteration, reconstruction or improvement of an existing conforming or legally non-conforming non-residential building or structure that equals or exceeds fifty (50%) of the gross floor area of the original building or structure.

Article 2, Definitions

- 2.283 Telecommunications, cell site - A tract or parcel of land that contains cellular communications antenna, its support structure, accessory buildings, and parking, and may include other uses associated and ancillary to cellular communications transmissions. These sites are subject to review under the County's Subdivision and Land Development Ordinance. Every effort should be made to blend towers in with the surrounding natural or manmade features. Examples could include, but are not limited to, trees or silos.
- 2.284 Traffic Impact Study – A report analyzing anticipated roadway conditions with and without an Applicant's development.
- 2.285 Travel Trailer - A vehicle, less than 36 feet in length, standing on wheels, and containing not more than one dwelling unit that may be used for temporary living or sleeping purposes, and not intended for occupancy for more than 100 days during anyone year.
- 2.286 Zoning Ordinance – A Zoning Ordinance enacted by the elected officials of the County or Municipality pursuant to the provisions of the Pennsylvania MPC.

ARTICLE 3

PLAN SUBMISSION PROCEDURES

The following procedures shall be observed by all Applicants:

3.100 GENERAL PROCEDURE APPLICABLE TO THE SUBMISSION OF ALL PLANS

It is the intent of the Commission to expedite the receipt and processing of plans so as to reduce delays that may result in increased costs or inconvenience to the Applicant or to the Municipality in which the subdivision is located. The procedure set forth below establishes maximum time limits permissible under State Law but the Commission, whenever possible, expresses its intent to complete its reviews in a timelier manner.

- 3.101 Required Plans - Preliminary and Final Plans and other required supporting data for all proposed subdivisions and land developments of land lying within Mifflin County to which this Ordinance applies shall be submitted by the Applicant to the Commission for review. In addition, prior to submitting the official Preliminary Plan for review, the Applicant may prepare a Sketch Plan for informal discussion with the County Planning Department staff.
- 3.102 Municipal and Other Agency Reviews - Copies of all plans submitted to the Commission shall be submitted by the applicant or applicant's designated representative to the Municipality in which the plan is located, as well as other appropriate agencies for review and comment. Such comment shall be forwarded by the municipality or agency to the Commission within a period of 30 days of receipt.
- 3.103 Consideration of Plans - Subdivision and land development plans and supporting data submitted to the Commission will be considered at the next regularly scheduled meeting of the Commission provided that they are received at least 10 calendar days in advance of said meeting.
- 3.104 Action - The Commission shall consider all plans submitted to determine compliance with this Ordinance and shall approve, disapprove or approve with conditions all submitted plans. After the Plan is filed, the Commission shall act upon applications no later than 90 days following the date of the next regular meeting of the Commission that follows the date that the application is filed, provided that should the said next regular meeting occur more than 30 days following the filing of the application, the said 90 day period shall be measured from the 30th day following the day the application has been filed.

Notification - The Commission shall notify the Applicant in writing no later than 15 days after the date when a decision is reached by the Commission. When a plan is not approved, the decision of the Commission shall specify the defects found in the plan and shall cite the provisions of the Ordinance that have not been met.

Conditional Approvals - If the preliminary or final plan is approved, subject to conditions, then the Applicant shall either accept or reject such conditions in writing within a period of 15 days of receipt of such conditions. Any conditional approval shall be rescinded automatically if the Applicant fails to accept or reject such conditions within the 15-day time period established above.

Time Extension - Failure of the Commission to render a decision and communicate it to the Applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the Applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

3.105 Public Hearing - Before acting on any Preliminary or Final Plan, the Commission may hold a public hearing thereon after public notice.

3.106 Sketch Plan - Sketch Plans are not required by this Ordinance, but it is recommended that the Applicant submit such a plan in order to establish, at an early stage in the planning of the Subdivision or Land Development, the basic conditions required for the approval of a Preliminary and a Final Plan.

3.107 Preliminary Plan - All major subdivision and land development plans filed with the Commission for review shall be considered the official Preliminary Plan. Said Preliminary Plan shall be reviewed to determine compliance with these regulations and said plan shall be approved, approved with conditions or rejected or disapproved and the Applicant notified accordingly. However, the Applicant may proceed to final action at the first consideration of a plan for a minor subdivision in accordance with the definition herein and the procedure set forth in Section 3.500.

3.108 Final Plan - After approval of the Preliminary Plan, the Final Plan for the entire subdivision or land development or a Final Plan for a section or stage of development, which has been prepared in accordance with the approved Preliminary Plan, shall be submitted by the Applicant to the County Planning Commission. Said Final Plan shall be reviewed to determine compliance with these regulations and said plan shall be approved, approved with conditions, rejected or disapproved and the Applicant notified accordingly.

3.200 REVIEW FEES

Fees for the review and processing of subdivision and land development plans to determine compliance with this Ordinance shall be charged to the Applicant in accordance with the provisions found in Appendix A attached hereto, as well as the fee schedule adopted by separate Resolution by the Mifflin County Board of Commissioners. Said Resolution may be amended from time to time by the County Commissioners.

3.300 OFFICIAL PLAN APPLICATIONS

3.301 Preliminary Plan

- A. Preliminary Plans and supporting data shall comply with the provisions of Article 7 of this Ordinance.
- B. Five copies of the Preliminary Plan shall be submitted by the Applicant to the Commission. Additional copies may be requested if required for submission or reference to other appropriate agencies.
- C. The Commission shall transmit copies of the Preliminary Plan and supporting data to the following:
 1. Mifflin County Planning Commission Subdivision Review Committee – two copies

2. Municipality in which the plan is located – one copy
 3. Other appropriate agencies – one copy as determined by the Commission, to the Mifflin County Conservation District, the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection, and/or other agencies affected by or having an interest in the plan.
- D. The Preliminary Plan shall be reviewed by the Commission and official action shall be taken after receipt of any comments and advice received from any other appropriate agency, provided that such advice is received within 30 days of submittal of the plan to that Agency.
- E. The official action and decision of the County Planning Commission shall be in writing and shall be forwarded to the Applicant at his/her last known address, not later than 15 days following such action with a copy to the Municipality. In the case of a rejection or disapproval of the plan, the Commission shall specify the defects of the plan and the requirements of this Ordinance that have not been complied with.
- F. Approval of the Preliminary Plan, subject to conditions, revisions, and modifications as stipulated by the Commission, shall constitute conditional approval by the Commission of the subdivision as to the character and intensity of the development and the general layout and appropriate dimensions of streets, lots, and other proposed features, and such approval shall entitle the Applicant to submit plans for final review.
- G. Approval of Plats

The Commission shall act upon the application not later than ninety (90) days following the date of the first regular meeting of the Planning Commission following the date the plan is filed or after an order of court remanding an application, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the plan, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the plan has been filed.

3.302 Final Plan

- A. A Final Plan with supporting data shall be submitted within one year after approval of the Preliminary Plan by the Commission; provided that an extension of time may be granted by the Commission upon written request for a valid reason presented by the Applicant. Otherwise, the plan submitted may be considered as a new Preliminary Plan.
- B. The Final Plan shall conform in all important respects with the Preliminary Plan as previously reviewed by the County Planning Commission and shall incorporate all modifications and revisions specified by the Commission in its conditional approval of the Preliminary Plan. The Commission may accept a Final Plan that has been modified to reflect changing conditions since the time of Preliminary Plan review. Other modifications, not previously submitted to and considered by the Commission, may be sufficient cause for considering the plan to be a revised Preliminary Plan.
- C. The Commission may permit submission of the Final Plan in sections or stages, each covering a portion of the entire proposed subdivision as shown on the Preliminary Plan, except that the first stage shall be submitted within one year after approval of the Preliminary Plan as required in Section 3.302 A.

- D. The Commission may require that any Final Plan or any section or stage of a Final Plan not completed within five years from the date of Preliminary Plan approval, as required by Section 1.207, shall require a new Preliminary Plan submission to reflect changing conditions or legal requirements that may affect the subdivision or land development unless an extension of this five-year limit is granted by the Commission upon written request.
- E. The Final Plan and supporting data shall comply with the provisions of Articles 7 and 8 of this Ordinance. Failure to do so may be sufficient cause for tabling or rejecting the plan.
- F. Five copies of the Final Plan with supporting data shall be submitted to the commission. The Commission shall transmit copies of the plan to:
 - 1. Mifflin County Planning Commission Subdivision Review Committee - one copy
 - 2. Municipality in which the plan is located - one copy
 - 3. Utility Companies - one copy
 - 4. Additional copies of the Plan shall be submitted to other appropriate agencies if required by the Commission to properly review the plan.
- G. The Planning Commission shall consider any comments received within 30 days from other appropriate agencies that would affect the submitted plan, before taking any official action.

Such actions shall include approval, approval with conditions, or disapproval, with reasons for disapproval specifically stated. Approval by the Planning Commission shall be subject to the satisfactory resolution of all applicable Plan Requirements, and/or any conditions set by the Planning Commission, and when applicable, the execution of a development agreement as required in Article 8.
- H. The official action and decision of the Commission shall be in writing and shall be forwarded to the Applicant personally or to his/her last known address not later than 15 days following such action. A copy of said notification shall be sent to the Municipality. In the case of a rejection or disapproval of the plan, the Commission shall specify the defects of the plan and the requirements of this Ordinance that have not been complied with.
- I. When the Commission has approved the Final Plan, and when all other approvals, conditions and agreements required herein, including the provisions of Sections 8.200, 8.300 and 8.400, as required herein, have been satisfied, the Chairman and Secretary of the Commission shall endorse four copies of the approved Final Plan to that effect. The endorsed copies of the approved Final Plan shall each become the "Final Record Plan". One copy of the endorsed Final Record Plan shall be kept in the Commission files, one copy shall be transmitted to the Municipality and the other two copies returned to the Applicant. Additional copies may be endorsed to meet the needs of the Applicant and other agencies.
- J. The effective date of Final Plan approval shall be the date when the Final Plan is endorsed as set forth in Subsection I. above.

K. Approval of Plats

The Commission shall act upon applications not later than ninety (90) days following the date of the first regular meeting of the Planning Commission following the date the plan is filed or after an order of court remanding an application, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the plan, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the plan has been filed.

- 3.303 Conditional Approvals - If the preliminary or final plan is approved, subject to conditions, then the Applicant shall either accept or reject such conditions in writing within a period of the 15 days of receipt of such conditions. Any conditional approval shall be rescinded automatically if the Applicant fails to accept or reject such conditions within the 15-day time period established above.

3.400 RECORDING OF FINAL PLAN

The Applicant shall record two copies of the approved Final Plan in the office of the Mifflin County Recorder of Deeds within 90 days of final approval or 90 days after the date of delivery of an approved plot signed by the County Planning Commission, following completion of conditions imposed for such approval, whichever is later. The copy of the Final Plan filed for recording shall be known as the Final Record Plan. It shall be a clear and legible document in a form as required by the Mifflin County Recorder of Deeds, bearing the original required endorsements of approval and/or review of the County Planning Commission and the Municipality and evidence that the plan has complied with the requirement of the Pennsylvania MPC and the PA Sewage Facilities Act 537. Failure to record the Final Record Plan as required herein shall render all approvals null and void.

The Commission may extend said 90-day limit if requested in writing.

3.500 PLANS EXEMPTED FROM STANDARD REVIEW PROCEDURES

A simplified procedure for the submission and approval of subdivision and land development plans may be utilized when the following conditions exist:

- 3.501 Minor Subdivisions – The Applicant of a minor subdivision, as defined herein, may elect to omit the Preliminary Plan application review set forth above provided such proposal is on an existing street and no new streets are involved. A minor subdivision is a final plan and shall be processed in accordance with Sections 3.302 and 7.300.

When a lot addition is being created, information on both the parent and recipient tracts are required. The information can be in the form of a complete survey for both parcels, or a partial survey with deed and/or tax parcel data to insure what the size of the existing parcels is before the approval of the lot addition as well as the new lot configurations after the merger has occurred (see Section 7.302 A.7.).

Article 3, Plan Submission Procedures

A. Lot Addition Subdivision or a Lot Line Adjustment shall not be required to show the following Final Plan requirements:

1. 7.302 A. 11.
2. 7.302 A. 18.
3. 7.302 A. 23.
4. 7.302 B. 5.
5. 7.302 B. 6.
6. 7.302 B. 9.

An inset map shall be required for lot additions and where subdivisions are not directly connected to a public road system. An inset map is a general location map of sufficient size and detail for the Commission to readily determine geographically where the subdivision or lot addition is proposed.

Any Applicant desirous of following this procedure may also first submit a Sketch Plan as set forth in Section 3.106 in order to expedite the preparation of the Final Plan.

- 3.502 Agricultural Parcels - The division of land, by lease, for agricultural purposes into parcels of more than 10 acres and not involving any new street or easement access is exempted from the provisions of this Ordinance, except that this shall not apply to agricultural subdivisions that are also used for other purposes such as for recreation, seasonal residential, commercial, industrial or other non-agricultural activities.
- 3.503 Other Exemptions - Certain "land developments", as set forth in the definition of land development included herein, have been exempted from the provisions of this Ordinance.

ARTICLE 4

DESIGN STANDARDS

4.100 APPLICATION

This Article sets forth certain minimum Design Standards that shall apply to all Subdivisions and Land Developments and that shall govern the layout and location of physical features included in any Plan.

4.200 DESIGN STANDARDS DETAILS

The design standards listed below, and in Tables 1 and 2 herein, shall be incorporated in all proposed plans.

4.201 Conformance with Other Requirements

All subdivisions and land developments shall comply fully with all Federal, State, County, Municipality and other applicable laws and regulations. Evidence of the receipt of any permits or approvals required by such laws and regulations shall be submitted by the Applicant and shall be a condition of the approval of any plan submitted under this Ordinance. Where such other laws and regulations are more restrictive than those contained herein, such other regulations shall be observed unless specifically stated otherwise herein.

4.202 General Design Standards and Comprehensive Plan Requirements

- A. Land shall be suited to the purpose for which it is to be subdivided. Land that is unsafe or unsuited for development due to flooding, wetlands, subsidence, caverns and sinkholes, underground fires, open quarries, unconsolidated fill, steep slopes or other hazardous conditions shall not be subdivided unless proper safeguards are provided by the developer and approved by the Commission.
- B. Consideration shall be given in the design of all land developments and subdivisions to the future development needs of the County and to any objectives established in any County or Municipal comprehensive or master plan for land use, streets and thoroughfares, public utilities and facilities and to other governmental plans affecting the subdivision or land development.
- C. All subdivision and land development plans shall conform with any officially adopted Zoning Ordinance or Official Map concerning the area.
- D. No subdivision or land development plan shall create a "nuisance" for any abutting property, the neighborhood in which the plan is proposed or for the Municipality or the County as a whole. The Commission shall determine if a "nuisance" is being created by the Plan, as defined by applicable Federal, State, County, Municipality laws and regulations.
- E. In reviewing subdivision and land development plans, the Commission will consider the adequacy of existing or proposed community facilities to serve the additional dwellings or uses proposed by the subdivision.

- F. Areas may be required to be provided or reserved for such community facilities and these should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed.
- G. The layout of the proposed subdivision shall be in general conformity with the features or developments proposed in any officially adopted plan of the Municipality or the County.
- H. All plan proposals shall be coordinated with existing and proposed development on adjoining or adjacent land.
- I. Unless specifically set forth herein design standards for streets and driveways shall be as set forth in the latest edition of PennDOT publication entitled "Guidelines For Design Of Local Roads and Streets - Publication 70".

4.203 Environmental Protection Standards

- A. In the design of any subdivision and land development, the Commission shall require that maximum consideration be given to the preservation and protection of the natural environment so as to safeguard the public health, safety and welfare of all residents of the Municipality and to minimize any adverse effects resulting from the proposed development.
- B. Where the development may create an environmental problem that affects the public health, safety or welfare, the Commission may require and the Applicant shall present a plan indicating the specific manner in which the problem will be minimized or eliminated, as further set forth in Section 4.203 C. below.

No Preliminary or Final Plan application shall be considered effective until such a required environmental plan has been submitted. The Commission may refer such a plan to any appropriate governmental or other agency or authority qualified to review and/or determine if the plan meets the requirements and objectives of this Ordinance and the requirements of any other Federal, State, County, Municipal, or other applicable law or regulation.

- C. Environmental factors for which the Commission may require a plan include but are not limited to the following:
 - 1. Erosion and sedimentation control for which a plan is required as set forth in Section 4.213.
 - 2. Topsoil conservation and protection.
 - 3. Identification and preservation of wetland areas.
 - 4. Avoidance of drainage problems.
 - 5. Natural and historic feature preservation.
 - 6. Adequate provision of utilities in accordance with Sections 4.211 and 4.212.
 - 7. Sewage system for which a plan may be required in accordance with Section 4.211.

8. Protection of flood plain areas and avoidance of future flooding problems.
9. Lake, stream and river frontage preservation.
10. Tree preservation, removal and planting.
11. Topographic and geologic factors.
12. Preservation of prime agricultural land.
13. Control of excessive noise.
14. Control of excess traffic created by the proposed subdivision.
15. Where applicable, as determined by the Commission, a reclamation and a reseedling plan may be required for mining or earth moving activities or for any use that substantially modifies the nature of the existing terrain or environment, or that is of a type identified in Subsections D., E., and F. below.

No subdivision or land development plan shall be approved if it creates any dangerous, injurious, noxious, fire, explosive, radioactivity, chemical storage, environmental or other hazard; noise or vibration; smoke, dust, dirt, or other form of air, solid waste or water pollution; electrical, glare, traffic congestion or other objectionable disturbance of a temporary or permanent or recurring nature that will adversely affect the surrounding area or premises, or be dangerous to public health and safety. The Commission may determine compliance with this section based on the following:

16. Data and information submitted by the Applicant.
 17. Where such data and information is not sufficient to reach a determination, the Commission may require additional information from the Applicant.
 18. The Commission may also require detailed expert review of all such plans to determine compliance in accordance with established standards or with regulations of applicable governmental agencies.
 19. No major subdivision or land development plan shall be approved if it creates an adverse impact on air quality, electromagnetic interference, lighting, noise, or glare and heat. The Applicant shall address each specific standard as required in Sections 4.203 G., 4.203 H., 4.203 I., 4.204 J., and 4.203 K.
- D. No subdivision or land development shall create any environmental or nuisance problems that adversely affect areas that are predominately used for residential purposes.

Such problems shall consist of the keeping of livestock in or near residential areas, or buildings, or the conversion of a barn, shed, or other building for a use involving the keeping of livestock near or in residential areas, operations resulting in excessive noise, odors, pollution, dangerous chemical storage conditions or other operations or uses resulting in unsafe, dangerous, toxic or other conditions adversely affecting the health and welfare of nearby residents.

Conversions of land or buildings, or new construction of single family residential buildings or other buildings that include barns or other buildings designed for the keeping of livestock that would result in the creation of the types of problems set forth in Subsections D. and E. above shall be considered as "land developments" as defined in this Ordinance subject to all applicable requirements of herein.

- E. Timber foresting, harvesting, and logging operations shall be subject to all applicable DEP, County Conservation District or other existing State or Federal regulations.
- F. Air Pollution

To protect and enhance the air quality in the County, all sources of air pollution shall comply with any and all regulations set forth by the Federal Environmental Protection Agency and Pennsylvania Department of Environmental Protection. In addition, the following shall apply:

1. Odor. For major subdivision plans and/or land development plans, no odor shall be permitted at any lot line exceeding the lowest amount set forth in Table III, Odor Thresholds, of Chapter 5, Physiological Effects, of the Air Pollution Abatement Manual of the Manufacturing Chemists Association, according to the latest edition of such table for the compounds therein described. For compounds not described in Table III, odor thresholds may be established by methods indicated in Chapter 5 of the manual, and no odor shall be permitted at any lot line exceeding the amount determined by the application of such methods.
2. Smoke. For the purposes of grading the density or equivalent opacity of smoke, the Ringlemann No. 1 from any chimney, stack, vent, opening or combustion process is prohibited; however, smoke of a shade not to exceed Ringlemann No. 3 is permitted for up to three minutes total in any one eight-hour period.
3. Particulate Matter.
 - a. The rate of particulate matter emission from all sources within the boundaries of any lot shall not exceed a net figure of one pound per acre of lot area during any one-hour period, after deducting from the gross hourly emission per acre the correction factors set forth in the following table:

Allowance for Height of Emission*

<u>Height of Emission</u> <u>Above Grade</u> (feet)	<u>Correction</u> (pounds per hour per acre)
50	0.01
100	0.06
150	0.10
200	0.16
300	0.30
400	0.50

**Note: Interpolation for intermediate values not shown in table.*

- b. Determination of the total net rate of emission of particulate matter within the boundaries of any lot shall be made as follows:

- 1) Determine the maximum emission in pounds per hour from each source of emission and divide this figure by the number of acres of lot area, thereby obtaining the gross hourly rate of emission in pounds per acre.
- 2) From each gross hourly rate of emission derived in Subsection 3.a. above, deduct the correction factor (interpolating as required) for height of emission set forth in the table, thereby obtaining the net rate of emission in pounds per acre per hour from each source of emission.
- 3) Add together the individual net rates of emission derived in Subsection 3.b. above to obtain the total net rate of emission from all sources of emission within the boundaries of the lot; such total shall not exceed one pound per acre of lot area during any one-hour period.

G. Electromagnetic interference

No use, activity or process shall be conducted that produces electric and/or magnetic fields that adversely affect public health, safety and welfare, including but not limited to interference with normal radio, telephone or television reception from off the premises where the activity is conducted.

H. Glare and Heat

Any operation producing intense glare or heat shall be conducted within an enclosed building or with other effective screening in such a manner as to make such glare or heat completely imperceptible from any point along the property line. No heat from any use shall be sensed at any property line to the extent of raising the ambient temperature of air or materials more than 5° Fahrenheit. Any operation or activity that produce glare shall be conducted so that direct or indirect light from the source shall not cause illumination in excess of five-tenths footcandles measured at the property line.

I. Lighting

Exterior lighting, except for overhead street lighting and warning, emergency, or traffic signals, shall be installed in accordance with Subsection 3. below, in such a manner that the light source will be sufficiently obscured to prevent glare on public streets and walkways or into any residential area. The installation or erection of any lighting that may be confused with warning signals, emergency signals or traffic signals shall be unlawful. Any lighting that produces glare shall not cause illumination in excess of five-tenths footcandles measured at the property line.

1. Measurement. Lighting levels shall be measured in footcandles. Measurement shall be taken with a direct reading portable light meter or light-reading equipment recommended by the County Engineer.
2. Method. Readings shall be taken by qualified personnel so that the light-reading meter has been exposed long enough to provide a constant reading. Measurements shall be made after dark with the light sources in question on, then with the same sources off. The difference between the two readings shall be compared to the maximum permitted illumination at the property line at ground level. This procedure eliminates the effects of moonlight and other ambient light.

3. Lighting shall be required in all major subdivision plans and land development plans. These lighting requirements provide appropriate standards to ensure adequate nighttime safety and security while minimizing the spillover of light and glare on operators of motor vehicles, pedestrians and land uses near the light source. The safety, welfare, nuisance, and hazardous aspects of lighting form the basis of these regulations.

a. Requirements. Exterior lighting shall be provided in parking areas, pedestrian sidewalks and walkways and nonresidential driveway intersections in accordance with the following standards. Lighting used for security purposes shall also conform to the following standards. Exterior lighting shall meet one of the following standards:

1) When the light source or luminaire has no cutoff:

	<u>Maximum Permitted Illumination</u> (footcandles)	<u>Maximum Permitted Height of Luminaire</u> (feet)
Residential	0.2	10 feet
Nonresidential	0.3	20 feet

2) When a luminaire has a total cutoff angle greater than 90°, the maximum illumination and the maximum permitted luminaire height shall be:

	<u>Maximum Permitted Illumination</u> (footcandles)	<u>Maximum Permitted Height of Luminaire</u> (feet)
Residential	0.5	20 feet
Nonresidential	1.5	35 feet

3) When a luminaire has a total cutoff of light at an angle less than 90° and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five feet above the ground at the point where the cutoff angle intersects the ground, then the maximum permitted illumination and maximum permitted height at the luminaire shall be as follows.

	<u>Maximum Permitted Illumination</u> (footcandles)	<u>Maximum Permitted Height of Luminaire</u> (feet)
Residential	1.0	25 feet
Nonresidential	3.0	40 feet

4. Exemption for specified uses.

a. Because of their unique requirements for nighttime visibility and their limited hours of operation, public and private recreational uses such as ball diamonds, playing fields, tennis courts and volleyball courts are exempt from the above requirements. These uses must meet all other requirements of this Section.

b. Outdoor public and private recreational uses specified above shall not exceed a maximum permitted post height of 80 feet.

- c. Outdoor public and private recreational uses may exceed a total cutoff angle of 90°, provided that the luminaire is shielded to prevent light and glare spillover to adjacent residential uses. The maximum permitted illumination at the interior buffer yard line shall not exceed two footcandles.
 - d. Low-level pedestrian lighting for sidewalks should be provided as necessary for safety. Low-level sidewalk illumination for nonresidential uses shall be between 0.5 to 0.20 footcandles. Low-level sidewalk illumination for residential uses shall be between 0.2 to 0.13 footcandles.
5. Additional requirements.
- a. Flickering or flashing lights shall not be permitted.
 - b. The location and type of lighting required by this Section shall be shown on the site plan submitted for development.
 - c. Low-level pedestrian lighting for sidewalks should be provided as necessary for safety. Low-level sidewalk illumination for nonresidential uses shall be between 0.5 to 10.0 footcandles. Low-level sidewalk illumination for residential uses shall be between 0.2 and 0.3 footcandles.

J. Noise

For all major subdivision plan and land development plans, the sound-pressure level for all uses and activities shall not exceed the decibel limits in the octave bands designated in the following table and shall comply with the following standards:

- 1. Permitted decibel levels. At no point at or beyond the property line shall the measured sound level exceed the maximum permitted sound levels designated in the table below:

Maximum Permitted Sound Level in
Decibels along the Property Line

<u>Octave Band Cycles Per Second</u>	<u>Residence Districts</u>	<u>Nonresidential Districts</u>
0 to 75	67	73
75 to 150	62	68
150 to 300	58	64
300 to 600	54	60
600 to 1,200	49	55
1,200 to 2,400	45	51
2,400 to 4,800	41	47
Over 4,800	37	43

- 2. Measurement. Sound levels shall be measured with a sound-level meter and associated octave band filter manufactured in accordance with the American National Standards Institute (ANSI). Noises capable of being measured shall be those noises that cause rapid fluctuations of the sound-level meter with a variation of no more than plus or minus two decibels. Noises incapable of being measured, such as those of irregular and/or intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.

3. Exemptions. The following activities or sources are exempt from these noise standards:
 - a. Activities covered by the following: stationary signaling devices, domestic power tools, air-conditioning and air-handling equipment for residential purpose, operating motor vehicles, and refuse collection vehicles
 - b. The unamplified human voice
 - c. The lowing of cattle, the clucking of fowl, the neighing of horses or other normal sounds of reasonable cared for agricultural animals, as well as the sounds of necessary farming equipment for a bona fide agricultural operation
 - d. Aircraft operations
 - e. Construction or routine maintenance of public service utilities
 - f. Temporary activities relating to the construction and maintenance of buildings and facilities including site preparation between 6:00 a.m. to 9:00 p.m.
 - g. Church bells or chimes
 - h. The emission of sound for the purpose of alerting persons of an emergency, or the emission of sound in the performance of emergency work
 - i. Occasionally used safety signals, warning devices and emergency pressure relief valves

4.204 Street System Layout and Design Standards

A. General Design Standards

1. Proposed streets shall conform to such municipal, county, and state street and highway plans, and municipal and county comprehensive plans as have been prepared, adopted, and/or filed as prescribed by law.
2. New streets shall be connected with streets of similar function, to form continuations thereof.
3. Wherever there exists a dedicated or platted area reserved for future street usage along the boundary of a tract being developed, the adjacent street shall be extended into the proposed project.
4. Local streets shall be laid out to discourage use by through traffic.
5. A rigid rectangular street pattern need not be adhered to; the use of curvilinear streets may be provided when their use will result in a more desirable layout.
6. Where a development abuts an existing or proposed major street, the Commission may require the use of marginal access streets, reverse frontage lots or such other treatment that will provide protection for abutting properties, reduce the number of intersections with the major street and separate the local and through traffic.

7. If lots resulting from original subdivision are large enough to permit re-subdivision or if a portion of the tract is not subdivided, adequate rights-of-way for streets and other required improvements shall be provided as necessary to permit further subdivision.
8. All streets shall be arranged to conform as closely as possible to the original topography.
9. Streets shall be laid out to provide convenient and safe access to the property.
10. Streets shall be logically related to the topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.
11. As a minimum, all new streets shall be graded to the right-of-way line. All cut and fill slopes associated with the construction of the streets, within or beyond the limits of the street right-of-way, shall not exceed a maximum of a 3:1 slope.
12. Where a proposed subdivision abuts an existing municipal street that has a substandard right-of-way, the Commission may require dedication of additional right-of-way along the frontage of the new lots being subdivided, unless the Applicant has requested a waiver in accordance with Section 9.200. If the residual lot cannot be further subdivided, the Commission may require dedication along the entire frontage of the property.
13. New half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards contained herein and where satisfactory assurances for dedication of the remaining part of the street can be secured.
14. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.
15. New reserve strips, including those controlling access to streets, shall be avoided.
16. All street names and numbering of lots or units shall be obtained from the Mifflin County Mapping Department.
17. Sidewalks shall be required for streets where the following are met:
 - a. To continue existing sidewalks from adjoining subdivisions and land developments.
 - b. To provide access to community facilities.
 - c. To serve commercial/industrial or mixed use development.
 - d. Where the Commission, in consultation with the respective Township or Borough, determines sidewalks are necessary for public safety. The Commission will review the recommendation of the municipal governing body in making this determination.
18. The minimum width of all sidewalks and pathways shall be four (4) feet. Minimum construction standards for sidewalks shall be in accordance with PennDOT Form 408 specifications and the Federal ADA accessibility requirements.

B. Private Streets

1. All private streets shall conform to the following requirements:
 - a. Private streets shall meet all the design standards for a Local Street as required by this Ordinance, except for the paved surface requirement that the minimum cartway width shall be twenty (20) feet wide (see provisions under Section 4.204 E.).
 - b. Development applications that propose a private street shall include the following information on the final approved plan that will be recorded with the Mifflin County Recorders Office:
 - 1) A note that the private street shall be constructed and maintained to conform to the provisions of this Ordinance and that improvement and continued maintenance shall be the responsibility of the Applicant or property owners using the private street. The Municipality or County shall assume no responsibility for maintenance of the private street.
 - 2) A turn-around with a sufficient width to allow passenger vehicles, delivery trucks, and emergency vehicles adequate area to turn-around without having to use a private driveway.
 - c. The following note shall be included on all subdivision and land development plans proposing the use of private streets:

“The owners of lots _____ agree and understand that " _____ Road" is a private road and as such are responsible for maintenance, care, improvements, and snow removal at their own diligence and expense. Further, if at any time in the future, the property owners adjacent to this road desire to dedicate said road to Municipal ownership, then such owners shall be required at their own expense to improve said road to meet the public road and street specifications of the Municipality in place at such time. The maintenance and use of said private road shall be in accordance with the private road maintenance and use agreement recorded in Deed Book ___ Page ___ of the _____ County Recorder of Deeds Office.”
 - d. For all private streets, a maintenance agreement shall be submitted with the final plan. The maintenance agreement shall include the method of assessing maintenance and repair costs.

C. Traffic Signs, Street Names, and Street Addressing

In order to have proper installation of traffic control signs, continuity in street addressing, and prevent conflicting and similar street names, the following requirements shall be utilized:

1. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets. Prior to final approval of the subdivision, street names must be finalized with the Mifflin County Mapping Department.
2. Street names shall not be repeated within the Municipality and all street names shall be subject to the approval of the Municipality and the Mifflin County Mapping Department.

3. Street name signs shall be provided and installed by the developer at all intersections and shall identify both intersecting streets, and their design shall be approved by the Municipality.
4. Regulatory signs shall be provided and installed by the developer at all locations identified by a traffic engineering study prepared by the developer and in accordance with PennDOT Publication 201, Engineering Traffic Studies, as amended.
5. Traffic signs shall be approved by the Municipality and shall be supplied and installed by the developer in accordance with County regulations; PennDOT Publication 68, Official Traffic Devices; and the MUTCD, Manual on Uniform Traffic Control Devices, FHWA, as amended.
6. All traffic signs shall be installed by the developer prior to the occupancy of any units within the project.
7. Sequential and proper street addressing is a public safety issue. Street addressing should be consistent and not duplicate other addresses in the same block. Prior to final approval of street addresses, the Mifflin County Mapping Department shall be consulted to ensure that proposed street addresses are logical and do not conflict with existing addresses or numbering sequences.

D. Guiderail

1. Streets shall be designed to preclude or minimize the need for guide rail. The Commission may, however, require guide rail to be placed for protection on embankments when a barrier is indicated as warranted in Design Manual Part 2 Highway Design by PennDOT, January 1990 edition, as amended.
2. The design and selection of guide rail shall generally be in accordance with the standards in Design Manual Part 2 Highway Design, January 1990 edition, as amended, however, the Municipality shall approve all guide rail systems.

E. Construction Standards

1. All streets shall be constructed, and all existing streets shall be reconstructed in accordance with the applicable County regulations and the following standards:

<u>Street Classification</u>	<u>Base Course</u>	<u>Paved Surface</u>
Arterial/Highway and Collector Streets	5" 3A Crushed Aggregate and 4" BCBC	4" ID-2 Binder 1½" ID-2 Wearing
Local Streets	10" 3A Crushed Aggregate	3" ID-2 Binder 1½" ID-2 Wearing
Non-Residential	5" 3A Crushed Aggregate and 4" BCBC	3" ID-2 Binder 1½" ID-2 Wearing
Private Street	5" 3A Crushed Aggregate	Not Applicable

2. All crushed aggregate base material shall be put in place by a powered spreader.

F. Right-of-Way and Cartway Widths and Construction Standards

1. The minimum street rights-of-way and cartway widths for new streets shall be as follows, unless a Municipality has its own right-of-way and cartway width standards:

<u>Street Classification</u>	<u>Minimum Cartway Width</u>	<u>Minimum Right-of-Way Width</u>
	As determined after discussion with the Township, PennDOT, and the Mifflin County Planning Commission, however the minimums shall be as follows:	
Arterial Street (Highway)	Forty (40) feet	Sixty (60) feet
Collector Street	Thirty-eight (38) feet	Fifty (50) feet
Local Street with parking on two (2) sides of street	Thirty-six (36) feet	Fifty (50) feet
Local Street with parking on one (1) side of the street	Twenty-eight (28) feet	Fifty (50) feet
* Local Street with no parking	Twenty-four (24) feet	Fifty (50) feet
Cul-de-sac Bulb	Eighty (80) foot diameter	One hundred (100) foot diameter
Non-Residential	Thirty-eight (38) feet	Fifty (50) feet
Private Street	Twenty (20) feet	Fifty (50) feet

* The Applicant shall be responsible to install no parking signs in accordance with local or State regulations.

G. Horizontal Alignment

1. Horizontal street alignments shall be measured along the centerline. Horizontal curves shall be used at all angle changes.
2. The centerline of the street cartway shall correspond with the centerline of the street right-of-way.
3. Plans with street locations along the perimeter of a property shall be required to show building setback lines and clear sight triangles within the adjacent properties. Written permission from the effected adjacent landowner shall be provided prior to preliminary plan approval.
4. There shall be a tangent of at least one hundred (100) feet between reverse curves for all local and collector streets.
5. Horizontal curve centerline radii shall be designed in coordination with vertical geometry, subject to the approval of the County Engineer. The minimum acceptable centerline radii shall be three hundred (300) feet for arterial and collector streets and one hundred fifty (150) feet for local residential streets

H. Vertical Alignment

1. Vertical curves shall be used in all changes of grade.
2. The minimum vertical grade for all streets shall be one (1) percent, the maximum vertical grade shall be ten (10) percent.

3. The minimum length of vertical curve for all streets shall be seventy-five (75) feet.
4. At street intersections, the through street shall be approached by side streets in accordance with the following standards; where the grade of the side street exceeds four (4) percent, there shall be an area on the side street within which the grade shall not exceed four (4) percent for a minimum distance of one hundred (100) feet (measured from the intersection of the centerlines of the streets).
5. No side street shall intersect a through street when the through street exceeds seven (7) percent in grade.
6. Notwithstanding the above minimum length of vertical curve, the actual length of vertical curve shall be based on the formula $L = KA$; where "L" is the minimum length of curve in feet, "K" is the length of vertical curve per percent change in "A", and "A" is the algebraic difference in grade (in percent). Values for "K" shall be based on the following criteria:

<u>Design Speed</u> (in miles per hour)	<u>"K"</u> <u>Crest Vertical Curves</u>	<u>"K"</u> <u>Sag Vertical Curves</u>
20	10	20
25	20	30
30	30	40
35	45	50
40	70	70
45	100	90
50	150	110
55	220	130

I. Intersections

1. Intersections involving the junction of more than two (2) streets are prohibited.
2. Right angle intersections shall be used.
3. All streets intersecting a state highway shall be subject to the approval of PennDOT.
4. Seventy five (75) feet clear sight triangle shall be provided and maintained at all intersections.
 - b. Clear sight triangles shall be indicated on all plans.
 - c. No building, structure, landscaping, or other obstruction that would obscure the vision of a motorist shall be permitted within these areas.
5. The distance between the centerline of streets intersecting with through streets shall be determined by the classification of the through street being intersected. The minimum separation distance shall be measured along the centerline of the through street being intersected and shall conform to the following:

<u>Through Street Classification</u>	<u>Minimum Intersection Separation Distance</u>
Arterial/Highway	800 feet
Collector	500 feet
Local	200 feet
Non-Residential	500 feet

6. The cartway edge at street intersections shall be rounded by a tangential arc with a minimum radius as follows:
 - a. Arterial/Highway streets - fifty-five (55) feet.
 - b. Collector streets - fifty (50) feet.
 - c. Local streets - thirty-five (35) feet.
 - d. Non-residential – thirty-five (35) feet.
 - e. The right-of-way radii at intersections shall be substantially concentric with the edge of the cartway
 - f. The Commission may require larger radii based on the largest design vehicle using the intersection.
7. Proper safe stopping sight distance shall be provided with respect to both horizontal and vertical road alignments at all intersections, including intersections of driveways, shared driveways, and private streets.
 - a. The required and available safe stopping sight distance shall be included on the plan for all-existing and proposed intersections, driveways, shared driveways, and private streets. If the sight distance does not meet minimum requirements, the Applicant shall obtain the necessary PennDOT Highway Occupancy Permit or a local road occupancy permit prior to the plan being finally approved and recorded. If adequate sight distance is available, the following applicable note shall be added to the Plan:
 - 1) State highway occupancy permit – Pursuant to Section 420 of the Act of June 1, 1945, (P.L. 1242, No. 428), no building permit will be issued for any lot or parcel that will require access to a state highway until authorized by a Pennsylvania Department of Transportation Highway Occupancy Permit.
 - 2) Municipality road occupancy permits – No building permit will be issued until the Municipal or County Engineer or designee has verified the sight distance.
 - b. Street intersections shall be located at a point that provides optimal sight distance in both directions.
 - c. Sight distance at street intersections shall provide the following minimum stopping distance for a vehicle traveling on an approaching street that has no stop or signal control:
 - 1) Calculation of Safe Stopping Sight Distance.
 - For each intersection, the available sight distance in each direction shall equal or exceed the stopping sight distance computed from the following formula:

$$SSSD = 1.47 Vt + \frac{V^2}{30(f \pm G)}$$

WHERE:

SSSD = Minimum safe stopping sight distance (feet).

V = Velocity of vehicle (miles per hour).

t = Perception time of driver (2.5 seconds).

f = Wet friction of pavement (0.30).

G = percent grade of roadway divided by 100.

- If the 85th percentile speed varies by more than ten (10) miles per hour from the speed limit, the County may require the 85th percentile speed to be used to determine stopping distance.
- A Minimum Safe Stopping Sight Distance Chart that specifies minimum safe stopping sight distance for selected speeds is provided in Appendix B. The sight distances in the table apply for roadway grades in whole numbers from +10% to -10% along with speeds from five (5) to sixty-five (65) miles per hour in increments of five (5) miles per hour. The designer may use this Table in lieu of the above formula.

2) Measurement of Sight Distance.

- The correct measurement of available sight distance at each proposed street intersection shall be the responsibility of the Applicant.
- For the purpose of measuring available sight distance, the height of the driver's eyes shall be 3.5 feet above the road surface, and the height of the object shall be 3.5 feet above the road surface. The lateral placement of vehicles on the roadway and at the proposed access point shall be consistent with the operation of the access and roadway.
- For each direction, the shortest of the following measurements shall be considered the available sight distance for that direction:
 - (a) The maximum length of roadway along which a driver at the proposed intersection can continuously see another vehicle approaching on the roadway. The driver's eyes at the proposed point of access shall be ten (10) feet back from the near edge of the closest travel lane in the center of the intersection land.
 - (b) The maximum length of roadway along which a driver on the roadway can continuously see a vehicle that is located in the travel lane on the roadway in order to make a left turn into the proposed access or as a result of a left or right turn out of the proposed access.
 - (c) The maximum length of roadway along which the driver of a vehicle intending to make a left turn into the proposed access can continuously see vehicles approaching from the other direction. This is measured from the point where the left turning vehicle stops.

3) Inadequate Sight Distance Remedies. If it is impossible to achieve required safe stopping sight distance in both directions the Commission may:

- Prohibit left turns by entering or exiting vehicles;
 - Require alteration of the horizontal or vertical geometry of the roadway or access; all such work shall be at the expense of the Applicant;
 - Require removal of physical obstruction from the line of sight, at the expense of the Applicant;
 - Require installation of a separate left turn standby lane; or
 - Deny access to the roadway.
- d. When a subdivision or land development plan, whether preliminary or final, is proposed and access to the property is from an existing permitted driveway a copy of the approved PennDOT highway occupancy permit or a local highway occupancy permit shall be submitted with the plan.

J. Cul-de-sac and Dead-End Streets

1. A cul-de-sac shall not be permitted when a through street is feasible.
 - a. The feasibility of a through street will be based on the following:
 - 1) Physical features of the tract proposed for development;
 - 2) The potential for extension of the street to adjoining lands;
 - 3) Restrictions imposed by other government regulations; and,
 - 4) The ability of the design to meet all other requirements of this Ordinance.
 - b. When cul-de-sac streets are proposed, the application shall be accompanied by a written analysis of the merits of the design and the reasons that a through street would not be feasible.
 - c. Approval of cul-de-sac streets shall be at the sole discretion of the Commission.
2. Where any adjacent stub street is not proposed for extension as a through street, the Developer shall construct a cul-de-sac in compliance with the provisions of this Ordinance.
3. Permanent cul-de-sac streets shall be designed as follows:
 - a. Minimum length - two hundred fifty (250) feet;
 - b. Maximum length – one thousand five hundred (1,500) feet, but no more than 20 lots shall be accessed by a permanent cul-de-sac;
 - c. The length of the cul-de-sac street shall be measured from the centerline intersection of the intersecting street to the center of the cul-de-sac turn-around;

- d. Permanent cul-de-sac streets must be provided with a paved turn-around with a minimum diameter of eighty (80) feet to the face of curb or edge of paving and of one hundred (100) feet to the street right-of-way;
 - e. Drainage of cul-de-sac streets shall preferably be toward the open end. If drainage is toward the closed end, water shall be conveyed away in an underground storm sewer or by other means approved by the County. The minimum grade on cul-de-sacs shall be designed to ensure a minimum of one (1) percent along the curb line to the designed low points. The maximum grade on cul-de-sacs shall not exceed ten (10) percent; and
 - f. In lieu of constructing a permanent cul-de-sac bulb, the Applicant may construct a symmetrical “Hammerhead” style turn around in accordance with standards contained in the Residential Street (2nd Edition), co-authored by the American Society of Civil Engineers, as amended. Such hammerheads shall be designed to facilitate three-point turns. The minimum dimensions of hammerheads shall be 30 feet by 85 feet with curbing, or 30 feet by 85 feet with four-foot shoulders. The right-of-way diameter for a hammerhead shall be 10 feet greater than the edge of curb or shoulder.
4. Temporary cul-de-sac streets shall be designed as follows:
- a. Minimum length - two hundred fifty (250) feet;
 - b. Maximum Length – one thousand five hundred (1,500) feet in length;
 - c. Unless future extension is clearly impractical or undesirable, the turn-around right-of-way shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width;
 - d. Temporary cul-de-sacs shall be designed to the same cartway width and drainage criteria as required for permanent cul-de-sacs; and,
 - e. Temporary easements shall be provided for the effected adjoining properties until such time that the street is extended.
5. Dead-end streets:
- a. Dead-end streets are prohibited unless designed as cul-de-sac streets.
 - b. The Commission may waive the requirements of providing a turn-around for streets that are planned for future extension into adjoining tracts subject to the following requirements:
 - 1) The street will be no longer than the depth of one (1) lot; and,
 - 2) The street will not be the primary means of access to any lot or dwelling unit.
6. Any street temporarily dead-ended in order to provide for future continuation of the street into adjoining property or for authorized stage development shall be fully constructed as a temporary cul-de-sac with all utilities installed.

7. A barricade to prevent vehicular access to adjoining property shall only be constructed at the termination point of the street if no curbs exist. The barricade shall be designed and constructed in accordance with PennDOT Publication 72, Standards for Roadway Construction, RC-63, as amended.

4.205 Lot Design Standards

- A. Area and other dimensions of lots and parcels shall conform with the requirements of any Zoning Ordinance of the Municipality or County, or where such Zoning Ordinance is not in existence, with the requirements of Table 1.
- B. All lots shall front on a public street, except that such frontage may be located on a private street where such private street is permitted as set forth in this Ordinance.
- C. As design guidelines, the ratio of the depth of any lot to its width shall not be greater than three to one, except as may be specified in any Zoning Ordinance of the Municipality or County.
- D. Side lot lines shall be substantially at right angles or radial to street lines.

TABLE 1

MINIMUM LOT STANDARDS FOR RESIDENTIAL SUBDIVISIONS ^(a)

TYPE OF RESIDENTIAL UNIT AND MINIMUM STANDARDS ^(b)	AVAILABILITY OF PUBLIC OR CENTRAL WATER AND SEWAGE SYSTEM			
	Served With Both	Public or Central Sewer Only	Public or Central Water Only	Served With None
<u>MOBILE HOME PARK</u> ^(c)				
- Lot Area (acres)	0.17	Not Permitted	Not Permitted	Not Permitted
- Lot Width and Depth (ft.) ^(d)	50 x 110	-	-	-
- Front Yard Setback (ft.)	15	-	-	-
- Each Side Yard (ft.)	10	-	-	-
- Rear Yard (ft.)	15	-	-	-
<u>SINGLE FAMILY</u> ^(b)				
- Lot Area (acres)	0.25	0.5	0.75	1.00
- Lot Width and Depth (ft.) ^(d)	80 x 110	100 x 150	120 x 150	125 x 200
- Front Yard Setback (ft.)	25	35	35	40 ^(f)
- Each Side Yard (ft.)	10	15	20	20
- Rear Yard (ft.)	15	20	30	30
<u>TWO FAMILY</u> (Per Unit Requirement)				
- Lot Area (acres)	0.15	0.50	0.75	1.00
- Lot Width and Depth (ft.) ^(d)	40 x 110	100 x 150	120 x 150	125 x 200
- Front Yard Setback (ft.)	25	35	35	40 ^(f)
- Each Side Yard (ft.)	10	15	20	20
- Rear Yard (ft.)	15	20	30	30
<u>MULTI-FAMILY</u> ^(e) (Per Unit Requirement)				
- Average Lot Area Per Unit	4,000 sq ft. per unit	Not Permitted	Not Permitted	Not Permitted
- Front Yard Setback (ft.)	25	-	-	-
- Each Side Yard (ft.)	20	-	-	-
- Rear Yard (ft.)	25	-	-	-
- Maximum Building Coverage (all buildings)	35	-	-	-

Footnotes:

- (a) This Table shall apply only in those areas not covered by officially adopted Zoning Ordinances. See Section 4.214 for non-residential standards.
- (b) Includes individual mobile homes, located outside of a mobile home park.
- (c) Mobile Home Parks must be served with both public or central water and sewer systems.
- (d) Lot width and depth requirements are minimum dimensions to allow flexibility of design, but overall lot area is still subject to the indicated minimum lot area requirements.
- (e) Includes structures with three or more dwelling units.
- (f) Amended on March 20, 2003.

NOTES: Minimum lot areas shown above may be increased by the Commission to meet the requirements of the "Official Sewage Facilities Plan" for the Municipality including any "Supplements" or "Plan Revisions" required by Pennsylvania DEP, and requirements for the issuance of Sewer Permits.

- E. If remnants of land exist after subdividing, they shall be incorporated into existing or proposed lots, conveyed to a duly created property owners association, or dedicated to public use if acceptable to the Municipality.
- F. Double frontage lots are prohibited, except where employed to prevent vehicular access to major traffic streets.
- G. Flag Lots
 - 1. Flag lots, as defined, shall only be permitted when they will enable the preservation of some important natural or cultural feature, including productive farmland, which would otherwise be disturbed by conventional lotting techniques. Such feature(s) shall be identified on the subdivision plan along with a statement on how conventional lotting techniques would adversely disturb such features.
 - 2. The minimum lot area shall be as is required by the local Municipal or County Zoning Ordinance or the Mifflin County Subdivision and Land Development Ordinance. The flagpole shall not be used in determining the applicable minimum lot area requirement. No further subdivision of flag lot is permitted unless public streets or private streets meeting requirements of this Ordinance are provided.
 - 3. Requirements of the flagpole.
 - a. The minimum width shall be thirty (30) feet wide measured at the right-of-way line. If further subdivision of the flag is possible, the width of the flagpole shall be 50 feet wide.
 - b. The flagpole shall not exceed six hundred (600) feet in length, unless additional length is needed to avoid the disturbance of productive farmlands or some other significant natural or cultural feature.
 - c. No part of the flagpole shall be used for any portion of an on-lot sewage disposal system, nor any other improvement except a driveway and other permitted improvements such as landscaping, fencing, utility connections, mailboxes and signs.
 - d. No flagpole shall be located within two hundred (200) feet of another one on the same side of the street, unless a shared driveway is utilized.
 - 4. Shared Driveways.
 - a. When two flag lots are proposed where the flagpole is side by side, such lots shall rely upon a shared driveway for vehicular access.
 - b. A shared driveway shall serve a maximum of two flag lots.
 - c. All shared driveways shall have a minimum width of sixteen (16) feet and cross access easement shall be required to ensure common use of, access to, and maintenance of shared driveways. Such easement shall be recorded in language acceptable to the County, and depicted on the subdivision plan.

5. Flag lots cannot be developed on or accessed by a private street existing or proposed at the time of adoption of this Ordinance, unless the private street is constructed with a 20 foot cartway and in accordance with Section 4.204 E.

4.206 Blocks

- A. The length, width and shape of blocks shall be determined with due regard to the following:
 1. Provision of adequate sites for buildings of the type proposed.
 2. Zoning requirements.
 3. Topography.
 4. Requirements for safe and convenient vehicular and pedestrian circulation.
- B. Blocks shall normally have a minimum length of 750 feet or maximum length of 1200 feet. In the design of blocks longer than 1000 feet, special consideration shall be given to the requirements of satisfactory fire protection and pedestrian travel.
- C. Residential blocks shall be of sufficient depth to accommodate two tiers of lots, except where reverse frontage lots bordering a major traffic street are used; where special superblock, cluster design, planned unit developments or other large scale, commercial or industrial developments are proposed or where topographic or other conditions prevent such a design.
- D. Pedestrian interior crosswalks may be required where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a right-of-way width of not less than 10 feet and a paved walk of not less than four feet.

4.207 Off-Street Parking and Loading

- A. Every type of residential land development or subdivision shall provide off-street space for at least two vehicles for each proposed dwelling unit. Such off-street parking spaces may be in an individual garage, carport, or driveway (located within the lot line) or in a common compound area convenient to the dwelling units to be served.
- B. Depth and width of parcels laid out or reserved for non-residential use shall be sufficient to provide satisfactory space for off-street parking and unloading for the intended use.
- C. Non-residential land development plans shall include at a minimum one parking space for every 200 square feet of gross floor area (display and/or sales area), and one space for each employee based on the largest shift. Off-street loading provisions shall include at a minimum one space 12 feet wide by 33 feet in length.

4.208 Driveways

- A. Driveway widths shall be designed to properly and safely serve the function for which they are intended. Such driveways shall not be less than 10 feet wide or greater than 30 feet wide.

- B. Driveway entrances shall be clearly defined and shall provide a minimum turning radii at the street intersection of 10 feet when serving a residential area and 30 feet when serving a non-residential development. Such turning radii shall be properly constructed in relation to the type of curb provided.
- C. The number of driveways and driveway intersections on a major street shall be minimized and avoided where possible. Permits for driveways intersecting with State roads or highways shall be secured from the Pennsylvania Department of Transportation. Such driveway intersections shall generally not be located closer than 70 feet from any street intersection right-of-way line. Driveway locations on municipal roads should be coordinated with the local road master.
- D. Driveway grades shall not exceed 10% when access is to a collector or local street, or 7% when access is with a major street, except where such excess grade is required to provide adequate access to the parcel and in such cases, a 7% leveling area shall be provided within 20 feet of the street right-of-way line.
- E. Driveways shall have adequate sight distance. No lot shall be created without acceptable sight distances for a driveway.
- F. Shared driveway provisions as delineated in Section 4.205 G.4.c.

4.209 Stormwater Management Controls

Mifflin County is empowered to regulate drainage and stormwater management activities by the authority of the Act of October 4, 1978, P.L. 84, the Stormwater Management Act (Act 167), and by the Pennsylvania MPC. Mifflin County has initiated detailed stormwater management plans for the Kishacoquillas Creek Watershed and the Jacks Creek Watershed. The goal of watershed wide stormwater management planning is to foster the development of a consistent set of local rules and regulations to protect and improve the capacity of natural stream channels and the quality of surface and ground water throughout the State. As required through Act 167, following adoption of a watershed plan by the County Commissioners, each Municipality in that watershed must adopt the provisions of the model ordinance developed as part of the watershed plan. Subdivisions and land developments in those Municipalities that fall under the purview of the Mifflin County Subdivision and Land Development Ordinance and are outside of an adopted Act 167 Plan shall be subject to the following stormwater management provisions:

A. General Requirements

Prior to the approval of any subdivision or land development plan, or the commencement of any development within the jurisdiction of this Ordinance, the Developer shall submit a Stormwater Management Plan to the County for approval.

1. When plan applications, whether Preliminary or Final, are submitted in sections, a generalized Stormwater Management Plan for the entire project site shall be submitted in addition to the detailed Stormwater Management Plan for the proposed section. This generalized plan shall demonstrate how the stormwater of the proposed section will relate to the entire development. The amount and velocity at the discharge point of the section shall be included in the data submitted. If temporary facilities are required for construction of a section, such facilities shall be included in the submitted plans.
2. A written report shall be submitted that includes the following information:

- a. Stormwater runoff calculations for both pre-development and post-development conditions.
 - b. An ownership and maintenance program, in recordable form, that clearly sets forth the ownership and maintenance responsibility of all temporary and permanent stormwater management facilities and erosion and sedimentation control facilities, including:
 - 1) Description of temporary and permanent maintenance requirements;
 - 2) Identification of a responsible individual, corporation, association or other entity for ownership and maintenance of both temporary and permanent stormwater management and erosion and sediment control facilities;
 - 3) Establishment of suitable easements for access to all facilities;
 - 4) The intent of these regulations is to provide private ownership and maintenance of stormwater management. Where the Municipality or County accepts dedication of stormwater management facilities, the Commission may require the developer to establish, at the time of dedication, a maintenance fund, in accordance with Section 4.209 F.3.e.
 - c. For all proposed detention basins and retention basins, except temporary sedimentation basins, the documentation shall include a plotting or tabulations of storage volumes with corresponding water surface elevations and the outflow rates for those water surfaces.
 - d. For all proposed detention basins and retention basins, except temporary sediment basins, documentation shall set forth the design hydrograph, the shortcut routing method or a method of equal caliber acceptable to the County Engineer, utilized to determine the function of the basin.
3. Developments within the Kishacoquillas Creek Watershed shall submit Stormwater Management Plans pursuant to the provisions of the Kishacoquillas Creek Watershed Act 167 Stormwater Management Plan.
 4. Developments within the Jacks Creek Watershed shall submit Stormwater Management Plans pursuant to the provisions of the Jacks Creek Watershed Act 167 Stormwater Management Plan.
- B. Design Standards
1. Where applicable, stormwater management facilities shall comply with the requirements of Chapters 92, 102, and 105 (Water Obstructions and Encroachments) of Title 25, Rules and Regulations, as amended, of DEP.
 2. Stormwater management facilities that involve a State highway shall also be subject to the approval of the Pennsylvania Department of Transportation.
 3. Stormwater management facilities located within or affecting the floodplain of any watercourse shall comply with the requirements of the flood plain regulations provided in the Municipal Zoning Ordinance, single-purpose ordinance, or any future ordinances regulating construction or development within areas of the Municipality subject to flooding.

4. Stormwater discharge points onto an adjacent property shall comply with the following:

Storm water runoff from a project site shall flow directly into a natural drainage (including wetlands) or into an existing storm sewer system, or to a point where surface flows will not cause any negative impacts to adjacent properties, stream, or wetlands. If neither of these is available to allow the site's runoff discharge to reach a natural surface water conveyance (watercourse or wetland) or an existing storm sewer system, or a similar area not causing damage or harm to down slope property or possessions, the applicant shall obtain an easement from the downstream landowner(s) to allow the site's runoff discharge to reach a natural watercourse or an existing storm sewer system through the easement. If an easement is obtained, the peak flow rate and velocity must be equal to or less than pre-development conditions, and the flow cannot be concentrated any more than existing conditions. The easement from the down slope property Owner(s) shall be to allow for a piped storm sewer system, an overland flow system, or a combination of the two. The down slope system design shall conform to the design requirements of this Ordinance. This Ordinance is aimed at controlling the discharge of stormwater from development primarily for quantity purposes. Be advised that other local, state, and/or federal regulations may require additional considerations/measures for stormwater management and handling, concerning both quantity and quality issues. In particular, state and federal regulations may require specific stormwater quality (and quantity) control measures be implemented when permits or approvals are required from these or similar entities, such as, but not limited to, grease/oil separators, wet basins, infiltration basins, etc. Examples of other potential permits/authorizations that may be required include, but are not limited to, Federal National Pollution Discharge Elimination System construction permits (Phases I and II).

- a. When the Applicant provides verification that the downstream landowner(s) refuses to grant an easement, the site shall be designed such that the discharge from the Applicant's site shall be in a non-erosive, sheet flow condition. For all design year storms, including the 100-year storm, runoff from the Applicant's site shall flow onto the adjacent property in a manner in which the peak flow rate and velocity must be equal to or less than pre-development conditions, and the flow cannot be concentrated any more than existing conditions. The use of level spreaders is discouraged.
 - b. Stormwater runoff shall not be transferred from one watershed to another unless the watersheds are sub-watersheds of a common watershed that join together within the perimeter of the property, or if the effect of the transfer does not alter the peak discharge onto adjacent lands and drainage easements from the affected landowners are provided.
5. Unless an alternate design is submitted for review, and said design is prepared by a licensed (in the Commonwealth of Pennsylvania) engineer:
 - a. No stormwater facilities shall be placed in, over or immediately adjacent to the following features:
 - 1) Sinkholes
 - 2) Closed depressions

- 3) Lineaments in carbonate areas
 - 4) Fracture traces
 - 5) Caverns
 - 6) Intermittent Streams
 - 7) Ephemeral streams
 - 8) Bedrock pinnacles (surface or subsurface)
- b. The minimum isolation distance from stormwater management basins to the listed geologic features shall be as follows:
 - 1) One hundred (100) feet from the rim of sinkholes or closed depressions;
 - 2) One hundred (100) feet from disappearing streams;
 - 3) Fifty (50) feet from lineaments or fracture traces;
 - 4) Twenty-five (25) feet from surface or identified subsurface pinnacles.
 - c. Stormwater runoff from any subdivision or land development activities shall not be discharged into sinkholes unless approved by the Municipal Engineer.
6. All stormwater runoff flowing over the project site shall be considered in the design of the stormwater management facilities.
 7. The calculated peak rates of runoff for stormwater originating on the project site must meet the following conditions, for all watersheds flowing from the project site:
 - a. Post-development runoff from any regulated activity shall not exceed the peak rates of runoff prior to development for all design storms (2, 10, 25, and 100 year storm events).
 8. Innovative methods for the detention and control of stormwater runoff are encouraged and may be used when approved by the Commission. Various combinations of methods should be tailored to suit the particular requirements of the type of development and the topographic features of the project site. The following is a partial listing of detention and control methods that can be utilized in stormwater management systems where appropriate:
 - a. Detention basins and retention basins;
 - b. Roof-top storage;
 - c. Parking lot ponding;
 - d. Seepage pits, seepage trenches or other infiltration structures;
 - e. Concrete lattice block surfaces;
 - f. Grassed channels and vegetated strips;

- g. Cisterns and underground reservoirs;
- h. Routed flow over grass; and
- i. Decreased impervious surface coverage.

C. Methods of Calculation of Runoff

- 1. The methods of computation used to determine peak discharge and runoff shall be:
 - a. The Soil-Cover-Complex Method (as set forth in the latest edition of Urban Hydrology for Small Watersheds, Technical Release No. 55 as published by SCC) shall be used for all detention facilities with a drainage area greater than or equal to sixty (60) acres.

If the Soil-Cover-Complex (SCC) Method is used, stormwater runoff shall be based on the following 24-hour storm events:

<u>Storm Event (years)</u>	<u>Inches of Rainfall</u>
2	2.6
10	3.5
25	4.3
100	5.2

Source: Field Manual of Pennsylvania Department of Transportation
Storm Intensity-Duration-Frequency Charts, Penn DOT, May 1986 for Region 2

If the SCC Method is used, an antecedent moisture content of 1 shall be used for the pre-development condition.

- b. The Rational Method shall be used for all:
 - 1) Collection Facilities;
 - 2) Conveyance Facilities;
 - 3) Detention Facilities with drainage areas less than sixty (60) acres.

If the Rational Method is used, the Rainfall Intensity–Duration–Frequency Chart shown in Appendix C shall be used to compute the rainfall intensity in inches per hour.

Runoff Coefficients “C” and Curve Numbers “CN” shall be based on the charts contained in Appendix D.

For the purpose of calculating peak discharges, all agricultural lands that contribute storm drainage to or from the project site shall be considered cultivated lands with conservation measures in good hydrologic condition.

Design of on-site conveyance systems calculations shall use the Rational Method of $Q=CIA$ where Q is the peak discharge of the watershed in cubic feet per second, C is the coefficient of runoff, I is the intensity of rainfall in inches per hour, and A is the area of the watershed in acres; or any other method approved by the Commission.

- c. Any other method approved by the Municipal or County Engineer.
2. Runoff calculations shall include a hydrologic and hydraulic analysis indicating volume and velocities of flow and the grades, sizes, and capacities of water carrying structures, sediment basins, retention and detention structures and sufficient design information to construct such facilities. Runoff calculations shall also indicate both pre-development and post-development rates for peak discharge of stormwater runoff from the project site.
3. Flow calculations for water carrying structures shall be presented in tabular form using the Flow Tabulation Form provided in Appendix E (or equal).
4. Permanent detention basins shall be designed with a primary outlet discharge that is equal to or less than the requirements for post-development peak rate of runoff established by Section 4.209 C. of this Ordinance.
5. Runoff calculations will also be made to insure that the runoff from the upstream watershed area can be accommodated by the pipes, drainage easements, watercourses, etc. on the site.

D. Design Standards – Water Carrying Facilities

1. All storm sewer pipes, grass waterways, open channels, swales and other water carrying facilities that service drainage areas within the site shall be designed to convey the ten (10) year storm event unless in the opinion of the County Engineer or Municipal Engineer the character of development and potential for damage warrant design for the 25 or 100 year storm.
2. Stormwater management facilities that convey off-site water through the site shall be designed to convey the twenty- five (25) year storm event.
3. All developments shall include provisions that allow for the overland conveyance and flow of the post-developed one hundred (100) year storm event without damage to public or private property.
4. All storm sewer pipes, culverts, manholes, inlets, endwalls and endsections shall be constructed in accordance with Pennsylvania Department of Transportation, Publication 408, as amended.
5. Storm sewer pipes, culverts, manholes, inlets, endwalls, and endsections proposed for dedication or located along streets shall conform to the requirements of the Pennsylvania Department of Transportation, Bureau of Design, Standards for Roadway Construction, Publication No. 72, in effect at the time the design is submitted, as modified by the Commission.
6. Storm sewer pipes and culverts shall be reinforced concrete pipe (RCP) or smooth lined corrugate polyethylene (SLCPP), shall have a minimum diameter of eighteen (18) inches, and shall be installed on a sufficient slope to provide a minimum velocity of three (3) feet per second when flowing full.
7. All storm sewer pipes shall be laid to a minimum depth of one (1) foot from subgrade to the crown of pipe.
8. Endwalls and endsections shall be used where stormwater runoff enters or leaves the storm sewer horizontally from a natural or manmade channel.

9. Inlets shall be placed on both sides of the street at low spots, at a maximum of six hundred (600) feet apart along a storm sewer pipe, at points of abrupt changes in the horizontal or vertical directions of storm sewers, and at points where the flow in gutters exceeds three (3) inches. Inlets shall normally be along the curb line at or beyond the curb radius points. For the purpose of inlet location at corners, the depth of flow shall be considered for each gutter. At intersections, the depth of flow across the through streets shall not exceed one (1) inch. Inlets shall be depressed two (2) inches below the grade of the roadside swale, curb line, or ground surface. Manholes may be substituted for inlets at locations where inlets are not required to collect surface runoff.
10. Stormwater roof drains and pipes, wherever possible, shall discharge water into stormwater runoff dispersion or infiltration control devices and not into storm sewers or street gutters.
11. All existing and natural watercourses, channels, drainage systems and areas of surface water concentration shall be maintained in their existing condition unless an alteration is approved.
12. Flow velocities from any storm sewer shall not result in a degradation of the receiving channel.
13. Energy dissipaters shall be placed at the outlets of all storm sewer pipes where flow velocities exceed maximum permitted channel velocities.
14. The capacities of grassed waterways shall be computed from the Manning Equation. Permissible open channel velocities and design standards shall be in accordance with good engineering practice as documented in the Engineering Field Manual for Conservation Practices, U.S.D.A., S.C.S., or in Design Charts for Open-Channel Flow, Hydraulic Design Series No. 3, U.S. Department of Transportation.
15. Grassed waterways may be utilized in place of conduit piping in those areas where soil conditions allow recharge of groundwater. All newly installed grassed waterways must be well-established sod of good quality or matted with an approved stabilizing material. The usage of grassed waterways is not recommended in areas of year round or seasonally high ground water table unless provisions are made to handle long duration flows, for example by means of subsurface drainage of stone centered waterways.
 - a. The shape of the waterway shall permit hydraulic efficiency and ease of maintenance. Allowable velocities within the waterway shall be limited to those values that would not cause erosion of the soil or cover material. Vegetation or durable materials shall be established on all channels where design velocities exceed the maximum values for base earth channels. Permanent channels should be designed using grass or other suitable material.
 - b. The following information should be utilized in selecting adequately sized channels that do not exceed maximum velocities. The maximum permissible velocity shall be selected as the lowest value from Sections 4.209 D.15.b.1) and 4.209 D.15.b.2) that follow:
 - 1) Guidelines for maximum permissible velocities relevant to individual site conditions:

- 3.0 feet per second where only sparse vegetation can be established and maintained because of shade or soil conditions.
- 3.0 - 4.0 feet per second should be used under normal conditions where the vegetation is to be established by seeding.
- 4.0 - 5.0 feet per second should be used only in areas where a dense vigorous sod can be obtained quickly or where water can be diverted out of the waterway during establishment of vegetation. (Use where netting and mulch or other special methods of establishing vegetation are used).
- 5.0 - 6.0 feet per second may be used on well-established sod of good quality (use where establishment of vegetation will be by sodding or water will be introduced to a previously sodded channel).

2) Velocities for other channels are as follows:

<u>Channel Lining</u>	<u>Maximum Permissible Velocity (feet/second)</u>
6" rip-rap	4
9" rip-rap	8
Durable Bedrock	8
Asphalt	7
12" rip-rap	9
Concrete or steel	12

c. Soil characteristics, design velocities and the level of desired maintenance should be considered in determining seed mixtures and methods of establishment of vegetation. Soils information for various soil types is contained in the "Mifflin County Soil Survey." Maximum permissible velocities in feet per second based on vegetation, slope of waterway and soil erodibility are as follows:

Channel Grade (percent)	0-5 %	5-10 %	Greater than 10 %
*Seeding with Kentucky Blue Grass, Tall Fescue, Smooth Brome Grass or a mixture of Tall Fescue and Birdsfoot Trefoil (mow occasionally)			
"k" less than .37	5 fps	4 fps	**3 fps
"k" = .70 or greater	6 fps	6 fps	5 fps
*Seeding with Red Fescue or similar lawn mixtures (mow frequently)			
"k" less than .37	2.5 fps	Not recommended on slopes over 5%	
"k" = .70 or greater	3.5 fps	Not recommended on slopes over 5%	
* Redtop is recommended for use as a companion seeding			
** Recommended only with special engineering consideration			
"k" is the erosion factor found in Table 15 of the April 1981 "Soil Survey of Mifflin County, PA"			
Refer to the Penn State Agronomy Guide, Erosion Control and Conservation Plantings for additional seed mixtures and rates of applications.			

E. Design Standards – Detention and Retention Basins

1. All basins shall be structurally sound and shall be constructed of sound and durable materials. The completed structure and the foundation of all basins shall be stable under all probable conditions of operation and shall be capable of discharging the peak discharge of a post-development 100-year storm event through the emergency spillway facilities, in a condition that assumes the primary outlet(s) are blocked, which will not damage the integrity of the facility or the downstream drainage areas.
2. The effect on downstream areas if the basin embankment fails shall be considered in the design of all basins. Where possible, the basin shall be designed to minimize the potential damage caused by such failure of the embankment.
3. All detention basins shall include an outlet structure to permit draining the basin to a completely dry position within twenty-four (24) hours.
4. All outlet structures and emergency spillways shall include a satisfactory means of dissipating the energy of flow at its outlet to assure conveyance of flow without endangering the safety and integrity of the basin and the downstream drainage area.
5. A cutoff trench of relatively impervious clay material shall be provided within all basin embankments, except for those embankments with side slope ratios of three (3) horizontal to one (1) vertical or flatter. Embankments with flatter side slopes shall have a key trench.
6. All culverts through basin embankments shall have properly spaced concrete cutoff collars or welded anti-seep collars.
7. A minimum one (1) foot freeboard above the design elevation of the 100-year storm event water surface at the emergency spillway shall be provided.
8. No outlet structure from a detention basin or swale shall discharge directly onto any publicly used Municipal, State, or private street, but shall discharge into a culvert under or along the road.
9. The minimum top width of dams up to ten (10) feet in height shall be equal to two-thirds (2/3) of the dam height, but in no case shall the top width be less than five (5) feet.
10. All detention and retention ponds shall be completely surrounded by a fence not less than four feet nor greater than eight feet in height and be constructed as not to have openings, holes or gaps that a sphere with a diameter of four inches cannot pass through, except for gates. All gates shall be self-closing and self-latching. A waiver may be granted depending on the specifics of the location and alternative methods presented.

F. Maintenance of Stormwater Management Facilities

1. Maintenance is an essential part of the successful functioning of a stormwater management system.
2. Maintenance during development of a project shall be the responsibility of the Developer and/or Landowner and shall usually include but not be limited to:

- a. Removal of silt from all debris basins, traps or other structures or measures when 50% of capacity is filled with silt;
 - b. Periodic maintenance of temporary control facilities such as replacement of straw bale dikes, straw filters or similar measures;
 - c. Establishment or reestablishment of vegetation by seeding and mulching or sodding of scoured areas or areas where vegetation has not successfully been established;
 - d. Installation of necessary controls to correct unforeseen problems caused by storm events within design frequencies; and
 - e. The Contractor or Developer shall be responsible for removal of all temporary measures and installation of permanent measures upon completion of the project.
3. Maintenance of the project after physical completion:
- a. The Applicant or his/her agent shall demonstrate that any facilities intended to be installed and located on an individual or group of individual lots can be adequately maintained by the homeowner(s) and/or lot Owner(s).
 - b. It is the purpose of this Ordinance that Mifflin County or the Municipality in which the facility is located shall not become responsible for maintenance and supervision of developed areas. Such responsibility falls upon the party responsible for land development who shall remain personally responsible for those areas of the development that are subject to the requirements of this Ordinance. This responsibility may be retained or assigned to third persons as is deemed most acceptable to the party responsible for land development. In the event that any portion of land development would, but for the existence of areas requiring maintenance subject to this Ordinance, be dedicated to the Municipality, the Contractor or Developer may make application to the Municipality for acceptance by the Municipality of such portions of the land development. In the event that the Municipality, by formal action, accepts such portions of land development, maintenance and responsibility for such portions shall fall upon the Municipality.
 - c. It is the intent of this Ordinance that the purposes of the Ordinance shall be carried out through the exercise of responsibility by private parties, and therefore it is anticipated that control plans shall be developed with the view towards projects that can effectively be contained within the tracts to be owned and maintained by private parties. To foster this purpose, with respect to portions or parts of a project as shown on a plan of a developer or contractor, which portions will not otherwise become part of municipal property, such portions shall become the responsibility of the individual property owners on whose property such portions of a project lie including but not limited to retention ponds, detention ponds, sediment basins, energy dissipaters or grassed water-ways. Persons including contractors and developers conveying property of a development to another party, which property contains any portions of a Stormwater Management Plan, after that plan has been established, shall include a specific deed reference to such grantee's responsibility for the maintenance and care of the portions of such project as are included within said grantee's conveyed property. The deed reference to such portions shall be in the

form of a deed restriction imposing responsibilities upon said property Owner for the maintenance of the portions of the project within the boundary lines of said property as may be necessary for proper maintenance of the project in accordance with the terms of this Ordinance. Such maintenance shall include the following:

- 1) Liming and fertilizing vegetated channels and other areas according to specifications in the DEP "Erosion and Sediment Pollution Control Program Manual."
 - 2) Reestablishment of vegetation by seeding and mulching or sodding of scoured areas or areas where vegetation has not been successfully established.
 - 3) Mowing as necessary to maintain adequate strands of grass and to control weeds. Chemical weed control may be used if State and local regulations are met. Selection of seed mixtures shall be acceptable to the Commission.
 - 4) Removal of silt from all permanent structures that trap silt or sediment in order to keep the material from building up in grass waterways and thus reducing their capacity.
 - 5) Repair of structural damage or deterioration of any kind, including the repair and maintenance of sinkholes and/or similar failures whether naturally occurring or created by human action.
 - 6) Regular inspection of the areas in questions to assure proper maintenance and care.
- d. The deed restrictions hereinabove mentioned shall also include notice that in the event the individual property owners should fail to comply with the terms of this Ordinance for the maintenance and care of the land in question, the Municipality shall have the authority to carry out those duties hereby imposed upon individual property owners. The Municipality may, after giving notice to an individual property Owner that is not properly maintaining the areas subject to this Ordinance, and by making demand that such compliance shall be made within thirty (30) days, enter upon said private property and take such actions as may be required to bring the area into compliance with this Ordinance. The property Owner shall be responsible for reimbursing the Municipality for any and all costs incurred in its actions required to bring the area into compliance with this Ordinance. Should the property Owner fail to reimburse the Municipality, the Municipality shall further have the right to file a municipal lien against such property for the cost of maintenance work carried out under this section.
- e. Where the Municipality accepts dedication of all or some of the required stormwater management facilities following completion, the Municipality may require the posting of financial security to secure structural integrity of said facilities as well as the functioning of said facilities in accordance with the design and specifications as depicted on the approved stormwater management plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be the same type as required with regard to installation of such facilities, and the amount of the financial security shall not exceed fifteen (15%) percent of the actual cost of installation of said facilities.

G. Ownership and Maintenance

1. Prior to granting of final approval by the Commission of a plan the Applicant shall either (1) satisfactorily establish that the permanent facilities are part of a portion of ground to be dedicated to the Municipality for reasons other than the maintenance of land subject to this Ordinance, or (2) present to the Commission a copy of restrictions with an affidavit stating that such restrictions shall be added to the deed of conveyance to each grantee to whom property of the development is to be conveyed.
2. When permanent stormwater management facilities and ownership to these facilities are dedicated to and accepted by the Municipality or County, it shall be the Municipality or County's responsibility to maintain these facilities.
3. The Municipality or County shall have the right in addition to those provisions above set forth, to require the Applicant, Owner or Developer to post a bond with the Municipality prior to the time of approval of the Plan in order to assure the faithful performance of the requirements of this Ordinance in the course of completing the land development.

H. Modification of Facilities

A modification that involves a change in stormwater management control methods or techniques, or that involves the relocation or redesign of control measures, or that is necessary because soil or other conditions are not as stated on the approved plan, shall require the submission of a revised plan by the Developer in accordance with the plan requirements as set forth in this Ordinance.

I. Exemptions

The stormwater management provisions of this Section shall not apply to projects proposing 5,000 square feet or less of new impervious coverage, and where the impervious area does not exceed 10% of the total lot area. Development that is planned to occur in stages or phases will be considered in its entirety, and proposed semi-pervious areas such as stone driveways shall be considered as impervious for the purpose of determining exemption. The Applicant must show that there will be no adverse impact on downstream property owners or stormwater facilities. When in the opinion of the County or Municipal Engineer an adverse condition will be created or an existing condition aggravated, individual on-lot systems may be required for development requesting an exemption. The size and design of the individual system shall be determined by the amount of projected stormwater runoff from the property.

J. Best Management Practices (BMP)

When not required by DEP, the Mifflin County Planning Commission encourages the use of Best Management Practices in control of stormwater runoff. The Pennsylvania Handbook of Best Management Practices should be consulted for compliance and implementation of Best Management Practices.

4.210 Easements

- A. Easements with a minimum width of 15 feet plus the width of any physical improvement, or with the minimum width of any natural swale shall be provided as necessary for all utilities and drainage facilities, including installation of "private" utility services.

- B. Above ground utilities shall be placed along the rear or side lot lines unless they exist along the street prior to the submission of the Preliminary Plan to the County.
- C. Easements for installation of underground conduits for electric power, telephone and television cable lines shall be provided so that each lot or leased unit can be practically served.
- D. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- E. Where a major subdivision is traversed by a water course, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such water course and of such width as will be adequate to preserve natural drainage.

4.211 Water Supply and Sewage Facilities

- A. All subdivisions and land developments located within the County shall be served with an adequate water supply system and with an adequate sewage system. Said systems shall be either approved on-lot, or publicly owned, or private central community systems.
- B. The sewer system shall meet the requirements of the "Official Sewage Facilities Plan" for Sewage Systems adopted by the Municipality as required by the Pennsylvania Sewage Facilities Act, as amended, and by the requirements of the PA DEP. Such facilities shall be designed in accordance with requirements of the PA DEP, the Municipality, and any authority having jurisdiction over such facilities, subject to the review and approval of the Municipality in which the subdivision or land development is located.

The Pennsylvania Code, Title 25 Environmental Resources, Section 71.32 (f) (4) indicates that the Municipality and Planning Agency may not approve a subdivision plan where the Official Sewage Facilities Plan is inadequate or not being substantially implemented.

- C. Capped sewers and/or water lines shall be installed when a public sewer and/or water system will be available to serve the subdivision in a reasonable time, not to exceed 10 years, in accordance with the "Official Sewage Facilities Plan and/or water plans", and other ordinances or requirements of the Municipality.
- D. Any "Supplement" or "Plan Revision of the Official Plan for Sewage Systems", as required by Pennsylvania DEP Act 537 requirements, shall be obtained by the Applicant and made a condition for the Final Approval of any subdivision or land development.

It is recommended that an application for such required "Supplements" or "Plan Revisions" be initiated by the Applicant during the Preliminary Plan phase and prior to submission of the Final Plan.

- E. All water supply systems and sanitary sewer systems located in any designated flood plain district, whether public or private, shall be flood proofed up to the regulatory flood elevation.
- F. Where an Applicant proposes to provide a water supply by means other than by private wells owned and maintained by the individual owners of lots within the subdivision then the Applicant shall present evidence to the Commission that the

subdivision or development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

4.212 Other Utilities

- A. A plan for providing all necessary utility services to the proposed subdivision and land development shall be prepared by the Applicant in cooperation with the appropriate public utility companies and governmental agencies.

Wherever possible utilities shall not be placed under the paved portion of a street and easements should be provided to facilitate utility locations in areas that will facilitate easy access to and repair of utility lines.

- B. Fire hydrants shall be required in medium density areas (density of more than three units per acre) and wherever a central water system is installed. Spacing of hydrants shall be such that no residential structure shall be farther than 600 feet and no non-residential structure shall be farther than 400 feet from a hydrant. Additional standards published by the Insurance Services Office of Pennsylvania may also be applied by the Commission.
- C. All electric utility distribution lines, telephone, cable TV and other similar lines shall be encouraged to be installed underground in all major subdivisions or land developments.
- D. Wherever practicable, in accordance with good engineering practice, utility easements and trenches shall be occupied jointly by compatible utilities.
- E. All public and/or private utilities and facilities located in designated flood prone (100 year flood) areas, including gas and electric shall be elevated or flood proofed up to the regulatory flood elevation.

4.213 Erosion and Sedimentation Control

The Department of Environmental Protection under the authority of the Pennsylvania Clean Streams Law, Act 222, requires that all Applicants proposing subdivisions and land developments requiring the movement of earth prepare a Soil Erosion and Sedimentation Control Plan and/or a NPDES permit. The Applicant shall contact the Mifflin County Conservation District for design and submission requirements. The Soil Erosion and Sedimentation Control Plan shall be prepared in accordance the provisions of the Pennsylvania Clean Streams Law. The Mifflin County Planning Commission may require a copy of the Plan to be submitted for review and approval prior to approval of the final subdivision or land development plan.

4.214 Additional Non-Residential Requirements

- A. Commercial/Industrial/Institutional – Lot area for commercial, industrial, and institutional land uses shall be of sufficient size to incorporate all design elements of this Ordinance (parking, sewage disposal, water supply, landscaping, etc.). At a minimum the lot size and setbacks shall correspond with those provisions for a single family home. Concentrated Animal Operations, Concentrated Animal Feeding

Operations, or similar types of operations, as defined in Act 38 of 2005 or DEP, Chapter 92 regulations, shall be setback at a minimum of 300 feet from all adjoining roads or property lines.

- B. Wherever possible, commercial and industrial parcels should include enough land to provide for a group of commercial establishments to be planned, developed and operated as a unit. Such a development shall be planned with coordinated driveways, parking areas and other common facilities. Narrow, highway ribbon developments fronting directly on a major street should be discouraged, whenever possible.
- C. Traffic movements in and out of commercial and/or industrial areas should not interfere with external traffic, nor should it create hazards for adjacent residential areas.
- D. The design of streets, service drives and pedestrian ways should provide for safe and hazard-free internal circulation.
- E. Block layout and design shall give due consideration to site conditions, to the best possible service to customers, traffic and parking circulation and pick-up and delivery services. Plans shall include the total square footage of all proposed buildings, percent of lot coverage, number of parking and loading spaces provided, and a landscaping plan as provided under Section 4.214 G. of this Ordinance, including the names, sizes, quantities, and approximate location of all proposed plant materials (trees and shrubs), if required.
- F. The total area shall be sufficient to provide adequate space for off-street parking and loading, landscaping and other facilities required to properly serve the intended use.
- G. A Landscape Plan shall be provided, and shall include suitable landscaping around buildings that shall serve as a buffer between adjacent roads and between a proposed use and adjacent residential land uses. The plan shall include the plant names, sizes, quantities, and general information for each plant proposed. Landscape strips shall be measured along the street right-of-way line. Landscape screens must achieve visual blockage within two years of installation.

4.215 Solar Orientation and Energy Conservation

- A. All developers are encouraged to use recognized solar design principles and features that will maximize the use of individual building sites for passive solar building construction.
- B. Such solar principles include the following:
 - 1. Layout of streets to provide a maximum number of sites with a southern orientation to maximize solar heat gain.
 - 2. Minimum use of north facing building exposures.
 - 3. Protection of solar access.
 - 4. Landscaping to complement solar use and to promote cooling in the summer.
 - 5. Protection of trees.

6. Shading for summer solar exposures.

4.216 Traffic Impact Study. All residential developments or subdivisions containing fifty (50) or more dwelling units or residential lots and all non-residential developments (with the exception of agricultural development) that generate fifty (50) or more new peak hour trips or three hundred (300) total trips per day shall provide studies and reports in accordance with the requirements of this Section. All Applicants with subdivisions and/or land developments that do not meet the above stated criteria shall submit the information required in Subsection B.4.

A. The Applicant is responsible for assessing the traffic impacts associated with a proposed development that meets any condition set forth above. Prior to preparing a Traffic Impact Study, the Applicant shall meet with the County for a “Scoping” session to review and discuss the overall project, development activity in the area, other prior traffic impact studies (if applicable), and other critical points related to the satisfactory completion of the Study. The Applicant shall be responsible for all data collection efforts required in preparing a traffic impact study including peak period turning movement counts. In addition, the Applicant is responsible for ensuring that any submitted development plans meet the minimum State and local standards for geometric design. The study shall be conducted only by a professional engineer that has verifiable experience in traffic engineering. Upon submission of a draft Study, the County may review the data sources, methods and findings, and provide comments in written form. The Applicant will then have the opportunity to incorporate necessary revisions prior to submitting a final Study.

B. Traffic Impact Study Contents. A Traffic Impact Study prepared for a specific site development proposal shall follow the basic format shown below. Additions or modifications should be made for a specific site, when appropriate. This basic format allows for a comprehensive understanding of the existing site, future conditions without the proposed use, and the impacts associated with the proposed subdivision and/or land development plan.

1. Introduction. This section identifies the land use and transportation setting for the site and its surrounding area.

a. Site and study area boundaries. A brief description of the size of the land parcel, general terrain features, legal right-of-way lines of the highway, and the location within the jurisdiction and the region should be included in this section. In addition, the roadways that afford access to the site and are included in the study area should be identified. The exact limits of the study area should be based on engineering judgment and an understanding of existing traffic conditions at the site. In all instances, however, the Developer, the Engineer, and the County must mutually agree upon the study limits.

b. Site description. This section should contain a brief narrative that describes the proposed development in terms of its function, size and near and long-term growth potential. This description should be supplemented by a sketch that clearly shows the proposed development within the site boundaries, its internal traffic circulation pattern and the location and orientation of its proposed access points.

c. Existing and proposed site uses. The existing and proposed uses of the site should be identified in terms of the various zoning districts in the

- jurisdiction. In addition, identify the specific use on which the study is based since a number of uses may be permitted under the existing ordinances.
- d. Existing and proposed nearby uses. Include a complete description of the existing land uses in the vicinity of the site as well as their current Zoning. The Applicant should also state the proposed uses for adjacent land, if known. This latter item is especially important where large tracts of undeveloped land are in the vicinity of the site and within the prescribed study area.
 - e. Existing and proposed roadways and intersections. Within the study area, describe existing roadways and intersections (geometries and traffic signal controls), as well as possible future improvements under consideration by government agencies.
2. Analysis of Existing Conditions. This section describes the results of the Volume/Capacity Analysis to be completed for the roadways and intersections in the study area under existing conditions, as well as any data collection efforts that are required.
 - a. Daily and peak hour(s) traffic volumes. Provide schematic diagrams depicting daily and peak hour(s) traffic volumes for roadways within the study area. Turning movement and mainline volumes are to be presented for the three (3) peak hour conditions (AM, PM and site generated) while only mainline volumes are required to reflect daily traffic volumes. Include the source and/or method of computation for all traffic volumes.
 - b. Volume/Capacity Analyses at critical points. Utilizing techniques described in the most current version of the Highway Capacity Manual, highway capacity software, or derivative nomographs, include an assessment of the relative balance between roadway volumes and capacity. Perform the Analysis for existing conditions (roadway geometries and traffic signal controls) for the appropriate peak hours.
 - c. Level of service at critical points. Based on the results obtained in the previous section, Levels of Service (A through F) are to be computed and presented. This Section should also include a description of typical operating conditions at each level of service.
 3. Analysis of Future Conditions Without Development. This Section describes the anticipated traffic volumes in the future and the ability of the roadway network to accommodate this traffic without the proposed zoning or subdivision request. The future year(s) for which projections are made will be specified by the Municipality and County, and will be dependent on the timing of the proposed development.
 - a. Daily and peak hour(s) traffic volume. Clearly indicate the method and assumptions used to forecast future traffic volumes in order that the Commission can duplicate these calculations. The schematic diagrams depicting future traffic volumes will be similar to those described in Subsection 4.216 B.2.a. in terms of locations and times (daily and peak hours).

- b. Volume/Capacity Analyses at critical locations. Describe the ability of the existing roadway system to accommodate future traffic (without site development). If roadway improvements or modifications are committed for implementation, present the Volume/Capacity Analysis for these conditions.
 - c. Levels of service at critical points. Based on the results obtained in the previous section, determine Levels of Service (A through F).
 4. Trip Generation. Identify the amount of traffic generated by the site for daily and the three (3) peak conditions. The trip generation rates used in this phase of the analysis shall be justified and documented to the satisfaction of the Commission.
 5. Trip Distribution. Identify the direction of travel for site-generated traffic for the appropriate time periods. The basic method and assumptions used in this work must be clearly stated in order that the Commission can replicate these results.
 6. Traffic Assignment. Describe the utilization of study area roadways by site-generated traffic. The proposed traffic volumes should then be combined with anticipated traffic volumes from Subsection 4.216 B.3. to describe mainline and turning movement volumes for future conditions with the site developed as the Applicant proposes.
 7. Analysis of Future Conditions with Development. This section describes the adequacy of the roadway system to accommodate future traffic with development of the site.
 - a. Daily and peak hour(s) traffic volumes. Provide mainline and turning movement volumes for the highway network in the study area as well as driveways and internal circulation roadways for the appropriate time period.
 - b. Volume/Capacity Analyses at critical points. Perform a volume/capacity analysis for the appropriate peak hours for future conditions with the site developed as proposed, similar to Subsections 4.216 B.2.b. and 4.216 B.3.b.
 - c. Levels of service at critical points. As a result of the Volume/Capacity Analysis, compute and describe the level of service on the study area roadway system.
 8. All highway capacity evaluations shall consider the overall intersection level of service and delay, and evaluate each approach and movement to identify any substantial values that need to be improved.
 9. Recommended Improvements. In the event that the analysis indicates unsatisfactory levels of service will occur on study area roadways, a description of proposed improvements to remedy deficiencies should be included in this section. These proposals would not include committed projects by the State and local jurisdictions that were described and reflected in the analysis. The preferred Level of Service is C; however, a lower level of service may be permitted if the existing Level of Service is less than C, provided that the permitted level shall not be lower than the existing Level of Service.
- C. In the event that the intersection/driveway accesses, which are the subject of the Study, do not warrant a traffic control device in accordance with the standards of the Pennsylvania Department of Transportation or cannot be improved to achieve a Level of Service of C due to existing physical limitations such as lack of right-of-

way, the permitted Level of Service may be lower than C if the existing level is less than C.

1. Proposed recommended improvements. Describe the location, nature and extent of proposed improvements to assure sufficient roadway capacity. Accompanying this list of improvements shall be preliminary cost estimates, sources of funding, timing and likelihood of implementation by the Developer.
2. Volume/Capacity Analyses at critical points. Another iteration of the Volume/Capacity Analysis will be described that demonstrates the anticipated results of making these improvements.
3. Levels of service at critical points. As a result of the revised Volume/Capacity Analysis presented in the previous section, present levels of service for the highway system with improvements.

ARTICLE 5

MOBILE HOME PARKS

5.100 DESIGN STANDARDS DETAILS

All subdivisions and land developments that include the design of a mobile home park shall be subject to the following requirements and to all other applicable requirements of this Ordinance:

- A. Lot Requirements - All individual mobile homes located in a mobile home park shall have a minimum lot size, set back, area and side yard as required by any Zoning Ordinance of the Municipality or if no such Ordinance exists, by the requirements of Table 1, Minimum Lot Standards for Residential Subdivisions, on page 44 herein.
- B. Landscaped Buffer Areas - Except where affected by access roads or other functional design reasons all mobile home parks shall provide for the development and maintenance of a landscaped buffer area at least 10 feet in width (in addition to any required yards) along all property boundary lines consisting of fences and/or appropriate trees and/or other suitable natural plant materials. The construction of any buildings or accessory structures shall not be permitted within this buffer area. A Planting Plan for the buffer area specifying the type, size, and location of existing and proposed plant and fence materials shall be required.
- C. Size and Location of Mobile Home Parks
 - 1. All mobile home parks shall have a minimum overall tract area of five acres.
 - 2. The following minimum distances or setbacks shall be established from any individual mobile home to any of the following:
 - a. 25 feet to any adjoining mobile home
 - b. 15 feet to any driveway or access way serving an adjoining mobile home
 - c. 25 feet from any pavement or shoulder edge of any street or access way serving the mobile home
 - d. 15 feet from any street right-of-way line
 - e. 25 feet from any "common area" used to serve residents of the mobile home park
- D. Foundation Anchors and Enclosures
 - 1. An adequate number of foundation anchors for the placement and tie-down of the mobile home shall be provided for the purpose of stabilizing the super-structure against uplift, sliding, rotation and over-turning. Foundation anchors shall be adequately designed and installed to provide adequate tie-down as required above. Anchors shall be positioned at random distances as required for tie down purposes.
 - 2. All mobile home parks shall provide for the enclosure of the foundation area on which the mobile home unit is situated. Enclosures shall be installed within a minimum of 180 days after placement of a mobile home unit.

Article 5, Mobile Home Parks

- E. Off-Street Parking - At least two off-street parking places shall be provided for each mobile home.
- F. Required Improvements - All mobile home parks shall comply with the Required Improvements set forth in Article 6 and shall conform with the Design Standards set forth in Article 4.

All mobile home parks shall be served with adequate streets, sewer, water and other facilities and shall meet all the requirements of this Ordinance for residential subdivisions and land developments.

G. Other Utility Requirements

- 1. Each mobile home lot shall be provided with a suitable method for connecting the mobile home sewage drain outlet to the sewerline. Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall be encased in a waterproof catch basin.
- 2. Each mobile home lot shall have a water riser pipe that connects the mobile home water system to the central water system.
- 3. All fuel storage tanks shall be constructed in accordance with appropriate State agency and fire code regulations.

H. Special Design Features - The Commission will give special consideration to any unique design features required or provided by the mobile home park, including such factors as:

- 1. Lots laid out at an angle to streets to facilitate the movement of mobile homes.
- 2. One-way streets.
- 3. Design to facilitate vehicular circulation and vehicular access to each lot.
- 4. Common vehicle parking areas.
- 5. Provision of common recreation, Open Space or service facilities required to meet the needs of the mobile home park.
- 6. Provision of adequate and secure storage space and buildings to service the mobile home park.

I. Mobile Homes Not Located in Mobile Home Parks - Individual mobile homes, to be located on legally subdivided residential lot area that are not designed exclusively as a mobile home park shall conform with all other requirements applicable to other single family housing units. In such cases all such mobile homes shall be constructed on a permanent foundation.

ARTICLE 6

REQUIRED IMPROVEMENTS

6.100 APPLICATION

The minimum improvements required for all subdivisions and land developments that shall be provided and installed by the Applicant as a condition for final approval of any Plan shall be set forth in this section. Alternate improvement standards may be permitted if the Commission deems them equal or superior in performance characteristics to any specified improvements. All improvements are subject to the review, advice and inspection of the Commission and/or the Municipality in which the subdivision is located. Additional or higher type improvements may be required in specific cases where the Commission or the Municipality find them to be necessary to create conditions essential to the public health, safety and general welfare of the citizens of the County and Municipality.

6.200 SUMMARY OF REQUIRED IMPROVEMENTS

Minimum improvements to be required of the Applicant, where applicable, are set forth in Table 2 below. Additional improvements may be required in accordance with other adopted ordinances or regulations.

TABLE 2

REQUIRED IMPROVEMENTS TO BE PROVIDED

Type of Improvement Required	Medium Density Residential ^(a) and Non-Residential	Low Density Residential ^(b)	Very Low Density Residential ^(c)
Improved Streets	x	x	x
Adequate drainage and/or storm sewers ^(d)	x	x	x
Sidewalks	x	(e)	(e)
Monuments and Markers	x	x	x
Street Name Signs	x	x	x
Street Lighting	x	(f)	(f)
Fire Hydrants	(g)	(g)	(g)
Electric & Telephone	x	x	x
Central Water & Sewer	(h)	(h)	(h)

"x" Indicates that the improvement is required.

Footnotes: See next page

Article 6, Required Improvements

Footnotes for Table 2

- (a) Medium density includes developments having a density of more than three units per acre.
- (b) Low density includes developments having a density of between one and three units per acre.
- (c) Very Low Density includes developments having a density of no more than one unit per acre or recreational development considered to have an equivalent very low density by the Commission.
- (d) Sod, stone, or concrete swales and/or concrete or asphalt rolled curbs and gutters or valley gutters shall be provided in accordance with sound design and maintenance standards where required to adequately control stormwater. Responsibility for maintenance of such facilities shall be clearly identified on the plan.
- (e) Sidewalks will not normally be required except where needed to facilitate traffic to school, shopping, park or other uses that generate pedestrian traffic as determined by the Planning Commission or the Municipality in which subdivision or land development is located.
- (f) Street lighting may be required to the extent necessary to promote safety for residents and visitors, whenever a subdivision creates 7 or more lots or their equivalent.
- (g) Fire hydrants are required wherever a central water system is installed.
- (h) Central water and sewer facilities and capped sewers shall be required in accordance with County and municipal sewer and water plans and also with PA DEP requirements. Alternate or experimental water or sewage systems may be permitted if approved by PA DEP.

6.300 REQUIRED IMPROVEMENTS DETAILS

- A. All required improvements shall be constructed in accordance with the requirements of this Ordinance. The design of all required improvements shall be reviewed by qualified Planning Department staff and/or the Municipal or County Engineer, and said review shall include a determination that all improvements have been designed in accordance with the Design Standards set forth in Article 4 and with other applicable requirements and shall be consistent with sound engineering and construction practices.

6.400 FLOOD PRONE AREA REQUIREMENTS

- A. All development proposed in any identified 100-year floodplain, as set forth in "Flood Insurance" or Floodplain Ordinances or other applicable authoritative studies shall be designed in accordance with the requirements of such ordinances and with sound floodplain management principles. Such principles shall include the following:
 - 1. Development in the "floodway" portion of the floodplain shall be kept free of any encroachment that obstructs or limits the flow of water, except that temporary or seasonal uses that are not permanent and that can be moved or that do not obstruct the flow of water may be permitted by the Commission and/or Municipality. If they do not constitute a potential threat or hazard to life and property.

Article 6, Required Improvements

2. Development in the "floodway fringe" portion of the floodplain will be permitted, provided that hazardous velocities or increased flood hazards are not produced.

The "floodway" plus the "floodway fringe" constitute the 100-year floodplain area. The "floodway fringe" includes the outer limits of the 100-year floodplain area, which if completely obstructed would not increase the water surface elevation of the 100-year flood by more than one foot within the floodway.

- B. No subdivision and/or land development, or part thereof, shall be approved if the proposed development and/or improvements will individually or collectively, increase the 100-year flood elevation more than one foot at any point in the floodway area.
- C. Building sites for residences or other types of buildings or accommodations shall not be permitted in the floodway area. Sites for these uses may be permitted outside the floodway area if the buildings are protected or are elevated up to the regulatory flood elevation.
- D. If the Commission determines that only a part of a proposed plan can be safely developed, it shall limit development to that part only and shall require that development proceed consistent with this determination.
- E. When an Applicant does not intend to develop or construct the improvements shown on the plan, and the Commission determines that additional controls are required to insure safe development, it may require the Applicant to impose appropriate legal restrictions on the land or the proposed development.
- F. As a basis for determining conformance with these requirements, the Commission may utilize information provided by recognized applicable authorities or studies.
- G. All development in flood prone areas shall comply fully with the adopted Flood Plain Ordinances of the Municipality in which the subdivision or development is located.

ARTICLE 7

PLAN REQUIREMENTS

7.100 SKETCH PLAN

Sketch Plans shall be legibly drawn at a scale of 1" to 100' or 200' and shall contain sufficient information to indicate the nature, scope and concept of the proposed subdivision and land development, the major problems to be resolved, the location of the subdivision tract, preliminary or U.S.G.S. topography if available, the name of the land Owner and other data considered essential by the Applicant in presenting his/her proposal.

7.200 PRELIMINARY PLAN

7.201 Scale

A. Preliminary Plan shall be at a scale of not more than 100 feet per inch.

7.202 Plan Information

A. The Preliminary Plan shall show or be accompanied by the following information:

1. Proposed subdivision name or identifying title.
2. North point, scale and date.
3. Name of the Owner of the property and of the Applicant if different from the Owner.
4. Name of the registered Engineer, Surveyor, Architect, or Planner responsible for the Plan.
5. Tract boundaries with bearings and distances and total number of acres being subdivided.
6. Topographical contours at vertical intervals of not more than 20 feet shall be provided on the plan. In areas of steep slopes that are affected by development or earth moving, floodplain areas, construction areas, stormwater detention and retention facilities and conveyance swales, and in other sensitive areas where a more detailed topographical understanding is required, the Commission may require contours at an interval of 5 feet.
7. Where reasonably practicable, data shall refer to known established elevations.

Where required, all contours and elevation points within the subdivision tract shall be established and run direct from U.S. Coast and Geodetic Bench Marks within one half mile of tract boundaries with said datum fixed on permanent monuments in the subdivision. The Preliminary and Final Plans shall contain a full and complete description of all such benchmarks and their elevations above mean sea level. In the event U.S. Coast and Geodetic Bench Marks are not readily available, a beginning benchmark will be established from U.S.G.S. Map Quadrangles and noted on the plan.

8. If a building lot is proposed, soils information as mapped by the U.S. Soil Conservation Service or by another competent qualified soils scientist.
9. All existing water courses, tree masses, rock outcropping, stone fields, caverns or sinkholes, and other significant natural features.
10. All existing buildings, sewers, water mains, culverts, petroleum or petroleum product lines, fire hydrants, dumps and hazardous material sites, septic systems, wells, and other man-made features on the property and within fifty feet of the perimeter of the lot(s) being subdivide shall be shown on the plan.
11. All existing streets on or adjacent to the tract, including name, right-of-way width and pavement width.
12. All "wetland" areas shall be identified as defined and regulated by PA DEP and/or the U.S. Army Corps of Engineers.
13. All existing property lines, easements and right-of-way and the purpose for which the easements or rights-of-way have been established, including Agricultural Security Areas and legally established Agricultural Conservation Easements.
14. A location map for the purpose of locating the site to be subdivided at a scale not more than 2000 feet to the inch showing the relation of the tract to adjoining property and to all streets, roads and municipal boundaries existing within 1000 feet of any part of the property proposed to be subdivided.

Also, when applicable, a map showing the location of the proposed subdivision and/or land development, with respect to any involved Flood Plain District, including information on, but not limited to, the one hundred (100) year flood elevations, boundaries of the designated Flood Plain District, proposed lots and sites, fills, flood, or erosion protective facilities.

15. Location and width of all proposed streets, alleys, rights-of-way and easements; proposed lot lines with approximate dimensions; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use; proposed public utilities and drainage facilities shall be required including preliminary street profiles showing the proposed finished grade along the center line and along each right-of-way line.
16. The Preliminary Plan shall show the names of owners of all abutting unplotted land and the names of all abutting subdivisions.
17. Where the Preliminary Plan covers only a part of the Applicant's entire holdings, a sketch shall be submitted of the potential future street layout for the remainder.
18. Copies of the proposed deed restrictions, if any, shall be attached to the Preliminary Plan.

B. The Preliminary Plan shall include therein or be accompanied by:

1. All required permits and related documentation from the PA DEP and any other Commonwealth Agency, or from the County or Municipality where any alteration or relocation of a stream or watercourse is proposed.

2. Documentation indicating that all affected adjacent municipalities, PA DEP, the Department of Community Affairs, and the Federal Insurance Administrator have been notified whenever any alteration or relocation of a stream or watercourse is proposed.
3. If applicable, a Traffic Impact Study shall be prepared pursuant to Section 4.216.
4. Any other studies or reports required by this Ordinance.

7.300 FINAL PLAN

7.301 Plan Size and Legibility

- A. The subdivision plan submitted for final approval shall be a clear, legible black or blue line print on white paper, or suitable equivalent.
- B. Final Plans shall be on sheets not larger than 36 inches by 48 inches overall. It is recommended that as far as practicable, Final Plan sheets be held to the following overall sizes: 18 inches by 24 inches or 24 inches by 36 inches. Where necessary to avoid sheets larger than the maximum size prescribed above, Final Plans shall be drawn in two or more sections accompanied by a key diagram showing relative location of the sections.

7.302 Plan Scale and Required Information

- A. The Final Plan shall be legible and at a scale of not more than 100 feet per inch and shall include the following information:
 1. Subdivision name or identifying title, as well as a brief narrative describing the proposed project.
 2. North point, scale, and date, as well as a site location map of sufficient size and scale to clearly show the location of the property and its relation to the surrounding area.
 3. Name of the record Owner and Applicant.
 4. Name and seal of the registered professional engineer and/or other qualified professional responsible for the plan.
 5. Boundaries of the tract, including total acreage of the entire existing tract.
 6. Street lines, lot lines, rights-of-way, easements, and areas dedicated or proposed to be dedicated to public use.
 7. Sufficient data to determine readily the location, bearing and length of every street, lot, and boundary line and to reproduce such lines on the ground. However, for minor subdivisions if the residual lot is twenty acres or more, the associated bearing and distances for the boundary of the residual land may be described, at the surveyor discretion, by the existing metes and bounds description from the property deed.

Article 7, Plan Requirements

8. The length of all straight lines, radii, lengths of curves, tangent bearings, and deflection angles for each street.
9. All dimensions and angles or bearings of the lines of each lot and of each area proposed to be dedicated to public use.
10. The proposed building setback lines from each lot line, or the proposed placement of each building. If a building lot is proposed, soils information as mapped by the U.S. Soil Conservation Service or by another competent, qualified soils scientist.
11. Location, size and invert elevation of all sanitary and storm sewers and location of all manholes, inlets and culverts and reference locations for all underground utilities.
12. All dimensions shall be shown in feet and hundredths of a foot.
13. Lot numbers, and any official Parcel Information Number(s) (PIN) established by the County. Deed book and page number and tax parcel identification number of tract to be subdivided or developed shall also be provided.
14. Names of streets within and adjacent to the subdivision.
15. Location of permanent reference monuments shall be shown.
16. Names of any adjoining subdivisions shall be shown.
17. Names of the Owners of any adjacent land shall be shown, as well as deed book and page numbers and tax parcel identification numbers.
18. A letter of intent from the Municipality indicating willingness or conditions for acceptance of dedication of streets and other public property.
19. Certificate for approval or review as required with signatures by the Chairman (or his/her designated representative) of the Planning Commission, attested by the Subdivision Officer and with space for acknowledgement of receipt of the Plan by the Mifflin County Recorder of Deeds when it is presented for recording.

When the Plan is submitted for review purposes only by the County Planning Commission, as required by the Pennsylvania MPC, then an additional certification shall be included for official approval by the Municipality in which the Plan is located.
20. All existing buildings, sewers, water mains, culverts, petroleum or petroleum product lines, fire hydrants, dumps and hazardous material sites, septic systems, wells, and other man-made features on the property and within fifty feet of the perimeter of the lot(s) being subdivided shall be shown on the plan.
21. For a lot addition subdivision a "lot combination symbol" shall be provided on the plan clearly indicating the conveyance of land from the grantor to the grantee. The symbol used shall represent a "Z".

22. For a lot addition subdivision the following note shall be placed on the plan:

Lot # () consisting of () acres is to be added onto land owned by (). Lot # () is a lot addition and shall become an integral part of the property owned by (). Lot # () is not a building lot and cannot be maintained or developed as a separate individual lot.
 23. Topographical contours at vertical intervals of not more than 20 feet shall be provided on the plan. In areas of steep slopes that are affected by development or earth moving, floodplain areas, construction areas, stormwater detention and retention facilities and conveyance swales, and in other sensitive areas where a more detailed topographical understanding is required, the Commission may require contours at an interval of 5 feet.
 24. An inset map where a lot addition is involved, or where the proposed subdivision is not directly connected to a public road system (See Section 3.501 A.).
 25. All wetland areas shall be identified as regulated by PA DEP and/or the U.S. Army Corps of Engineers.
 26. All existing water courses, tree masses, rock outcroppings, stone fields, caverns, sinkholes, floodplains, and other natural features. This information shall be required only for the land to be developed and not the undeveloped residual property when it exceeds 20 acres. Minor subdivisions are exempt from this provision with the exception of the identification of floodplain information.
 27. Location of proposed sidewalks and/or trails showing width, grades, and ramps for ADA accessibility requirements.
 28. Location of proposed streetlights, street name signs, and traffic control devices and/or signs and pavement markings.
 29. Lighting plan in accordance with Section 4.203 I. of this ordinance indicating types, sizes, quantities, and locations of light fixtures.
 30. A landscape plan, if applicable, in accordance with Section 4.214 G. of this ordinance including the names, sizes, quantities, and approximate locations of all proposed plant materials, if required.
 31. For lots requiring access onto a state route or highway, a copy of a PennDOT Highway Occupancy Permit (HOP) shall be required, or at a minimum, verification that an HOP application has been submitted to PennDOT. For lots requiring access onto a township or borough street, the appropriate municipal driveway permit shall be submitted, if applicable.
 32. A waiver request with supporting rationale for any modification from provisions within this ordinance.
- B. The Final Plan shall include thereon or be accompanied by:
1. An affidavit that all Owners of the land proposed to be subdivided agree to the submission of the Plan.

2. A statement duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the Owner or Owners of the property, to the effect that the subdivision or land development as shown on the Final Plan, is made with free consent and that it is desired to record the same. In the case of a lot addition subdivision, the property Owner(s) receiving the lot addition shall also sign the Final Plan acknowledging the receipt of the additional land and that it is desired to record the same.
3. Certification approval from the PA DEP when individual or community on-lot sewage disposal or water systems are to be installed as required by Section 4.211 of this Ordinance.
4. Certification acceptable to the Commission from the Designated Engineer or the Municipality that the Applicant has met the applicable requirements of Articles 4, 5, 6, 7, and 8 of this Ordinance.

Such certification shall also include a listing of any incidences of non-compliance, specifically identifying the section(s) of this Ordinance that have not been complied with.

5. Construction plans for all required improvements including typical cross sections, street profiles and drainage details for all streets. 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; proposed finished grade at top of curbs; sanitary sewer mains and manholes; storm sewer mains, inlets, manholes and culverts. All such plans shall include public improvements list and shall be in a form suitable to serve as a basis for documenting all improvements to be installed.
6. A contour grading plan may be required if deemed necessary by the Commission or Municipal or County Engineer or governing body to properly establish grading and drainage patterns. Where buildings are proposed to be developed by the Applicant, such a plan may be required to indicate building ground and basement floor elevations.
7. Copies of private deed restrictions, covenants and grants of easements, homeowner association agreements, or other restrictions.
8. Any other special plans required in accordance with Sections 4.203, 4.211, 4.212, 4.213 and other sections of this Ordinance.
9. A Development Agreement and Financial Security as required herein and in Article 8.
10. If applicable, a Traffic Impact Study shall be prepared pursuant to Section 4.216.
11. Any other reports or studies required by this Ordinance. This may include additional information deemed by the Commission as necessary to protect public health, safety, and welfare as provided in Section 4.203, Environmental Protection Standards, of this ordinance.

ARTICLE 8

INSTALLATION OF REQUIRED IMPROVEMENTS

8.100 IMPROVEMENTS TO BE PROVIDED BY SUBDIVIDER

In all cases, the Applicant shall be responsible to pay for the cost of installation of all required improvements under supervision of the Municipality and County in which the plan is located and in the manner specified by the Commission and/or the Municipality and in accordance with Sections 509 and 510 of the Pennsylvania MPC.

8.200 METHOD OF PROVIDING IMPROVEMENTS

No Final Plan shall be approved by the Commission until provision has been made by the Applicant for the proper installation of required improvements in either of the following ways, in accordance with the requirements of the Pennsylvania MPC.

- A. Construction of Improvements -The Applicant may elect to physically install, prior to Final Plan approval, all of the required improvements in accordance with the standards and specifications contained in this Article and with the Final Plan submitted to the Commission provided that such Final Plan has been conditionally approved by the Commission subject to the construction of improvements as required herein and subject to the execution of a Development Agreement set forth in Section 8.400.

During construction of all improvements, the Designated Engineer and Planning Department staff shall be authorized by the Commission to inspect said improvements and shall certify if all improvements have been installed in accordance with this Ordinance. Upon receipt of such a certification, the Commission may then proceed to approval of the Final Plan.

- B. Financial Security - In lieu of Section 8.200 A. above, the Applicant shall deposit, with the Municipality in which the subdivision or land development is located, sufficient financial security to secure to the public the completion of all of the required improvements within one year of the proposed completion date that is set forth in the Subdivision Plan and in the Development Agreement referred to below in accordance with the requirements of the Pennsylvania MPC.

Said Financial Security shall be provided by posting a bond with a bonding company or with a Federal or Commonwealth chartered lending institution. The amount of said Financial Security shall be equal to 110% of the cost of completion of the required improvements estimated as of 90 days following the date scheduled for completion by the Applicant.

Said estimate shall be prepared and may be revised annually as set forth in the Pennsylvania MPC. Said amount of security may be increased by the Commission by an additional 10% for each one year period beyond the first anniversary date for the initial posting of the Financial Security.

The provision of such financial security may be made available by the Applicant in accordance with any staging plans approved by the Commission.

Notwithstanding the submission of said Financial Security as required herein, no occupied structure within the proposed subdivision or land development shall be without suitable street access improved with at least the required base, curbs, gutters, and utilities for a period of time longer than six months.

8.300 FINANCIAL SECURITY FOR MAINTENANCE

Where the Municipality accepts dedication of any required improvements, said Municipality may require the posting of Financial Security to secure the structural integrity and functioning of said improvements in accordance with the design and specifications approved in the Final Plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication.

Financial Security for maintenance shall be posted as required by Section 8.200 B. in the amount of up to 15% of the actual cost of the installation of said improvements, as required by the Municipality accepting dedication of the required improvement. Financial Security for maintenance of improvements installed under the jurisdiction and rules of a public utility or a municipal authority shall be posted in accordance with the requirements of said public utility or municipal authority or other appropriate agency and shall not be included in the Financial Security posted with the Municipality.

8.400 DEVELOPMENT AGREEMENT

All Applicants proposing any subdivision or land development requiring the installation of improvements as required herein shall be required to enter into a legally binding Development Agreement with the Municipality guaranteeing the installation of said improvements in accordance with this Ordinance. The Development Agreement shall be in form suitable for execution by the Municipality and it shall consist of the following where applicable:

- A. The construction authorized by the approved Final Plan, or in the case where Section 8.200 A. applies, in accordance with the conditionally approved Final Plan.
- B. Construction of streets with any other required improvements.
- C. Installation of utility lines.
- D. Installation of street lighting poles and underground street lighting cable.
- E. Dedication of streets, transfer of water and sewer lines and easements to the applicable Municipality.
- F. Prevention of erosion and water damage to adjacent property.
- G. Applicant's responsibilities for damage to other property.
- H. The responsibility for providing necessary inspections to ensure compliance with this Ordinance shall be clearly identified.
- I. A work schedule, including beginning and ending dates, for improvements contained herein.
- J. All planning, engineering, inspection, and legal service costs incurred or to be incurred by the Commission and/or the Municipality including cost of preparing this Development Agreement shall be identified and that amount agreed upon for payment by the Applicant on a regular basis.
- K. Posting of the required Financial Security to insure completion of all of the required improvements in accordance with Section 8.200 B.

Article 8, Installation of Required Improvements

- L. Where the Municipality accepts dedication of any required improvement, posting of the Financial Security may be required by the Commission to secure the structural integrity and the functioning of said improvement in accordance with Section 8.300.
- M. The developer shall provide the Commission and the Municipality with two sets of reproducible “AS BUILT” plans, including all improvements that are properly referenced to identify specific locations.
- N. Provisions for violation of the Development Agreement.
- O. The Applicant shall secure or maintain public liability insurance.
- P. A save harmless clause.
- Q. Liability of Applicant during warranty period.
- R. Other requirements to assure compliance with this Ordinance.

No improvements shall be commenced or work begun prior to the execution of this Agreement, and the delivery of the required Financial Security in compliance with Section 8.200 B. if applicable.

8.401 County Development Agreement

In the event that the Municipality indicates its desire not to participate or enter into a binding development agreement with the Developer, then the Commission may enter into a substitute development agreement with the Developer meeting the requirements of Section 8.400.

8.500 RELEASE FROM FINANCIAL SECURITY FOR COMPLETION OF IMPROVEMENTS

The Financial Security provided by the Applicant for the completion of all improvements shall be released as follows:

- A. When the Applicant has completed all of the necessary and approved improvements, he shall so notify the Commission and the Municipality in writing and send a copy to the Designated Engineer.
- B. Within ten days of receipt of such notice, the Commission and the Municipality shall direct and authorize the Designated Engineer to inspect all of the improvements.
- C. The Designated Engineer shall then file a written report with the Commission and the Municipality and shall mail a copy to the Applicant within 30 days after his/her receipt of authorization to inspect all improvements. Said reports shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, with a statement of reasons for any non-approval or rejection.
- D. The Commission and the Municipality shall notify the Applicant in writing of its action in relation to the improvements provided.
- E. If the Commission or the Designated Engineer fail to comply with the above time limits, all improvements will be deemed to have been approved and the Applicant shall be released from all liability pursuant to its Financial Security.

Article 8, Installation of Required Improvements

- F. Any improvements not approved or rejected by the Commission or the Municipality shall be expeditiously completed by the Applicant and upon completion, the same notification procedure as above shall be followed.
- G. If any required improvement has not been installed as required by this Ordinance, by the approved Final Plan or by the executed Development Agreement, then the Municipality shall enforce the Financial Security posted by appropriate legal and equitable remedies. If the proceeds of such Financial Security are insufficient to pay the cost of installing or making repairs or corrections to the required improvements, the Municipality may, at its option, install part of such improvements and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder.

8.600 RELEASE FROM FINANCIAL SECURITY FOR MAINTENANCE

The Financial Security for maintenance shall remain in effect for a period of 18 months after acceptance of dedication by the Municipality or other appropriate agency. Said release shall be affected utilizing the same notification procedures set forth in Section 8.500.

8.700 EXEMPTION FOR MINOR SUBDIVISIONS

The provisions of this Article 8 may be waived by the Commission only for the following types of subdivisions if the Commission determines and makes a finding in writing with the appropriate reasons set forth, that conformance to said Sections are not required to ensure the proper completion of the subdivision in accordance with the intent and objectives of this Ordinance.

- A. Minor subdivisions and/or land developments not involving the provisions of any new streets, easements for access or other public improvements.
- B. Subdivision to be served by a private street as permitted herein, which is not subject to future extension and where such private street serves no more than 6 dwelling units. The above exemption shall not apply if it includes only the partial or staged development of a tract, where the size, number of lots or provision of new streets for the entire development exceeds the limits set forth above.

8.800 COOPERATION AGREEMENT WITH MUNICIPALITY

The Commission and the Municipality may enter into a Cooperation Agreement clearly setting forth the responsibilities of each party with respect to the installation of required improvements in said Municipality. Said Cooperation Agreement, if it differs from the procedures set forth in this Article 8 shall prevail and supersede any of the applicable specific requirements contained herein.

8.900 IMPROVEMENTS NOT DEDICATED OR NOT ACCEPTED FOR DEDICATION

All improvements constructed as required by this Ordinance that will not be publicly dedicated or accepted for dedication shall also meet the following requirements:

- 8.901 Ownership and Maintenance Responsibility/Entity. A viable entity responsible for ownership and maintenance of all non-dedicated improvements shall be established by the developer and approved by the Commission and the municipality. Ownership and maintenance responsibilities may be assigned to either the developer or among the property owners or an association of property owners within the subdivision or land development.

Article 8, Installation of Required Improvements

- 8.902 Improvements Benefiting Multiple Lots. For all non-dedicated improvements that will not be owned and maintained by the developer and are situated on an individual lot or a series of contiguous lots but serve multiple lots, units or the entire subdivision or land development (i.e. stormwater management ponds) the responsibility for ownership and maintenance of such improvements shall be borne by all lot owners benefiting or served and not solely the lot owner on whose lot said improvements are situated.
- 8.903 Ownership and Maintenance Agreement. A private agreement suitable for recording in the Mifflin County Recorder of Deeds Office shall be prepared, properly executed, and recorded with the final subdivision or land development plan and shall run with the land and shall clearly identify the individual or entity responsible for the ownership and maintenance of non-dedicated improvements. Said agreement shall be reviewed and approved by the Commission, Commission Engineer and the municipality and, at a minimum, shall stipulate the following:
- A. That the owners, an association of property owners, successors and assigns shall keep all improvements in a safe and attractive manner and the owner shall convey to the municipality easements and/or rights-of-way to assure access for periodic inspections by the municipality and maintenance, if required.
 - B. That if the owners, association of property owners, successors and assigns, fail to maintain the improvements following due notice by the municipality to correct the problems, the municipality may perform the necessary work or corrective action. The owners or association of property owners shall reimburse the municipality for these services. The municipality shall have the authority to assert a judgment lien against the said owners or association of property owners for failure to make said reimbursement(s).
- 8.904 Deed Reference. All deeds created for lots that contain non-dedicated improvements shall make clear and specific reference as to the following:
- A. Description of all improvements not dedicated;
 - B. The individual(s) or entity responsible for ownership and maintenance of said improvements in accordance with Sections 8.901, 8.902, and 8.903 of this Ordinance;
 - C. The Ownership and Maintenance Agreement as required by Section 8.903 of this Ordinance;
 - D. Terms and conditions of the required maintenance;
 - E. That no improvements shall be eliminated or altered without the written approval of the Commission and the municipality;
 - F. That in the event improvements are altered, eliminated, or improperly maintained the municipality may prescribe necessary corrective measures and a reasonable time period to perform such work and that if such action is not taken in the time period specified the municipality may cause the work to be performed and invoice the ownership and maintenance entity, including the assertion of a judgment lien against it; and

Article 8, Installation of Required Improvements

- G. That all improvements not offered for dedication may be offered in the future if said improvements meet the minimum standards of this and/or applicable municipal ordinances in effect at the time the offer of dedication is made. If the improvements do not conform to the minimum standards in effect the municipality shall have no obligation to accept said improvements until such time the improvements are improved to meet said standards, all costs of which shall be borne by the owner, association of property owners, their successors and assigns.

ARTICLE 9

ADMINISTRATION AND ENFORCEMENT

9.100 ADMINISTRATIVE ACTION

9.101 Subdivision Officer - The Subdivision Officer shall be the designated officer of the Commission who shall act as the officer responsible for administration of this Ordinance. The Subdivision Officer shall receive and examine all subdivisions and land developments in the name of the Commission and shall refer copies of all such plans and applications to appropriate agencies or officials involved. The Commission may utilize the assistance of the Designated Engineer or other agency designated by the Commission to assist the Subdivision Officer.

The Subdivision Officer shall also receive information from such agencies or officials and shall transmit these comments to the Commission. The Subdivision Officer shall keep records of all applications and plans and of actions taken by the Commission on such applications and plans. The Designated Engineer, at the request of the Subdivision Officer or the Commission, shall make all required inspections called for in this Ordinance. The Subdivision Officer shall also inform the Applicant and the Commission and the Municipality of any violations of this Ordinance that shall become known to him or her.

The Commission shall designate the specific person to serve as the Subdivision Officer. Said Subdivision Officer may be any person qualified to carry out the duties set forth herein, as determined by the Commission.

9.102 Commission - The Mifflin County Planning Commission, with the assistance of the Subdivision Officer and any other agency or professional designated by the Commission shall review all plans to determine conformity with this Ordinance and shall hold necessary public hearings and shall approve, approve with conditions, or disapprove all plans submitted and shall grant any necessary modifications, variances, or waivers and shall perform all other duties required under this Ordinance.

After approval of any Final Plan, the Subdivision Officer shall be directed to take any necessary action including coordination with the Municipality relative to the making of arrangements for acceptance of dedication of any public right-of-way area shown on the plan by the Municipality involved and also relative to the execution of the Development Agreement with the Applicant.

9.103 Endorsement of Record Plan - Upon approval of any Final Plan by the Commission, and upon compliance with all required conditions, the Chairman of the Commission shall endorse the required number of copies of the Final Record Plan, as of the date of compliance with all conditions, as required in Section 3.302 I.

9.104 Subdivision Records - The Subdivision Officer shall keep a record of the findings, decisions and recommendations relative to all subdivision plans and applications filed for approval. Such records shall be open to the public for review.

9.200 WAIVERS, APPEALS, AND AMENDMENTS

- A. The Mifflin County Planning Commission, may grant a waiver of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such waiver will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.
- B. All requests for a waiver 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 waiver necessary.
- C. The Mifflin County Planning and Development Department shall keep a written record of all action on all requests for waivers.

9.201 Reconsideration and Appeals to Commission - Any Applicant aggrieved by a finding, decision or recommendation of any official may request and receive opportunity to appear before the Commission, present additional relevant information, and request reconsideration and/or appeal of the original finding, decision, or recommendation.

9.202 Procedure For Applying - Applications for waivers, variances and appeals to the Commission shall be submitted in writing. The Application shall state fully the grounds and all the facts relied upon by the Applicant. The Commission shall act upon such application within a period of 45 days.

9.203 Appeals to Court - The decisions of the Commission with respect to the approval or disapproval of plans may be appealed directly to court as provided for in the Pennsylvania MPC.

9.204 Revision and Amendment - The County Board of Commissioners may, from time to time, amend this Ordinance by appropriate action taken after a public hearing on said proposed revisions.

Public notice of the date, time and place of such public hearings together with a brief summary setting forth the principal provisions of such amendments, indicating the place and time where copies of the proposed amendments may be examined. Any amendment, other than that prepared by the County Planning Commission shall be submitted to such Planning Commission at least 30 days prior to the date fixed for the public hearing on such amendment.

9.300 PREVENTATIVE REMEDIES

- A. In addition to other remedies, the Commission and/or the County may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages, and to prevent illegal occupancy of a building, structure, or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

Article 9, Administration and Enforcement

B. The County 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 article. 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 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 Commission may require compliance with the conditions that would have been applicable to the property at the time the Applicant acquired an interest in such real property.

9.400 ENFORCEMENT REMEDIES

- A. Any person, partnership, or corporation who or that has violated the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the County, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the County as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the County 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.
- B. 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.
- C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the County the right to commence any action for enforcement pursuant to this section.

9.500 CONFLICT AND VALIDITY

9.501 Validity - If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

9.502 Hold Harmless Clause - Any approval granted by the Commission under this Ordinance does not relieve the Applicant of the legal responsibility for meeting all other legal requirements under local, Commonwealth and Federal law, and said Applicant shall be responsible for providing a safe, environmentally sound, and properly constructed subdivision that does not adversely affect the public health, safety or welfare. All aggrieved persons, firms, or corporations may take appropriate legal remedies against the Applicant in the event of any failure on the part of the Applicant. The County of Mifflin, the County Commissioners, the County Planning Commission, including all employees or consultants of the County or the Commission and the Municipality in which the subdivisions or land development is located, are hereby held harmless in the event of any failure on the part of the Applicant.

9.600 REPEALER

All ordinances or parts of ordinances and all resolutions or parts of resolutions that are inconsistent with this Ordinance shall be and the same expressly are repealed.

ARTICLE 10

OPEN SPACE DEVELOPMENT OPTION

10.100 PURPOSE

Mifflin County recognized the importance of Open Space and the amenities it provides. As such, the Mifflin County Comprehensive Plan supports Open Space Development. It is the intent of this Article to implement the Mifflin County Comprehensive Plan, encourage Open Space Development and promote desirable community development by:

- A. Maintaining a healthy residential environment with adequate Open Space and recreational amenities.
- B. Encouraging land use and development patterns that complement and accentuate the distinctive features of the County's landscapes and natural environment including prime agricultural soils, woodlands, wetlands, stream corridors, steep slopes, and scenic views.
- C. Providing an opportunity for flexibility in lot designs and building arrangement not afforded by conventional lot-by-lot development.
- D. Providing for a more varied, innovative, and efficient development pattern.

10.200 ELIGIBILITY

10.201 Areas Permitted

Open Space Development shall be permitted as a development option provided the Applicant demonstrates, to the satisfaction of the Mifflin County Planning Commission, compliance with all design standards and criteria of this Section, as well as all other applicable provisions of the Mifflin County Subdivision and Land Development Ordinance. If a local Municipality has adopted a Zoning Ordinance, but relies on the Mifflin County Subdivision and Land Development Ordinance, this option must be a permitted use in the Zoning District in which this development option is proposed.

10.202 Water Supply

Open Space Developments shall be served by water supply systems in accordance with the provisions of the Subdivision and Land Development Ordinance, local Zoning Ordinance, and any state or federal regulations. The Applicant shall demonstrate, to the satisfaction of the Commission that an adequate water supply exists for the intended residential and Open Space uses. The Commission may also require agreements and financial assurances to ensure proper long-term operation, maintenance, and ownership of the water system.

10.203 Sewage Disposal

- A. As a condition of approval, the Applicant shall demonstrate to the satisfaction of the Commission, that adequate sewage disposal services exist for the intended residential, nonresidential, and Open Space uses.
- B. Development under the Open Space Development option shall be served by sewage disposal systems consistent with local Sewage Facilities (Act 537) Plan, if applicable,

and in accordance with the provisions of the Subdivision and Land Development Ordinance, subject to demonstration of compliance with all applicable regulations of the PA DEP.

- C. Any proposed wastewater disposal system that requires a permit issued by DEP and is not owned or operated by a municipal authority shall be required to comply with specific conditions that ensure the long-term proper operation and maintenance of such facilities. Such requirements shall be established by the Township Board of Supervisors or Borough Council to ensure consistency with PA Code Title 25, Chapter 71, Section 71.72 relating to the establishment of the legal entity responsible for such systems and financial assurances for the completion, maintenance, and operations of such facilities.
- D. Where individual or community on-lot sewage disposal systems are provided, such systems shall not be located within common Open Space areas. Such systems shall require adequate deed restrictions and legal agreements between the Owner of such system and the Owner of the common Open Space, which specify ownership, operation, and maintenance responsibilities.

10.204 Plan Processing

The tract of land to be developed shall be in single ownership or, if in multiple ownership, shall be developed according to a single plan with common authority and responsibility. The Applicant is strongly encouraged to submit a sketch plan to the Mifflin County Planning Commission and to discuss community development and Open Space resource conservation objectives with the Planning Commission prior to the preparation of a preliminary plan.

10.300 GENERAL REGULATIONS

10.301 Permitted Uses - The following uses are permitted within an Open Space Development:

- A. All uses as governed by the Mifflin County Subdivision and Land Development Ordinance when there is no local Zoning Ordinance. Where a local Subdivision and Land Development or Zoning Ordinance has been adopted, this development option must be a permitted, conditional, or special exception use to be employed for all uses permitted under that Zoning District.
- B. Open space uses as set forth in Subsection F.1.e. of this Section.

10.400 OPEN SPACE REQUIREMENTS

- A. For all residential and subdivision and land developments of more than 10 units, the required Open Space shall be no less than one (1) acre per 125 residents or fraction thereof expected to reside in the proposed development.
- B. For nonresidential developments providing 25,000 square feet or more of gross leaseable floor area for retail, office, commercial, institutional, public, or industrial use, at least five (5) percent of the gross land area of the site shall be set aside as Open Space for the use and enjoyment of site occupants and users.
- C. For all proposed subdivisions and land developments of more than forty (40) units, the amount of land required to be set aside for Open Space shall be at least 25 percent of the entire subdivision or land development land area.

D. Permitted Density Calculation

To determine the potential number of dwelling units permitted for Open Space Developments, the Applicant shall prepare a conceptual “yield plan” depicting the conventional development of the tract of land according to the design standards of the Mifflin County Subdivision and Land Development Ordinance, or applicable Zoning District in which the property is located. The yield plan shall comply with the minimum requirements for sketch plans as stated in the Subdivision and Land Development Ordinance, as well as any other applicable ordinances. The Applicant shall then prepare a conceptual Open Space Development plan with a maximum number of dwellings not to exceed the number of dwellings depicted on the yield plan. The Commission and local Board of Supervisors shall review the yield plan and provide comments to the Applicant regarding compliance with this Section. Applicants are strongly encouraged to present the yield plan to the Commission and Board of Supervisors as early as possible to obtain input regarding the calculation of the number of dwellings permitted in the Open Space Development.

E. Residential and Nonresidential Area and Bulk Regulations

The following lot and yard area regulations shall apply to any principal residential structures and principal nonresidential structures. Proposed lots are not subject to a minimum lot area. The Applicant shall indicate for each permitted use, including potential accessory uses, the limits of the building envelope within which compliance with these provisions is feasible:

1. The minimum separation between residential principal structures at any point shall be 20 feet, except that the minimum separation measured perpendicularly from the rear wall of any dwelling to any point on any other building not accessory to such residential structure shall be 50 feet. The minimum separation between nonresidential principal structures at any point shall be 50 feet, except that the minimum separation measured perpendicularly from the rear wall of any nonresidential structure to any point on any other building not accessory to such structure shall be 60 feet. For both residential and nonresidential principal buildings the minimum front yard setback shall be 20 feet.
2. Accessory structures shall be setback at least five feet from any property line and shall be permitted only in rear yards.
3. Where any portion of any principal or accessory structure is located less than five feet from any lot line, a perpetual easement providing for maintenance of such structure, and measuring no less than five feet in width from the affected walls, shall be provided on the adjacent lot(s). This provision shall not apply to lot lines that separate two-family or multi-family dwelling units on the interior of the same principal structure.
4. The minimum setback of principal buildings from the right-of-way shall not be less than 20 feet except as provided under Subsection E.5.
5. All proposed dwelling units in an Open Space Development shall be situated so that they are set back a minimum distance from the pre-development perimeter boundary of the tract equal to the applicable minimum yard dimension under the Mifflin County Subdivision and Land Development Ordinance or applicable Zoning District provisions. Existing dwellings and dwellings resulting from the conversion of

existing structures shall be exempt from this requirement except that additions to such existing structures shall not further reduce required setbacks.

6. The maximum length of any residential building, including rows of single-family attached dwellings or buildings containing multiple family dwellings, shall not exceed 160 feet.
7. The maximum building heights for principal buildings shall not exceed forty-five (45) feet or what is permitted by a local Zoning Ordinance. Accessory structures shall not exceed twenty (20) feet or what is permitted by a local Zoning Ordinance.
8. The maximum lot coverage (including all impervious surfaces) for all building lots shall not exceed thirty (30%) percent, or the maximum permitted by the Zoning District.
9. While conformance to these area and bulk regulations is not dependent upon any specific minimum lot area or dimensions, the Applicant shall be required to demonstrate to the satisfaction of the Commission that all lots established under the provisions of this Section are of appropriate size and shape relative to provide for the establishment of suitable private yard areas for all dwellings and adequate access for the management of any adjacent Open Space areas.
10. Flag lots may be utilized where appropriate; however, no more than 10% of the total number of lots may be designed as flag lots and each flag lot shall have a minimum area of 10,000 square feet.
11. No dwelling units within the Open Space Development shall have direct driveway access to surrounding existing Municipal or State roads. All driveways shall access internal street systems as designed for the project.
12. All Open Space Developments with single family attached dwellings or multi-family dwellings shall include adequate parking for visitors. Such visitor parking areas shall provide a minimum of one (1) parking space per two (2) dwellings or fraction thereof. On-street parking will be permitted provided that such parking spaces are painted and designed in accordance with the governing Subdivision and Land Development Ordinance.
13. Where adjacent curb cuts accessing separate residential properties are separated by less than 25 feet, one additional off-street parking space shall be provided on each property that abuts the curb cut or in an off-street common parking area.

As a condition of approval, the Commission at its sole discretion may agree to vary any of the standards stipulated in this Section where the Applicant has demonstrated to the satisfaction of the Commission that the purposes of this Section are better served through such variation.

10.500 CONSERVATION AND DEVELOPMENT DESIGN STANDARDS

10.501 General Development Standards

- A. Except where this Section specifies otherwise, all design and performance standards and other regulations applicable in the Mifflin County Subdivision and Land Development Ordinance or applicable Zoning District shall apply to any Open Space Development.

- B. The placement of buildings and design of internal circulation systems shall minimize the number of intersections on Municipal and State roads.
- C. The Applicant shall demonstrate compliance with applicable state and/or federal regulation of streams and wetlands. For any proposed activity requiring the submission of a wetland delineation report, stream or wetland encroachment permit application or mitigation plan to the PA DEP and/or US Army Corps of Engineers or successive agencies, a copy of all such documentation shall be submitted to the Commission by the Applicant.

10.502 Architectural Design

It is not the intention of the Commission to govern specific architectural design or to link approval to any specific architectural design criteria. Open space developments proposing residential buildings other than single-family detached and two-family dwellings shall comply with the following:

- A. The Applicant shall provide drawings illustrating the general character of the intended exterior design of all principal structures.

10.503 Special Provisions for Conservation of Historic Resources

Historic resources shall be preserved to the greatest degree practicable, through incorporation into development plans and design, including historic structures, ruins or sites, historic road or other transport traces, paths and trails, and any other historic landscape features. Applicants are encouraged to contact the Pennsylvania Historical Museum Commission and/or local historical societies for information regarding historic resources.

10.600 OPEN SPACE DESIGNATION AND MANAGEMENT STANDARDS

10.601 General Standards for Open Space Designation

- A. Areas designated as restricted Open Space shall be consistent with the goals and strategies of the Mifflin County Comprehensive Plan. The location and layout of restricted Open Space shall be configured so as to serve residents adequately and conveniently and to promote the conservation of the following resources to the greatest extent practicable:
 - 1. Any area designated for “Natural Resource Area” on the Future Land Use Map in the Mifflin County Comprehensive Plan;
 - 2. Prime agricultural soils;
 - 3. Scenic views from public roads and neighboring residential properties;
 - 4. Mature trees and woodland tree masses, hedgerows, native flowering trees and shrubs, fence rows, rock outcroppings, steep slopes (in excess of 25%) and other noted landscape features; and
 - 5. Lands adjoining and within 150 feet of any historic structure listed on the National Registration of Historic Places.

Article 10, Open Space Development Option

- B. Within the designated restricted Open Space area, the total area of all areas comprised of the Flood Plain District, wetlands, and slopes in excess of 25% shall not exceed 15% of the gross tract area.
- C. No portion of the designated restricted Open Space shall be measured as contributing to the minimum required restricted Open Space area or to any Open Space utilized in the calculation of any density bonus where:
 - 1. Within 25 feet of any structure except structures devoted to permitted Open Space uses;
 - 2. Extending less than 100 feet in the narrowest dimension at any point;
 - 3. Stormwater Management Facilities. At the discretion of the Commission, areas devoted to stormwater management facilities may be included within the minimum required restricted Open Space area where the Applicant can demonstrate to the satisfaction of the Board that such facilities are designed to:
 - a. Promote recharge of the groundwater system;
 - b. Be available and appropriate for active or passive recreational use or scenic enjoyment; and
 - c. Otherwise conform to the purposes, standards, and criteria for Open Space set forth in this Section.
 - 4. For example, a long low berm graded to reflect natural contour could be designed to:
 - a. Blend into the scenic landscape;
 - b. Permit passive recreational use over the top of it; or
 - c. Provide a relatively large linear area for seepage of stormwater into the groundwater system.
- D. Subject to the provisions of the measurement of the minimum required Open Space stipulated herein, sewage service, stormwater management, and/or water supply facilities may be located entirely or partially within restricted Open Space areas. Where such facilities are so located maintenance agreements and the appropriate parties shall establish easements satisfactory to the Commission to require and enable maintenance of such facilities.
- E. Areas designated for Open Space purposes may be used for any of the following:
 - 1. Crop or pasture land, subject to submission of conservation plan approved by the Mifflin County Conservation District;
 - 2. Woodland, meadow, wetland, wildlife habitat, game preserve, or similar conservation-oriented area;
 - 3. Public, common, or private park or outdoor recreation area;

4. Sewage disposal facilities provided that the Commission is satisfied that adequate provision(s) for the long-term management and maintenance of the facilities are guaranteed; or
 5. Parking for the exclusive use of individuals using recreational areas within the required Open Space where deemed appropriate by the Commission.
- F. Open Space shall be interconnected with Open Space areas on abutting parcels wherever possible including, where appropriate, provisions for pedestrian pathways for general public use to create linked systems within the County.
- G. Where deemed appropriate by the Commission, Open Space areas shall be provided with sufficient perimeter parking, and with safe and convenient access by adjoining street frontage or other right-of-way or easement capable of accommodating pedestrian, bicycle, and maintenance and vehicle traffic, and containing appropriate access improvements.
- H. Where Open Space Development is planned to occur in two or more development phases, a proportionate amount of designated restricted Open Space and required parking shall be permanently recorded with each phase.

10.602 Standards for Ownership of Restricted Open Space

Except to provide for permitted Open Space uses, designated Open Space shall be restricted from further subdivision and land development by deed restriction, conservation easement, or other agreement in a form acceptable to the Municipality and duly recorded in the office of the Mifflin County Recorder of Deeds. Subject to such permanent restrictions, restricted Open Space land in any Open Space Development may be owned by a homeowners' association, the County, the Municipality, a land trust or other conservation organization recognized by the County and/or Municipality, or may remain in private ownership.

- A. Offer of Dedication - The County and/or Municipality may, but shall not be required, to accept dedication in the form of fee simple ownership of restricted Open Space land provided:
1. Such land is accessible to the residents of the County/Municipality;
 2. There is no cost of acquisition other than any costs incidental to the transfer of ownership such as title insurance and recording fees; and
 3. The County/Municipality agrees to and has access to maintain such lands. Where the County/Municipality accepts dedication of restricted Open Space land that contains improvements, the Commission may require the posting of financial security to ensure structural integrity of said improvements as well as the functioning of said improvements for a term not to exceed 18 months from the date of acceptance of dedication. The amount of financial security shall not exceed 15% of the actual cost of installation of said improvements.

B. Homeowners' Association

The restricted Open Space land and associated facilities may be held in common ownership by a Homeowners' Association through the use of a Declaration and other documents approved by the Commission. Such documents shall be in conformance

with the Uniform Planned Community Act of 1996, as amended. The Association shall be formed and operated under the following provisions.

1. The Developer shall provide a description of the Association including its bylaws and methods for maintaining the Open Space.
2. The Association shall be organized by the Developer and operating with financial subsidization by the Developer, before the sale of any lots within the development.
3. Membership in the Association is mandatory for all purchasers of homes therein and their successors. The conditions and timing of transferring control of the Association from the Developer to the homeowners shall be identified.
4. The Association shall be responsible for maintenance and insurance on common Open Space land, enforceable by liens placed by the Homeowners Association. Maintenance obligations also may be enforced by the County/Municipality that may place liens to recover its costs. Any governmental body with jurisdiction in the area where the development is located may place liens on the owners of the Open Space to collect unpaid taxes.
5. The members of the Association shall share equitably the costs of maintaining and developing such common land. Shares shall be defined within the Association bylaws. Association dues shall be structured to provide for both annual operating costs and to cover projected long-range costs relating to the repair of any capital facilities (which shall be deposited in a sinking fund reserved for just such purposes).
6. In the event of a proposed transfer, within the methods here permitted, of common Open Space land by the Homeowners' Association or of the assumption of maintenance of such land by the Municipality, notice of such action shall be given to all property owners within the development.
7. The Association shall have or hire adequate staff to administer common facilities and properly and continually maintain the common Open Space land.
8. The Homeowners' Association may lease Open Space lands to any other qualified person, or corporation, for operation and maintenance of such lands, but such a lease agreement shall provide:
 - a. That the residents of the development shall at all times have access to the Open Space lands contained therein (except that access to land that is actively farmed shall be limited to times of the year when the fields are fallow);
 - b. That the common Open Space land to be leased shall be maintained for the purposes set forth in this Ordinance and local and County Comprehensive Plans; and
 - c. That the operation of Open Space facilities may be for the benefit of the residents only, or may be open to the residents of the County/Municipality, at the election of the developer and/or Homeowners' Association, as the case may be.

9. The lease shall be subject to the approval of the Commission and any transfer or assignment of the lease shall be further subject to the approval of the Board. Lease agreements so entered upon shall be recorded with the Mifflin County Recorder of Deeds within 30 days of their execution and a copy of the recorded lease shall be filed with the County and Municipality.
 10. Homeowners' Association documentation demonstrating compliance with the provisions herein shall be filed with the final plans. At the time of Preliminary Plan submission, the Applicant shall provide draft Homeowners' Association documentation with sufficient detail to demonstrate feasible compliance with this Section.
- C. Condominiums - The restricted Open Space land and associated facilities may be held in common through the use of Condominium Declaration and other documents, approved by the Commission. Such documents shall be in conformance with the Uniform Condominium Act of 1980. All common Open Space land shall be held as "common elements" or "limited common elements". To the degree applicable, condominium agreement(s) shall comply with the provisions of Subsection F.2.b. above, set forth for Homeowners' Associations. Condominium agreement(s) shall be filed with the plans. At the time of Preliminary Plan submission, the Applicant shall provide draft condominium agreement(s) with sufficient detail to demonstrate feasible compliance with this Section.
- D. Dedication of Easements - The County/Municipality may, but shall not be required to, accept easements for public use of any portion or portions of restricted Open Space land. The title of such land shall remain in common ownership by a Condominium or Homeowners' Association, provided:
1. Such land is accessible to County/Municipality residents;
 2. There is no cost of acquisition other than any costs incidental to the transfer of ownership, such as title insurance; and
 3. A satisfactory maintenance agreement is reached between the Developer, Condominium or Homeowners' Association and the Municipality.
- E. Transfer of Easements to a Private Conservation Organization - With the permission of the Commission, an Owner may transfer easements to a private or nonprofit organization recognized by the Commission, whose purpose it is to conserve Open Space and/or natural resources, provided that:
1. The organization is acceptable to the Commission, and is a bona fide conservation organization with perpetual existence;
 2. The conveyance contains appropriate provision for proper reverter or transfer to a receiving activity, which itself has such a clause in the event that the organization becomes unwilling or unable to continue carrying out its functions; and
 3. A maintenance agreement acceptable to the Commission is entered into by the Developer and the organization.

F. Private Ownership of Restricted Open Space

1. Restricted Open Space may be retained in ownership by the Applicant or may be transferred to other private parties subject to compliance with all standards and criteria for restricted Open Space herein.
2. All or portions of the designated restricted Open Space may be included within or divided among one or more of the individual lots. Where deemed appropriate, the Commission may require that responsibility for maintenance of restricted Open Space be conferred upon and/or divided among the owners of one or more individual lots.

10.603 Required Open Space Management Plan

- A. All Open Space Development Plans shall be accompanied by a conceptual plan for the long-term management of the restricted Open Space that is to be created as part of the development. Such plan shall include a discussion of the:
 1. Manner in which the restricted Open Space will be owned and by whom it will be managed and maintained;
 2. Conservation, land management, and agricultural techniques and practices that will be used to maintain and manage the Open Space in accordance with conservation plan(s) approved by the Mifflin County Conservation District where applicable;
 3. Professional and personnel resources that will be necessary in order to maintain and manage the property;
 4. Nature of public or private access that is planned for the restricted Open Space; and
 5. Source of money that will be available for such management, preservation, and maintenance on a perpetual basis.

The adequacy and feasibility of this conceptual management plan as well as its compatibility with the Open Space resource protection objectives stated in this Section shall be factors in the approval or denial of the Open Space Development Plan by the Commission.


- B. The conceptual management plan shall be transformed into a more detailed Open Space Management Plan and presented to the County/Municipality for review and approval with the Preliminary Subdivision and Land Development Plan. The Commission may require that the Management Plan be recorded, with the Final Subdivision and Land Development Plans, in the office of the Mifflin County Recorder of Deeds. In order to allow for the changing needs inherent in the perpetual management of land, the Management Plan shall contain a provision to the effect that it may be changed by written application to the Commission, so long as the proposed change is feasible and consistent with the purposes of preservation of Open Space set forth in this Article and so long as the plan for such change avoids a likelihood of the obligation of management and maintenance of the land falling upon the County/Municipality without the consent of the governing bodies.

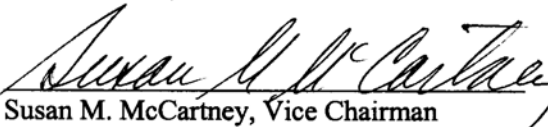
10.604 Open Space Performance Bond

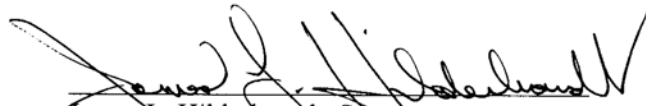
- A. All landscape improvements, plantings, access points, and recreational facilities within designated Open Space areas shall be provided by the Developer as applicable. A performance bond or other security shall be in the same form and adhere to the same conditions as otherwise required for proposed improvements under the governing Subdivision and Land Development Ordinance.
- B. An appropriate portion of the performance bond or other security will be applied by the Commission should the Developer fail to install the planting or recreational facilities.

ORDAINED AND ENACTED into an Ordinance by the Board of Commissioners of Mifflin County on this twenty-third day of January 2003. The effective date is the date of enactment.

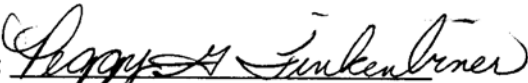
MIFFLIN COUNTY COMMISSIONERS

By: 
Charles E. Laub, Chairman


Susan M. McCartney, Vice Chairman

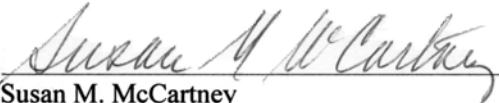

James L. Hilderbrandt, Secretary

ATTEST:

By: 
Peggy G. Finkenbiner,
Chief Clerk, Mifflin County

ORDAINED AND ENACTED into an Ordinance by the Board of Commissioners of Mifflin County on the twenty-third day of January 2003 and amended on the twentieth day of March 2003 and this sixteenth day of February 2006.

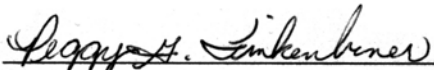
MIFFLIN COUNTY COMMISSIONERS

By: 
Susan M. McCartney


Raymond M. Snyder

Charles E. Laub

ATTEST:

By: 
Peggy G. Finkenbiner,
Chief Clerk, Mifflin County

APPENDIX A

SUBDIVISION AND LAND DEVELOPMENT REVIEW FEES

Mifflin County, PA

The County shall levy "Review Fees" to cover the reasonable and necessary costs incurred by the County for reviewing and processing all applications for proposed subdivisions and land developments and for determining compliance with this Ordinance, as required herein. Such fees shall be payable by the Applicant.

Such review fees shall include costs and expenses incurred by the County for the following purposes:

- A. County administrative and technical staff employees involved in the review process.
- B. Charges by the County's professional consultants, including, but not limited to expert witnesses, attorneys, engineers, planners or other required specialists for undertaking reviews, reports, field trips and recommendations, including attendance at necessary meetings and public hearings, for the preparation of any legal or other documents required by the proposed Plan and also for the inspection of improvements installed by the Applicant.
- C. Fees charged to the County to cover the cost of any review, report or recommendation or application submitted to other appropriate agencies shall also be paid by the Applicant.
- D. Fees, at cost, shall also include the cost of advertising, notices or other expenses incurred in the processing of the proposed subdivision plan.

Such fees shall be based on estimates and actual time spent by the County personnel in the review process and on estimates and actual invoices received by the County from its professional advisors. Such review fees shall be in accordance with the ordinary and customary charges by the County's professional advisors, for similar services to the County and shall not exceed the rate of cost normally charged to County or other non-reimbursable services.

- A. Initial Application Fee - Fees for initial County review by County Planning Commission staff shall be based on the subdivision and land development plan review fee schedule as adopted by Resolution by the Mifflin County Board of Commissioners and shall be paid at the time of submission of the Plan to the County.
- B. Additional Review Fees - Additional fees to cover the cost of services, in excess of the initial fees collected at time of submission for any of the following additional expenses that are incurred by the County, including:
 1. Expenses required to conduct more than one meeting to review and discuss the project
 2. Additional County Personnel review costs
 3. Cost of preparation and advertisement of necessary legal or other Public Notices or Ads
 4. Cost of required stenographic services
 5. Cost of retention of professional advisors and consultants

Appendix A, Subdivision and Land Development Review Fees

6. Cost of time, materials, travel expenses and other expenses incurred by County Staff and Consultant Advisors in preparing special reports or recommendations, in providing testimony or for field trips and inspection or other necessary activities to complete the review of the Plan.

Except for the Initial Application Fee included in Subsections A. and B. above, such fees shall be based on estimates, payable in advance by the Applicant, of the proposed work to be undertaken. Such advance payments shall be later accounted for and reconciled, after receipt of actual invoices from the parties involved.

C. Review Fee Disputes

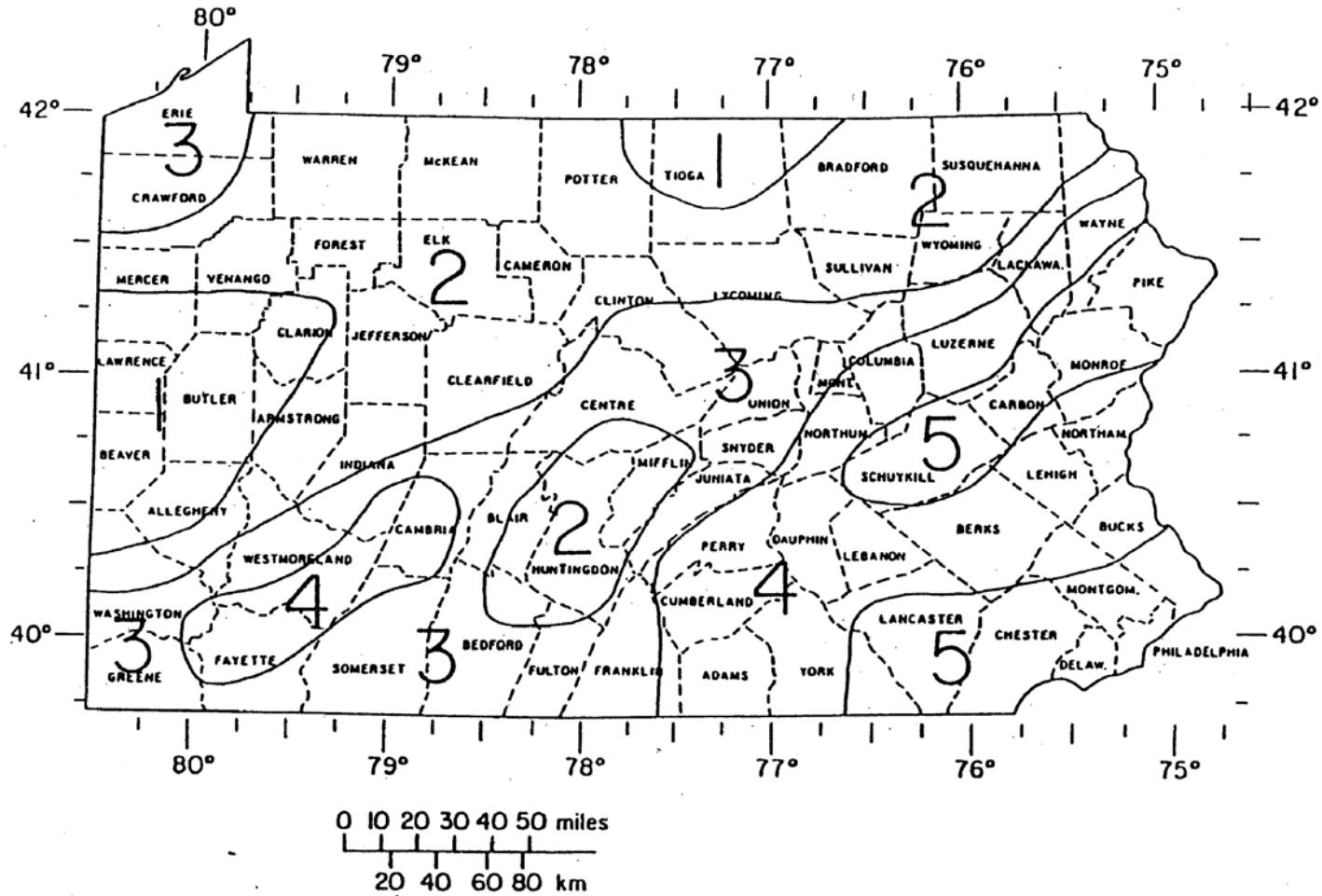
1. In the event the Applicant disputes the amount of any such review fees, the Applicant shall, within 14 days of the Applicant's receipt of the bill, notify the County that such fees are disputed, in which case the County shall not delay or disapprove a subdivision or land development application due to the Applicant's request over disputed fees.
2. In the event the County and the Applicant cannot agree on the amount of review fees that are reasonable and necessary, then the Applicant and the County shall follow the procedure for dispute resolution as set forth in Section 510 (g) of the Pennsylvania MPC, provided that the professionals resolving such dispute shall be of the same profession or discipline as the consultants whose fees are being disputed.

APPENDIX B

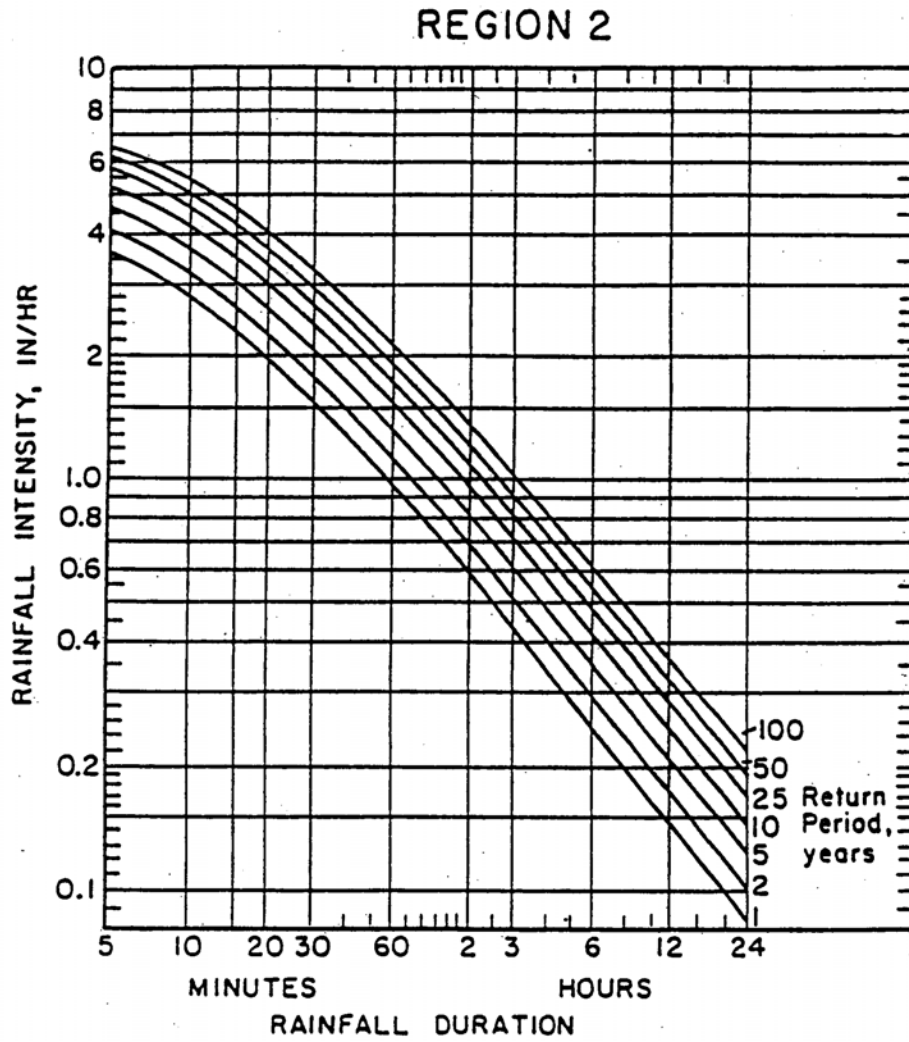
Posted Speed Limit (MPH)	MINIMUM SAFE SIGHT STOPPING DISTANCE CHART																					
	Roadway Grade (Percent)																					
	0	1	-1	2	-2	3	-3	4	-4	5	-5	6	-6	7	-7	8	-8	9	-9	10	-10	
5	21	21	21	21	21	21	21	21	22	21	22	21	22	21	22	21	22	21	22	20	23	
10	48	48	48	47	49	47	49	47	50	46	50	46	51	46	51	46	52	45	53	45	53	
15	80	79	81	79	82	78	83	77	84	77	85	76	86	75	88	75	89	74	91	74	93	
20	118	117	119	115	121	114	123	113	125	112	127	111	129	110	131	109	134	108	137	107	140	
25	161	159	164	157	166	155	169	153	172	151	175	150	179	148	182	147	187	145	191	144	196	
30	210	207	214	204	217	201	221	198	226	196	230	194	235	191	241	189	247	187	253	185	260	
35	265	260	269	256	274	252	280	249	286	245	292	242	299	239	306	236	314	233	323	231	333	
40	325	319	331	314	337	309	345	304	352	299	360	295	369	291	379	287	389	284	401	280	414	
45	390	383	398	376	406	370	415	364	425	358	435	353	447	348	459	343	472	338	487	334	503	
50	462	453	471	444	481	436	492	429	504	422	517	415	531	409	546	403	563	397	581	392	600	
55	538	527	550	517	562	508	576	499	590	490	605	482	622	475	641	467	660	461	682	454	706	
60	621	608	634	596	649	584	665	573	682	563	701	554	721	545	742	536	766	528	792	521	821	
65	708	693	725	679	742	666	760	653	781	641	802	630	826	620	851	609	879	600	910	591	943	

Based on the following formula ---> $SSSD = 1.47 \times V \times t + \frac{V^2}{g \times f}$

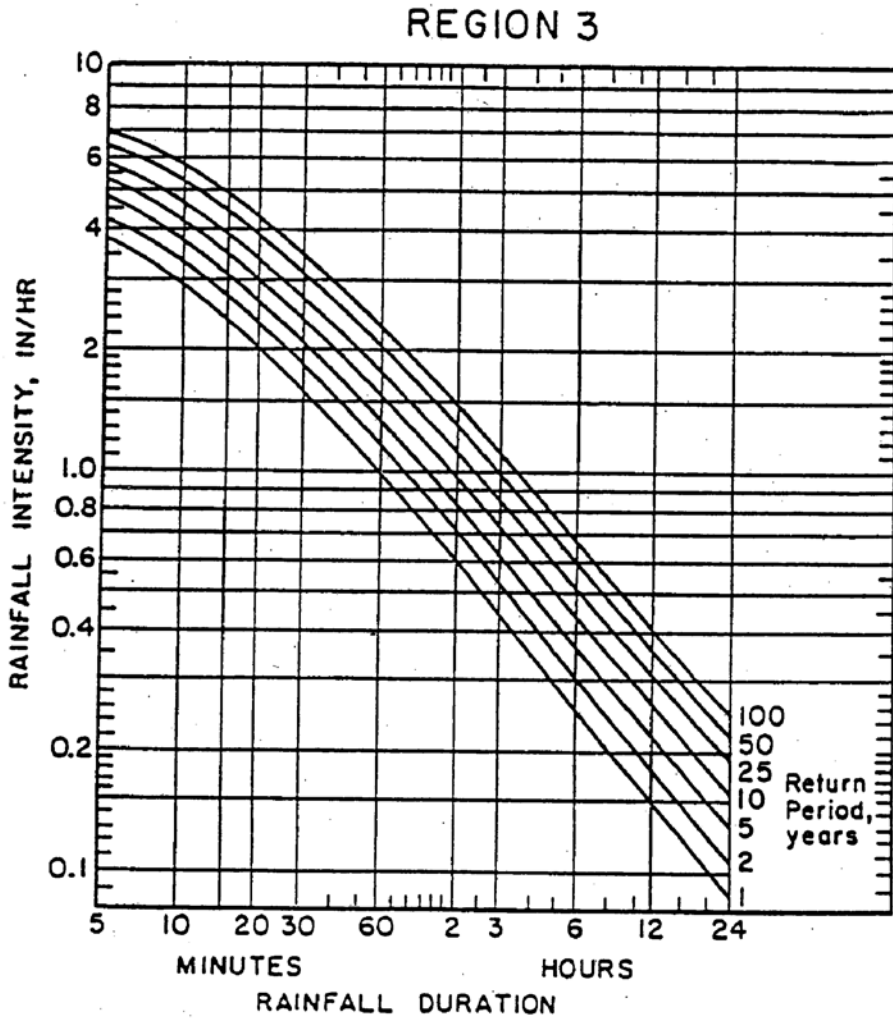
APPENDIX C



DELINEATED REGIONS WITH
UNIFORM INTENSITY



**STORM INTENSITY - DURATION - FREQUENCY
CURVES FOR REGION 2**



APPENDIX D

<u>RUNOFF COEFFICIENTS</u>												
("C" for use with Rational Formula)												
Soil Group	A			B			C			D		
Slope	0 - 2%	2 - 6%	6%+	0 - 2%	2 - 6%	6%+	0 - 2%	2 - 6%	6%+	0 - 2%	2 - 6%	6%+
Land Use												
Cultivated Land												
Winter conditions	0.14	0.23	0.34	0.21	0.32	0.41	0.27	0.37	0.48	0.34	0.45	0.56
Summer conditions	0.10	0.16	0.22	0.14	0.20	0.28	0.19	0.26	0.33	0.23	0.29	0.38
Fallow Fields												
Poor conditions	0.12	0.19	0.28	0.17	0.25	0.34	0.23	0.33	0.40	0.27	0.35	0.45
Good conditions	0.08	0.13	0.16	0.11	0.15	0.21	0.14	0.19	0.26	0.18	0.23	0.31
Forest/Woodland												
	0.08	0.11	0.14	0.10	0.14	0.18	0.12	0.16	0.20	0.15	0.20	0.25
Grass Areas												
Good conditions	0.10	0.16	0.20	0.14	0.19	0.26	0.18	0.22	0.30	0.21	0.25	0.35
Average conditions	0.12	0.18	0.22	0.16	0.21	0.28	0.20	0.25	0.34	0.24	0.29	0.41
Poor conditions	0.14	0.21	0.30	0.18	0.28	0.37	0.25	0.35	0.44	0.30	0.40	0.50
Impervious Areas												
	0.90	0.91	0.92	0.91	0.92	0.92	0.92	0.93	0.94	0.93	0.94	0.95
Weighted Residential												
Lot size 1/8 acre	0.29	0.33	0.36	0.31	0.35	0.40	0.34	0.38	0.44	0.36	0.41	0.48
Lot size 1/4 acre	0.26	0.30	0.34	0.29	0.33	0.38	0.32	0.36	0.42	0.34	0.38	0.46
Lot size 1/3 acre	0.24	0.28	0.31	0.26	0.32	0.35	0.29	0.35	0.40	0.32	0.36	0.43
Lot size 1/2 acre	0.21	0.25	0.28	0.24	0.27	0.32	0.27	0.31	0.37	0.30	0.34	0.43
Lot size 1 acre	0.18	0.23	0.26	0.21	0.24	0.30	0.24	0.29	0.36	0.28	0.32	0.41

APPENDIX E

LOCATION _____		FLOW TABULATION FORM FOR WATER CARRYING STRUCTURES								DATE _____											
DEVELOPMENT _____										SHEET _____											
JOB NUMBER _____										COMPUTED BY _____											
25 YEAR STORM FREQUENCY, EXCEPT AS NOTED _____										CHECKED BY _____											
LOCATION		AREA	ACRES		COEFF. "C"	CA	SUM CA	TIME CONC. (min.)			INTEN. "I"	Q=CIA c.f.s.	PIPE N					REMARKS			
FROM	TO		SUB.	TOTAL				INLET	DRAIN	TOTAL			SIZE	SLOPE	VEL.	LGTH.	CAP.				