



DR. CHRISTOPHER R. AMATO
Chair

CHRISTINA V. MORGAN
Vice Chair

ARMANDO MORITZ-CHAPELLIQUEN
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

COMPREHENSIVE PLANNING COMMITTEE MEETING
Tuesday, September 23, 2025, 12:00 noon
AGENDA

THE MEETING CAN BE ACCESSED AT <http://www.tinyurl.com/LVPC2025> OR VIA PHONE
610-477-5793 Conf ID: 651 626 091#.

Roll Call

Courtesy of the Floor

Committee Business

1. *ACTION ITEM:* Hanover Township (NC) – Zoning Ordinance Amendment – Airport Flightpath Highway Business District Regulations (JS)
2. *ACTION ITEM:* Whitehall Township – Subdivision and Land Development Ordinance Amendment – Recreation Fees (JS)
3. *ACTION ITEM:* Lehigh County Subdivision and Land Development Ordinance Amendment (JS)
4. *ACTION ITEM:* Northampton County Subdivision and Land Development Ordinance Amendment (JS)

Next Comprehensive Planning Committee Meeting:
October 21, 2025, at 12:00 pm



Lehigh Valley Planning Commission

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September xx, 2025

Mr. Mark Hudson, Manager
Hanover Township (NC)
3630 Jacksonville Rd
Bethlehem, PA 18017

**Re: Aircraft Flightpath Highway Business District – Proposed Ordinance Amendment
Hanover Township
Northampton County**

Dear Mr. Hudson,

The Lehigh Valley Planning Commission (LVPC) will consider the subject application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Discussion on agenda items largely happens during the Committee meeting, and we encourage your participation.

- LVPC Comprehensive Planning Committee Meeting
 - September 23, 2025, at 12:00 PM
 - <https://lvpc.org/lvpc-meetings>
- LVPC Full Commission Meeting
 - September 25, 2025, at 7:00 PM
 - <https://lvpc.org/lvpc-meetings>

The proposal amends the Hanover Township Zoning Ordinance Section §185-38 Aircraft Flightpath Highway Business Zoning District (AFHBD) by expanding permitted uses to include Planned Industrial/Business Park and adding related regulations, design and performance standards. The proposal also amends permitted uses in the AFHBD by permitting commercial and industrial uses such as indoor agricultural grower/processor (excluding marijuana), food service stores, brew pub, microbrewery and distillery, allowing solar energy farms as a conditional use, and prohibiting gas stations, parcel hub/package sorting, cold storage, e-commerce fulfillment, drive-thrus and data centers.

Existing Conditions in the AFHBD

The AFHBD is an employment district identified in the Township Zoning Ordinance. Employment districts, as stated in the Township zoning ordinance, are intended to 'provide sufficient space in appropriate locations for offices, laboratories, light industries, and certain other manufacturing and related activities anticipated' and 'promote stable manufacturing, office uses, and other related development in order to strengthen the Township's tax base and protect its tax revenues' (Section 185-9 D.).

The majority of the AFHBD is undeveloped agricultural land. Adjacent uses include the Lehigh Valley International Airport, residential neighborhoods, institutional uses (Hindu Temple Society and Christ United Church of Christ), and commercial and industrial developments including Lehigh Valley Industrial Park I (LVIP I).

Existing and adjacent infrastructure in the area includes public water and sewer service provided by the City of Bethlehem, and the site is adjacent to both Airport Road and Schoenersville Road.

The area is identified for Development in the General Land Use Plan of *FutureLV: The Regional Plan*, where the land is appropriate for a variety of uses, including major commercial and industrial development. Existing factors needed to support growth like adequate sewer and transportation infrastructure capacity and continuity to existing development are present, which serves to 'match land use intensity to sustainable infrastructure capacity' (of *FutureLV* Policy 1.1).

Planned Industrial/Business Park Regulations

The proposal includes regulations for planned industrial/business park land uses, which includes any use permitted in the AFHBD with the addition of warehouses. In the proposal, planned Industrial/Business Park uses require a minimum of 200 acres and with buildings up to 395,000 square feet and a maximum height of 45 feet. The proposal also includes façade requirements, a 500-foot buffer from residential zones, screening, open space dedication, landscaping including islands in parking areas, and truck driver amenities.

The proposed buffering and berms create separation from residential areas, reducing noise, air quality and visual impacts. Truck access limitations protect neighborhood streets from freight traffic (of Policy 2.4), and stormwater and landscaping requirements improve environmental resilience (of Policy 3.2).

Zoning vs. SALDO Provisions

The proposed ordinance includes a number of provisions that are more appropriately regulated under the Township's Subdivision and Land Development Ordinance (SALDO), such as detailed stormwater design standards, landscaping specifications (e.g., berm dimensions, tree counts and calipers), parking ratios, loading dock orientations, lighting design, and truck driver amenities.

Best practice under the Pennsylvania Municipalities Planning Code (MPC) is to maintain zoning ordinances for the regulation of *uses, location, and intensity of development*, while reserving the SALDO for *design, engineering, and construction standards*. Mixing the two can create duplication, inconsistency, and legal uncertainty, as zoning amendments are not the proper vehicle for regulating development details that are intended to be reviewed and enforced at the subdivision and land development stage.

The LVPC recommends that Hanover Township relocate the technical and design provisions to the SALDO, while retaining in the zoning ordinance the high-level requirements related to permitted uses, dimensional standards, and buffering from incompatible zoning districts. Zoning language may then cross-reference the SALDO to ensure consistency and enforceability. This approach will provide greater clarity for applicants, staff, and decision-makers, while aligning with MPC best practices and regional planning standards.

Municipalities, when considering zoning ordinance amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article 1§105, Article III§303, §304 & §306(a), Article VI§603(j)]. The

LVPC review does not include an in-depth examination of plans relative to subdivision design standards or ordinance requirements since these items are covered in the municipal review.

Sincerely,



Jill Seitz

Chief Community and Regional Planner

cc: Kimberly Lymanstall, Secretary; Ryan Meyer, Lehigh-Northampton Airport Authority Director of Planning & Programming; Brad Flynn, Bath Borough Manager; Belinda Roberts, Bushkill Township Manager; John Defassio, Chapman Borough Secretary/Treasurer; Lori Stauffer, Lower Nazareth Township Manager; Stephen Nowroski, Moore Township Manager; Theresa Fedele, Nazareth Borough Assistant Secretary/Treasurer; Candace Keller, Stockertown Borough Secretary; Mark Saginario, Tatamy Borough Manager; Lisa Klem, Upper Nazareth Township Manager.

DRAFT



Lehigh Valley Planning Commission

DR. CHRISTOPHER R. AMATO
Chair

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Vice Chair

ARMANDO MORITZ-CHAPELLIQUEN
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

September xx, 2025

Lee Rackus, Planning Director
Whitehall Township
3219 MacArthur Road
Whitehall, PA 18052

**Re: Recreation Fees – Subdivision and Land Development Ordinance
Amendment
Whitehall Township
Lehigh County**

Dear Ms. Rackus,

The Lehigh Valley Planning Commission (LVPC) will consider the subject application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Discussion on agenda items largely happens during the Committee meeting and we encourage your participation.

- LVPC Comprehensive Planning Committee Meeting
 - September 23, 2025, at 12:00 PM
 - <https://lvpc.org/lvpc-meetings>
- LVPC Full Commission Meeting
 - September 25, 2025, at 7:00 PM
 - <https://lvpc.org/lvpc-meetings>

The proposal amends the Whitehall Township Subdivision and Land Development Ordinance to increase the fair share contribution of Recreation Fees (Article X Impact Regulations Section §22-37). A fair share contribution will now be required of all residential subdivision and land development projects of 1,398 square feet per dwelling unit (previously 1,107 square feet) or a flat fee of \$4,200 per dwelling unit (previously \$2,000). Contributions are used to fund parks and/or recreational facilities, furthering the principles and standards established in the Township's Park, Open Space and Recreation Plan.

Parks and Open Space

Requiring open space dedication and collecting recreation fees allows a municipality to 'minimize environmental impacts of development to protect the health, safety and welfare of the public' (of Policy 3.2) by ensuring parks and recreational spaces are available to residents as the Township evolves. Well-maintained parks and recreational spaces improve quality of life for residents by 'creating community spaces that promote physical and mental health' (of Policy 5.3) and 'increasing social and economic access to daily needs of all people' (of Policy 5.2).

Raising open space impact fees 'supports evolution and adaptability of government' (of Policy 1.1). The Township's recreation fee was last amended in 2004, and the proposed increase reflects the greater costs of maintenance today, aligning fees with inflation and the Township's

fiscal needs (of Policy 4.6). Larger contributions can fund not just small-scale improvements, but significant, long-term recreational infrastructure investments. Adapting fee requirements to the current economic conditions allows the Township to 'maximize potential for recreation and ecotourism' (of Policy 4.2) and 'supports open space as an essential component of the regional economy and identity' (of Policy 4.4).

Housing Attainability

Flat per-unit fees do not account for differences in how households use and impact open space resources. Smaller homes and units may generate less demand, while larger households often create greater use and impacts but contribute at the same rate. The LVPC recommends evaluating opportunities to ensure fee calculations are aligned with actual usage and demand, ensuring that contributions are proportionate to the impacts of each project and supporting attainable housing (of Policy 4.5).¹

Municipalities, when considering subdivision and land development ordinance amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article I§105, Article III§303, §304 & §306(a), Article VI§603(j)]. The LVPC review does not include an in-depth examination of plans relative to subdivision design standards or ordinance requirements since these items are covered in the municipal review.

Sincerely,



Mary Grace Collins
LVPC Community Fellow



Jill Seitz
Chief Community and Regional Planner

¹According to the Lehigh Valley Housing Dashboard available at LVPC.ORG, the Lehigh Valley is currently short 9,000 housing units, with another 54,000 units needed by 2050 to keep up with population growth and demand. Whitehall Township is currently experiencing a shortage of 403 units with 1,638 units needed by 2050.

ORDINANCE AMENDMENT

County of Lehigh
Ordinance No. [XXXX]

AN ORDINANCE AMENDING THE COUNTY OF LEHIGH SUBDIVISION AND LAND DEVELOPMENT ORDINANCE REQUIRING ELECTRONIC PLAN SUBMISSION AND REVISING FOR CONSISTENCY.

WHEREAS, the Pennsylvania Municipalities Planning Code (MPC) Act 247 of 1968, as enacted and amended, authorizes counties to enact and amend subdivision and land development ordinances (Article V); and

WHEREAS, the County of Lehigh enacted a Subdivision and Land Development Ordinance on January 25, 1989 (Ordinance 105) and revised the same on March 26, 2003 (Ordinance 107); and

WHEREAS, the County of Lehigh Subdivision and Land Development Ordinance applies to those municipalities within the county that have not adopted their own such ordinance, pursuant to the MPC (Article V§502(b)); and

WHEREAS, the County seeks to improve the efficiency and accessibility of the subdivision and land development review process by transitioning to a secure, electronic plan submission portal administered by the Lehigh Valley Planning Commission as the official administrative agency for review and approval of plats; and

WHEREAS, the Lehigh Valley Planning Commission, as Lehigh County's official administrative agency for review and approval of plats has developed Lehigh County Subdivision and Land Development Ordinance amendment language to require electronic plan submissions and propose language revisions for clarity and consistency, and forwarded the same to the Lehigh County Commissioners for consideration; and

WHEREAS, the Board of Commissioners of Lehigh County has determined that such amendments are consistent with the County Comprehensive Plan, *FutureLV: The Regional Plan*, and serve the public interest; and

WHEREAS, the MPC requires a "public hearing pursuant to public notice" (Article V§505(a)) which was held on [INSERT DATE] at the Lehigh County Government Center at 17 South Seventh Street, Allentown, PA 18101; and

WHEREAS, the proposed amendment and public hearing was advertised in the Morning Call on [INSERT DATE] including the date, time and location of public hearing, summary of the proposed subdivision and land development ordinance amendment and locations where full copies of proposed changes could be accessed pursuant to the requirements of the MPC (Article V§506(a)); and

WHEREAS, the full text of the proposed subdivision and land development ordinance amendment was made available to the public on [INSERT DATE] and at the following locations: Lehigh Valley Planning Commission office at 615 Waterfront Drive, Suite 201, Allentown, PA 18102, on the Lehigh Valley Planning Commission website at www.lvpc.org, Lehigh County Government Center at 17 South Seventh Street, Allentown, PA 18101, and on the Lehigh County website at www.lehighcounty.org; and

WHEREAS, the County of Lehigh Subdivision and Land Development Ordinance states that “Amendments to the Subdivision and Land Development Ordinance shall become effective only after a public hearing held pursuant to public notice” (Section 601).

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Lehigh County Board of Commissioners that the Lehigh County Subdivision and Land Development Ordinance is hereby amended as follows:

SECTION I

PURPOSE, AUTHORITY, TITLE AND JURISDICTION

100 Purpose

101 The purpose of this Ordinance is to regulate subdivision and land development in those municipalities within Lehigh County, Pennsylvania, which have not adopted subdivision regulations.

110 Authority and Title

111 This Ordinance is enacted pursuant to the Pennsylvania Municipalities Planning Code and may be cited as the Lehigh County Subdivision and Land Development Ordinance of 2003.

120 Jurisdiction

121 This Ordinance shall apply in the following circumstances:

121.1 To all subdivision and land development plans for property located in municipalities which have not adopted a subdivision ordinance submitted after the effective date of this Ordinance.

121.2 To all subdivision and land development plans for property located in municipalities which have not adopted a subdivision ordinance, previously approved in accordance with any law or regulation then applicable, the development of which has not been completed in accordance with the terms of such approval within three (3) years of such approval.

121.3 A modification to a submitted Drainage Plan for a proposed development site which involves a change in control methods or techniques, or which involves the relocation or redesign of control measures, or which is necessary because soil or other conditions are not as stated on the Drainage Plan (as determined by the municipal engineer or the LVPC engineer) shall require a resubmission of the modified Drainage Plan consistent with this Ordinance.

130 Application

131 No subdivision or land development of any lot, tract or parcel of land shall be made, and no street, sanitary sewer, water main, gas, or electric transmission line, or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon, except in accordance with this Ordinance.

132 No lot in a proposed subdivision or land development may be sold, and no final permit to erect any building upon land in a subdivision or land development may be issued unless and until a final plan has been approved and recorded and either the Lehigh Valley Planning Commission (LVPC) has been assured by means of an Improvements Agreement acceptable to the LVPC that the improvements will subsequently be installed or the required improvements in connection therewith have been constructed.

133 Notwithstanding any provisions of this Ordinance, including waiver provisions, any landowner and any person engaged in the alteration or development of land which may affect storm water runoff characteristics shall implement such measures as are reasonably necessary to prevent injury to health, safety or other property. Such measures shall include such actions as are required to manage the rate, volume and direction of resulting storm water runoff in a manner which otherwise adequately protects health and property from possible injury.

SECTION II

SUBMISSION PROCEDURES

210 Feasibility Review Submission

- 211 Feasibility review maps and materials may be submitted for any proposed subdivisions and land developments, for purposes of discussion between the Lehigh Valley Planning Commission and the ~~developer~~ **applicant**.
- 212 ~~Five (5) copies of all feasibility review maps and materials, as set forth in Section 300, shall be submitted to the staff.~~

Applications for subdivision and land development feasibility review, including maps and materials as set forth by Section 300, shall be submitted electronically through the Lehigh Valley Planning Commission (LVPC) Online Submission Portal. Information on Portal access may be obtained from LVPC. Paper submissions shall no longer be accepted by LVPC for review unless specifically authorized in writing by LVPC for technical or legal reasons. Electronic submission materials will be made accessible to external agencies including, but not limited to, the Municipal Governing Body.

- ~~213 The staff shall refer one (1) copy of the feasibility review maps and materials to the Municipal Planning Commission for its review and recommendations.~~
- ~~214 The staff shall refer one (1) copy of feasibility review maps and materials to the Municipal Governing Body for its review and recommendations.~~

220 Feasibility Review

- 221 When feasibility review maps and materials have been submitted to the Lehigh Valley Planning Commission, the data presented will be reviewed by that body at its next regular meeting, provided that submission has occurred no less than fourteen (14) days prior to such scheduled meeting.
- 222 The Lehigh Valley Planning Commission shall review the feasibility review data to determine the development potential of the site, as indicated by the natural features analysis presented. The general development concepts ~~of the developer~~ **submitted** will be reviewed to determine their compatibility with the development potential of the site and with relevant plans and ordinances. Also, the feasibility review stage is designed to offer the ~~developer~~ **applicant** an opportunity to informally discuss his plans for the proposed subdivision or land development with the Lehigh Valley Planning Commission.
- 223 Within sixty (60) days of submission of feasibility review maps and materials to the Lehigh Valley Planning Commission, the Commission shall make any recommendations to the ~~developer~~ **applicant** which it deems necessary or advisable in the public interest in order to provide an acceptable subdivision or land development plan for the site.

Within fifteen (15) days after such meeting, the staff shall send written notice of the Commission's recommendations to the following:

223.1 The applicant;

223.2 The municipal governing body;

223.3 The municipal planning commission.

230 Submission of the Preliminary Plan

231 Preliminary Plans and all required supplementary data for all proposed subdivisions and land developments shall be submitted to the staff.

232 ~~Official submission of a Preliminary Plan to the staff by a developer shall comprise of the following: (submissions which do not include the material specified in the following subsections shall not be accepted as an official submission.)~~

Official submission of a Preliminary Plan to LVPC by an applicant shall be submitted electronically through the Lehigh Valley Planning Commission (LVPC) Online Submission Portal. Official submissions of a Preliminary Plan shall be comprised of the following:

~~232.1 Five (5) copies of a completed Application for Review of Preliminary Subdivision Plans;~~

An application for review completed through the LVPC Online Submission Portal system;

~~232.2 Seven (7) black on white or blue on white prints on paper of the Preliminary Plan which shall fully comply with the provisions of this Ordinance as set forth in Section 310;~~

Uploaded digital copies of the Preliminary Plans which shall fully comply with the provisions of this Ordinance as set forth in Section 310;

~~232.3 Seven (7) copies all required supplemental information as set forth in Section 316;~~

All required supplemental information as set forth in Section 316;

232.4 The review fee and escrow shall be submitted as set forth in Section 640;

232.5 Submissions which do not include the material specified herein shall not be accepted as an official submission for review.

233 ~~The staff shall refer preliminary plan submission materials to the various review bodies as follows:~~

The LVPC shall refer preliminary plan submission materials to various review and/or coordination bodies including but not limited to the Municipality, any applicable adjacent communities and/or multi-municipal comprehensive planning partners.

~~233.1 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Planning Commission;~~

~~233.2 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the LVPC Engineer;~~

~~233.3 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the municipal governing body.~~

234 Additional copies of the Preliminary Plan materials shall be referred by the staff to the respective agencies in the following circumstances: **required in accordance with the following circumstances:**

~~234.1 Whenever the property being subdivided or developed abuts a State Legislative Route, one (1) plan print shall be submitted to the Pennsylvania Department of Transportation District Office;~~

Whenever the property being subdivided or developed abuts a Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction, all application materials shall be submitted to the Pennsylvania Department of Transportation in accordance with agency requirements at the same time as submitted to the LVPC. In addition, a complete copy of any materials for Pennsylvania Department of Transportation required permits shall be submitted to the LVPC along with the Preliminary Plan. All copies of letters, communications and permits from the Pennsylvania Department of Transportation shall be copied by the applicant to the LVPC;

~~234.2 Whenever the municipality has an adopted zoning ordinance, one (1) application and one (1) plan print shall be referred to the zoning officer;~~

Each Preliminary Plan and all associated materials provided to the LVPC will be made available to the Municipality or Municipalities where the development is proposed;

234.3 Whenever a proposed subdivision or land development is located adjacent to another municipality, ~~one (1) plan print~~ **all application materials** shall be referred to that municipality;

234.4 **Any and all required outside agency approvals shall be noted in the application materials, including but not limited to sewer and/or water authorities, Pennsylvania Department of Environmental Protection, Army**

Corp of Engineers. Copies of outside agency application materials, correspondence, permits approved or denied shall be provided to the LVPC upon request.

235 Supplemental submissions are permitted subject to the following provisions:

235.1 ~~The supplemental submission shall consist of seven (7) complete sets of the plans, seven (7) copies of any revised supporting documentation, a completed and executed application form which notes the submission as a supplemental submission and a written summary of the changes made. The summary of the changes made shall refer to the Staff and other reviews to which the changes are responding.~~

The supplemental submission shall be submitted electronically through the Lehigh Valley Planning Commission (LVPC) Online Submission Portal and consist of a complete plan set, any revised supporting documentation, and a written summary of the changes made. The summary of the changes made shall refer to the Staff and other reviews to which the changes are responding. Any design changes made on plans shall be shown in a different color on the plan sheets or sheets to which they are applicable.

235.2 The submission shall be received at least fourteen (14) days prior to the date of the next meeting of the Lehigh Valley Planning Commission at which the application is to be considered.

235.3 Supplemental submissions which do not comply with the requirements of Section 235.1 shall not be accepted for review. The submission of a final plan application will not be considered as a supplemental submission.

240 **Review of Preliminary Plan**

241 By the Lehigh Valley Planning Commission

241.1 When a Preliminary Plan has been officially submitted, such plan shall be placed on the agenda of the Planning Commission for review at its next regular monthly meeting, provided that such official submission has occurred no less than fourteen (14) calendar days prior to such regular meeting. ~~The Planning Commission may hold a Public Hearing on the Preliminary Plan at this time.~~

241.2 Within ninety (90) days following the date of the regular meeting of the Planning Commission next following the date of the application (unless the next meeting does not fall in a 30-day period in which case the 90-day period commences on the 30th day following the date of the application), the Lehigh Valley Planning Commission shall, in accordance with the provisions of relevant ordinances, take action by approving, conditionally

approving or disapproving the Preliminary Plan and document the findings upon which that action is based, in writing to:

241.21 The applicant;

241.22 The applicant's engineer;

241.23 The Municipal Planning Commission;

241.24 The Municipal Governing Body;

241.25 Adjacent communities and/or multi-municipal comprehensive planning communities as necessary.

241.3 In no case shall the decision be communicated to the applicant in more than fifteen (15) days from the date that the decision has been made.

241.4 The applicant shall be provided with a form to indicate acceptance of the conditions of approval, if any were imposed. The form shall be signed and dated by the applicant and shall be returned to the LVPC. Unless the signed, dated form is received by the LVPC within ten (10) days of the date that the form was sent to the applicant, the LVPC action is to deny the application for failure to comply with the ordinance requirements cited in the action for conditional approval.

250 Submission of the Final Plan

251 Within twelve (12) months after approval of the Preliminary Plan, a Final Subdivision or Land Development Plan and all required supplemental data shall be submitted to LVPC. An extension of time may be granted by the Lehigh Valley Planning Commission upon written request by the applicant. Otherwise, the plan submitted may be considered as a new Preliminary Plan.

252 The Final Plan shall conform in all significant respects to the Preliminary Plan as previously approved by the Lehigh Valley Planning Commission and shall incorporate all modifications required by the Lehigh Valley Planning Commission in its Preliminary Plan approval. The Lehigh Valley Planning Commission may, however, accept a Final Plan modified so as to reflect any substantial changes which have occurred on the site of the proposed subdivision, or its surroundings, since the time of the Preliminary Plan review.

253 The Final Plan may be submitted in sections or stages, each covering a reasonable portion of the entire proposed subdivision as shown on the reviewed Preliminary Plan, in accordance with the regulations set forth in Section 320. In the case of the Final Subdivision or Land Development Plan which is to be submitted in sections or stages over a period of years, the time between submission of application for final approval of each stage or section shall be no greater than twelve (12) months.

254 Final plans and all required supplementary data set forth in Section 320 for all proposed subdivisions and land developments shall be submitted to LVPC.

255 Official submission of a Final Plan to the staff by a developer shall comprise of the following: ~~(submissions which do not include the material specified in the following subsections shall not be accepted as an official submission.)~~

Official submission of a Final Plan to LVPC by an applicant shall be submitted electronically through the Lehigh Valley Planning Commission Online Submission Portal. Information on Portal access may be obtained from LVPC. Official submissions of a Final Plan shall comprise of the following:

~~255.1 Six (6) copies of a completed Application for Review of Final Subdivision Plan;~~

An application for review completed through the LVPC Online Submission Portal system;

~~255.2 Seven (7) black on white or blue on white prints on paper of the Final Plan which shall fully comply with the provisions of this Ordinance as set forth in Section 320;~~

Uploaded digital copies of the Final Plans which shall fully comply with the provisions of this Ordinance as set forth in Section 320;

~~255.3 Seven (7) copies of all required supplemental information as set forth in Section 320; 255.4 The review fee and escrow as set forth in Section 640.~~

All required supplemental information as set forth in Section 320;

255.4 The review fee and escrow shall be submitted as set forth in Section 640;

255.5 Submissions which do not include the material specified herein shall not be accepted as an official submission for review.

256 The staff shall refer Final Plan submission materials to the various review bodies as follows:

The LVPC shall refer final plan submission materials to the various review and/or coordination bodies including but not limited to the Municipality, any applicable adjacent communities and/or multi-municipal comprehensive planning partners.

~~256.1 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Planning Commission;~~

~~256.2 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the LVPC Engineer;~~

~~256.3 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Governing body.~~

257 Additional copies of the Final Plan materials shall be referred by the staff to the respective agencies in the following circumstances: **required in accordance with the following circumstances:**

257.1 Whenever the property being subdivided or developed abuts a ~~State Legislative Route~~ **Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction** and the plan differs from plans previously submitted to PennDOT with reference to access points, proposed external road improvements or traffic impact, ~~one (1) application, one (1) plan print~~ **all application materials** shall be submitted to the Pennsylvania Department of Transportation ~~District Office.~~ **in accordance with agency requirements at the same time as submitted to the LVPC.** In addition, a complete copy of any materials for Pennsylvania Department of Transportation required permits shall be submitted to the LVPC along with the Preliminary Plan. All copies of letters, communications and permits from the Pennsylvania Department of Transportation shall be copied by the applicant to the LVPC.

~~257.2 Whenever the municipality has an adopted zoning ordinance, one (1) application and one (1) plan print shall be submitted to the Zoning Officer.~~

Each Final Plan and all associated materials provided to the LVPC will be made available to the Municipality or Municipalities where the development is proposed.

257.3 Whenever the subdivision or land development requires a soil erosion and sedimentation control permit, as described in Section 491.5 of this Ordinance, ~~one (1) application, one (1) plan print, and one (1) copy of supplemental information~~ **all application materials** shall be submitted to the Lehigh County Conservation District

257.4 Whenever a proposed subdivision or land development is located adjacent to another municipality, ~~one (1) application and one (1) plan print~~ **all application materials** shall be referred to that municipality.

257.5 Any and all required outside agency approvals shall be noted in the application materials, including but not limited to sewer and/or water authorities, Pennsylvania Department of Environmental Protection, Army Corp of Engineers. Copies of outside agency application materials, correspondence, permits approved or denied shall be provided to the LVPC upon request.

260 Review of Final Plan

261 By the Lehigh Valley Planning Commission

261.1 When a Final Plan has been officially submitted, such plan shall be placed on the agenda of the Planning Commission for review at its next regular monthly meeting, provided that such official submission has occurred no less than fourteen (14) calendar days prior to such regular meeting. ~~The Planning Commission may hold a Public Hearing on the Final Plan at this time.~~

261.2 Within ninety (90) days following the date of the regular meeting of the Planning Commission next following the date of the application (unless the next meeting does not fall in a 30-day period following the date of the application, in which case the 90-day period commences on the 30th day following the date of the application), the Lehigh Valley Planning Commission shall, in accordance with the provisions of relevant ordinances, take action by approving, conditionally approving or disapproving the Final Plan and document the findings upon which that action is based, in writing to:

261.21 The applicant;

261.22 The Municipal Governing Body;

261.23 The Municipal Planning Commission;

261.24 The Municipal Zoning Officer;

261.25 The applicant's engineer.

261.3 In no case shall the decision be communicated to the applicant in more than fifteen (15) days from the date that the decision has been made.

261.4 The applicant shall be provided with a form to indicate acceptance of the conditions of approval, if any were imposed. The form shall be signed and dated by the applicant and shall be returned to the LVPC. Unless the signed, dated form is received by the LVPC within ten (10) days of the date that the form was sent to the applicant, the LVPC action is to deny the application for failure to comply with the ordinance requirements cited in the action for conditional approval.

270 Recording of the Final Plan

271 After the Final Plan is approved by the Lehigh Valley Planning Commission, the applicant shall provide one mylar reproducible print and six (6) paper prints of the Final Plan to LVPC for endorsement.

272 The Record Plan shall be a clear and legible print of a type and material required by the County Recorder of Deeds.

- 273 After the Lehigh Valley Planning Commission staff has endorsed the record plan, the applicant shall file the plan with the Lehigh County Recorder of Deeds within ninety (90) days of the approval. The applicant shall provide proof of the recording by providing the LVPC with a receipt from the Recorder's office.
- 274 At the time the Record Plan is endorsed by the staff, the Municipal Planning Commission shall receive one (1) print of the approved Final Plan for their permanent files.
- 275 At the time the Record Plan is signed by the staff, the Municipal Governing Body shall receive one (1) Final Plan for the permanent files.

280 Plans Exempted from Standard Procedures

- 281 In the case of any proposed residential subdivision which does not by itself or in combination with previously approved subdivisions, involve more than a total of three (3) lots including the residue property and does not involve the provision of any new street or easement for access (i.e. one in which all proposed lots will have frontage on an existing public street), or for a boundary adjustment where no new lots are created and where no development is proposed, the following procedure shall apply:

281.1 Plans and all required supplementary data as required shall be submitted to LVPC.

281.2 ~~Official submission of a minor subdivision to the staff by a developer shall comprise of the following: (submissions which do not include the material specified in the following subsections shall not be accepted as an official submission.)~~

Official submission of a minor subdivision to LVPC by an applicant shall be submitted electronically through the Lehigh Valley Planning Commission (LVPC) Online Submission Portal. Official submissions of a minor subdivision shall comprise of the following:

~~281.21 Five (5) copies of a completed Application for Review of Minor Subdivision Plans;~~

An application for review completed through the LVPC Online Submission Portal system.

~~281.22 Seven (7) black-on-white or blue-on-white prints on paper of the Plan which shall fully comply with the provisions of this Ordinance as set forth in Section 330 and 323;~~

Uploaded digital copies of the plans which shall fully comply with the provisions of this Ordinance as set forth in Section 330 and 323.

~~281.23~~ ~~Seven (7) copies of all required supplemental information as set forth in Section 334.~~

All required supplemental information as set forth in Section 334.

281.24 The review fee shall be submitted as set forth in Section 640.

281.25 Submissions which do not include the material specified herein shall not be accepted as an official submission for review.

~~281.3~~ ~~The staff shall refer plan submission materials to the various review bodies as follows:~~

The LVPC shall refer plan submission materials to various review and/or coordination bodies including but not limited to the Municipality, any applicable adjacent communities and/or multi-municipal comprehensive planning partners.

~~281.31~~ ~~One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Planning Commission;~~

~~281.32~~ ~~One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the municipal governing body.~~

281.4 Additional copies of the Plan materials for which the applicant is responsible for supplying shall be referred by the staff to the respective agencies in the following circumstances: shall be required in accordance with the following circumstances:

281.41 ~~Whenever the property being subdivided or developed abuts a State Legislative Route, one (1) application and one (1) plan print shall be submitted to the Pennsylvania Department of Transportation District Office;~~

Whenever the property being subdivided or developed abuts a Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction, all application materials shall be submitted to the Pennsylvania Department of Transportation in accordance with agency requirements at the same time as submitted to the LVPC. In addition, a complete copy of any materials for Pennsylvania Department of Transportation required permits shall be submitted to the LVPC along with

the Plan submission materials. All copies of letters, communications and permits from the Pennsylvania Department of Transportation shall be copied by the applicant to the LVPC;

~~281.42 Whenever the municipality has an adopted zoning ordinance, one (1) application and one (1) plan print shall be referred to the Zoning Officer;~~

Each Plan and all associated materials provided to the LVPC will be made available to the Municipality or Municipalities where the minor subdivision or development is proposed;

281.43 Whenever a proposed subdivision or land development is located adjacent to another municipality, ~~one (1) application and one (1) plan print~~ all application materials shall be referred to that municipality;

~~281.44 Whenever the plan requires storm drainage or other improvements as specified in Section 510, one (1) plan print and one (1) copy of the supplemental information shall be sent to the LVPC Engineer.~~

Any and all required outside agency approvals shall be noted in the application materials, including but not limited to sewer and/or water authorities, Pennsylvania Department of Environmental Protection, Army Corp of Engineers. Copies of outside agency application materials, correspondence, permits approved or denied shall be provided to the LVPC upon request.

281.5 Within sixty (60) days of the submission, the staff shall, in accordance with the provisions of relevant ordinances, take action by approving, conditionally approving, or recommending to the Lehigh Valley Planning Commission that the Commission disapprove the Plan. In the instance where the staff recommends disapproval of the plan, the subdivision shall be placed on the agenda of the next meeting of the Lehigh Valley Planning Commission. At that meeting, the Commission shall take action by approving, conditionally approving, or disapproving the Plan in accordance with the provisions of relevant ordinances. The staff shall document the findings upon which that action is based, in writing to:

281.51 The applicant;

281.52 The applicant's engineer;

281.53 The Municipal Planning Commission;

281.54 The Municipal Zoning Officer;

281.55 The Municipal Governing Body;

281.56 Adjacent communities and/or multi-municipal
comprehensive planning communities as necessary.

281.6 In no case shall the decision be communicated to the applicant in more than fifteen (15) days from the date that the decision has been made.

281.7 The provisions of Section 270 shall be followed for the recording of the approved Plans.

281.8 The applicant shall be provided with a form to indicate acceptance of the conditions of approval, if any were imposed. The form shall be signed and dated by the applicant and shall be returned to the LVPC. Unless the signed, dated form is received by the LVPC within ten (10) days of the date that the form was sent to the applicant, the LVPC action is to deny the application for failure to comply with the ordinance requirements cited in the action for conditional approval.

SECTION III

PLAN REQUIREMENTS

300 Feasibility Review

301 The feasibility review submission shall include the following maps and materials.

301.1 A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals two thousand (2,000) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads and municipal boundaries existing within one (1) mile of any part of the property. The key map may be based on USGS quad sheet maps.

301.2 A map illustrating an analysis of natural drainage patterns and water resources within the proposed subdivision tract, including delineation of streams, natural drainage swales, ponds and lakes, wetlands, flood plains subject to a one hundred (100) year flood frequency, and permanent and seasonal high water table areas. The map shall be based on USGS quad sheets, County Soil Survey Maps, and the flood boundary and floodway map from the Municipal Flood Insurance Study, when available.

301.3 A topographic map of the site based on USGS quad sheets.

301.4 A map delineating additional significant physical features within the proposed subdivision tract, such as woodland areas, large trees, rock

outcroppings and scenic views. The map may be based on USGS quad sheets and on-site survey work.

301.5 Where feasible and legible, the analysis involved in Sections 301.1 through 301.4 may be illustrated on one or a combination of composite maps. The combined impact of the natural characteristics upon the development potential of the tract shall be clearly illustrated on the map or maps.

301.6 A letter of intent and a sketch of the proposed subdivision or land development tract at a scale of one (1) inch equals one hundred (100) feet explaining and illustrating the developer's general development concepts for the tract. The type of development, density of development, form of ownership, circulation patterns, and means of providing major utility service should be explained and illustrated. The sketch may be based on deed and tax map information.

310 Preliminary Plan

311 The Preliminary Plan of a proposed subdivision or land development shall be clearly and legibly drawn at one of the following scales:

311.1 One (1) inch equals one hundred (100) feet;

311.2 One (1) inch equals fifty (50) feet;

311.3 One (1) inch equals twenty (20) feet; and

311.4 One (1) inch equals ten (10) feet.

312 The original drawing and all submitted prints shall be made on sheets of one of the following sets of dimensions:

312.1 Eighteen (18) inches by twenty-four (24) inches;

312.2 Twenty-four (24) inches by thirty-six (36) inches;

312.3 Thirty-six (36) inches by forty-eight (48) inches.

313 If the Preliminary Plan requires more than one sheet, a key diagram illustrating relative location of the several sections shall be drawn on each sheet.

314 The Preliminary Plan shall indicate the following data:

314.1 Name and address of record owner;

314.2 Name of developer if different from owner;

314.3 Name of the proposed subdivision;

- 314.4 Name of the municipality or municipalities within which subdivision is proposed;
- 314.5 Names of all adjoining subdivisions, if any, and the names of owners of all adjacent unplatted land;
- 314.6 Name, address, license number, and seal of the registered surveyor responsible for the subdivision plan. The surveyor shall sign a statement attesting to the accuracy of the survey.
- 314.7 North point, graphic scale, written scale, and date including the month, day and year that the original drawing was completed, and the month, day and year that the original drawing was revised, for each revision;
- 314.8 A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals two thousand (2,000) feet and showing the relationship of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, and municipal boundaries, within one (1) mile of any part of the property;
- 314.9 Total tract boundaries of the property being subdivided showing bearings and distances, and a statement of total acreage of the property::
- 314.10 Tax map sheet, block and lot numbers within the proposed subdivision tract obtained from the county tax assessor's office;
- 314.11 The zoning district or districts within which the proposed subdivision is located;
- 314.12 All existing buildings or other structures within the proposed subdivision tract;
- 314.13 All existing streets, including streets of record (recorded but not constructed), on or adjoining the tract, including names, right-of-way widths, and pavement widths;
- 314.14 All existing sewer lines, septic systems, storm sewers, water lines, wells, fire hydrants, utility transmission lines, culverts, bridges, railroads, other man-made features, watercourses and wetlands within the proposed subdivision tract and immediately adjacent to the subdivision tract;
- 314.15 Location, width, and purpose of existing easements and utility rights-of-way within the proposed subdivision tract;

- 314.16 Contour lines at vertical intervals of not more than two (2) feet for land with average natural slope of five (5) percent or less, and at intervals of not more than five (5) feet for land with average natural slope exceeding five (5) percent. Location and elevation of the data to which contour elevations refer shall be the closest United States Geologic Survey established benchmark, where available;
- 314.17 A signature block for the Lehigh Valley Planning Commission approval of the subdivision;
- 314.18 The following owner's statement shall be placed on the plan. The owner(s) shall execute the statement before a notary public. The seal of the notary public acknowledging the owner(s) statement shall be impressed on the plan. The statement shall read, "We (I), the owners of this plat of land being duly sworn according to law, depose and say we (I) are (am) the sole owner(s) of this property in peaceful possession of it and there are no suits pending affecting title of same.";
- 314.19 Proposed locations of wells (if any), proposed locations of subsurface disposal fields and alternate fields (if any), and the locations of percolation test holes and soil probe pits (if any);
- 314.20 A signature block, executed by the applicant, shall read "The applicant hereby authorizes the LVPC staff to enter upon and inspect the site for the purposes of conducting a review and determining consistency with the requirements of the Lehigh County SALDO during the pendency of the application before the LVPC.";
- 314.21 Significant natural features including but not limited to flood plains, ponds and lakes, wooded areas and trees of greater than eight (8) inches in caliper. Flood plain information shall delineate the bounds of the 100 year flood plain, floodway and flood fringe.
- 315 The full plan of proposed development, including:
- 315.1 Location and width of all streets and rights-of-way, with a statement of any conditions governing their use;
- 315.2 Suggested street names;
- 315.3 Utility easement locations;
- 315.4 Building setback lines along each street;
- 315.5 Lot lines with approximate dimensions;

- 315.6 A statement of the intended use of all non-residential lots and parcels;
- 315.7 Lot numbers, a statement of total number of lots and parcels and the lot size in square feet or acres for each lot;
- 315.8 Sanitary and/or storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities;
- 315.9 Parks, playgrounds and other areas dedicated or reserved for public or common use, with any conditions governing such use;
- 315.10 Location, width, and purpose of proposed easements and utility rights-of-way;
- 315.11 Copies of the proposed deed restrictions and protective and restrictive covenants referenced to the Preliminary Plan;
- 315.12 A contour grading plan.
- 316 The Preliminary Plan shall be accompanied by the following supplementary data unless the Lehigh Valley Planning Commission has determined that the submission of such data is not necessary:
 - 316.1 Preliminary profiles, typical cross-sections and specifications for proposed street, sanitary sewer, water system improvements, and storm drainage in accordance to the design standards of Sections 430, 440, 450 and 460, respectively.
 - 316.2 A storm drainage plan for the proposed subdivision tract which includes the following in addition to the requirements of Sections 314 and 315:
 - 316.201 A narrative with a general description of the proposed subdivision and/or land development and a general description of proposed permanent storm water controls.
 - 316.202 Maps of the project area showing:
 - 316.2021 Soil types and boundaries based on the Lehigh County Soil Survey.
 - 316.2022 Proposed structures, paved areas and buildings.
 - 316.2023 Storm Water Management District boundaries applicable to the site.

- 316.2024 A schematic showing all tributaries contributing flow to the site and all existing man-made features beyond the property boundary that would be affected by the project.
- 316.203 Storm water management controls.
- 316.2031 All storm water management controls must be shown on a map and described, including:
- 316.20311 Groundwater recharge methods such as seepage pits, beds or trenches. When these structures are used, the locations of septic tank infiltration areas and wells must be shown.
- 316.20312 Other control devices or methods such as roof-top storage, semi-pervious paving materials, grass swales, parking lot ponding, vegetated strips, detention or retention ponds, storm sewer, etc.
- 316.2032 All calculations, assumptions and criteria used in the design of the control device or method must be shown.
- 316.3 A landscape plan, where applicable, according to the standards set forth in Section 492.4, Tree Preservation and Planting;
- 316.4 In the case of subdivisions or land development plans to be developed in stages or sections, over a period of time, a map delineating each stage or section of the proposed subdivision or land development consecutively numbered so as to illustrate phasing of development and a schedule indicating the approximate time for which application for final approval of each stage or section are intended to be filed;
- 316.5 Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection - Division of Dams and Encroachments and/or the Pennsylvania Department of Transportation;

- 316.6 A map illustrating the entire contiguous holdings of the landowner indicating the area or scope of ultimate proposed subdivision and delineating the area which the Preliminary Plan encompasses;
- 316.7 A sketch map of the proposed road system for the remainder of the area not included in the Preliminary Plan;
- 316.8 When water service to the proposed subdivision is to be provided by an existing public system, the developer shall submit one (1) copy of a letter from the agency, authority or utility which agrees to extend water service, subject to the execution of a service agreement.
- 316.9 Certification of sewage disposal systems.
- 316.91 When sewage disposal service to the proposed subdivision is to be provided by an existing public system, the developer shall submit one (1) copy of a letter from the agency, authority or utility which agrees to provide sewer service subject to the execution of a service agreement.
- 316.92 When sewage disposal service for the proposed subdivision is to be by individual on-lot sewage disposal systems, the applicant shall submit two (2) copies of the Municipal Sewage Enforcement Officer's approval of the planning module.
- 316.10 (Reserved)
- 316.11 If the subdivision or land development includes wetlands or hydric soils, the applicant shall submit either a written determination from the U.S. Army Corps of Engineers that the area does not contain wetlands, or copies of permits for the proposed activity from the U.S. Army Corps of Engineers pursuant to Sections 9 and 10 of the River and Harbor Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act and from the Pa. **Pennsylvania** Department of Environmental Protection pursuant to the Dam Safety and Encroachments Act. A copy of any wetlands study prepared for the property, including a study prepared for the use of the U.S. Army Corps of Engineers or the Pa. **Pennsylvania** Department of Environmental Protection shall be submitted.

320 Final Plans

- 321 The final plans shall conform to the standards and data requirements set forth for Preliminary Plans in Sections 311 through 315 of this Ordinance.

- 322 It shall not be necessary to resubmit supporting maps and data submitted with the Preliminary Plan, as set forth in Section 316 of this Ordinance, provided that no change has occurred.
- 323 The following additional data shall be illustrated on the Final Plan:
- 323.1 The latest source of title to the land as shown by the deed, page number and book of the County Recorder of Deeds;
- 323.2 The total tract boundary lines of the area being subdivided with accurate distances to hundredths of a foot and bearing to fifteen (15) seconds. These boundaries shall be determined by accurate survey in the field, to an error of closure not to exceed one (1) foot in ten thousand (10,000) feet. The tract boundary shall be subsequently closed and balanced. The boundary(s) adjoining additional unplatted land of the subdivider (for example, between separately-submitted Final Plan sections), however, are not required to be based upon field survey, and may be calculated. The location of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments;
- 323.3 All lot lines shall be completely dimensioned in feet if straight, and by designating length of arc and radius (in feet) and central angle (in degrees, minutes, and seconds) if curved. All internal angles within the lots shall be designated to within fifteen (15) seconds;
- 323.4 The proposed building setback or the proposed placement of each building;
- 323.5 All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan. Easements shall either be shown or specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities;
- 323.6 Such private deed restrictions as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided;
- 323.7 Space shall be left along the lower edge of the sheet, in order that the County Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented;

- 323.8 If the Final Plan requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.
- 324 The Final Plan shall be accompanied by the following:
- 324.1 Plans showing:
- 324.101 Location, size and invert elevation of all sanitary sewer, water distribution and storm drainage systems and the location of all manholes, inlets and culverts;
- 324.102 Final profiles, cross-sections, and specifications for proposed streets, sanitary sewers, water distribution systems, and storm drainage systems shall each be shown on one or more separate sheets.
- 324.2 Documentation from the Sewage Enforcement Officer that each lot has been approved for on-lot sewage systems (where applicable).
- 324.3 A copy of the Department of Environmental Protection acceptance or approval of the planning module (where applicable).
- 324.4 A copy of the permit granted by the Pennsylvania Department of Environmental Protection for a private centralized sanitary sewer system, where applicable.
- 324.5 A copy of the highway occupancy permit for any road or driveway requiring access to a ~~State Legislative Route~~ **Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction.**
- 324.6 A copy of a permit granted by the Pennsylvania Department of Environmental Protection for a private centralized water system (where applicable).
- 324.7 A completed and executed copy of the Subdivision Improvements Agreement as agreed upon by the developer and the Municipal Governing Body, public utility or municipal authority subject to the following LVPC findings. The LVPC shall find, upon review of the executed improvements agreement that the agreement covers all public improvements specified on the subdivision plan, and that the agreement is enforceable. Should the improvements agreement not meet these criteria, this requirement shall be considered to be unmet.

- 324.8 A performance guarantee in the amount of one hundred ten (110) percent of the cost of all required improvements, as set forth in Section 520 as estimated in accordance with the provisions set forth in the Municipalities Planning Code as amended, in a form and with surety in accordance with the provisions set forth in the Municipalities Planning Code as amended and acceptable to the LVPC solicitor, guaranteeing the construction and installation of all such improvements within a stated period which shall not be longer than one (1) year from the date of the Final Subdivision Approval. Where the Final Plan is submitted in stages or sections, the amount of the guarantee may also be provided in stages if acceptable to the Municipal Governing Body, public utility or municipal authority.
- 324.9 A maintenance guarantee in an amount of not less than fifteen (15) percent of the actual cost of the installation of the improvements as set forth in Section 520. This guarantee assures the structural integrity of the improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a period not to exceed eighteen (18) months after the acceptance of all such improvements by the Municipal Governing Body, public utility, or municipal authority.
- 324.10 An erosion and sedimentation control plan developed in accordance with Part IV, paragraph 44 of the Soil Erosion and Sedimentation Control Manual issued by the Department of Environmental Protection.
- 324.11 A legal description of all areas offered for dedication.
- 324.12 A copy of an opinion of title from a title insurance company or an attorney which sets forth the names of all owners of the property, and a list of all mortgages, judgments, liens, easements, contracts and agreements of record as filed in the Lehigh County Recorder of Deeds Office, which affect the property being acted upon.
- 324.13 When an agency, authority or utility providing sewer or water service to the subdivision or land development has approval authority under its own jurisdiction, a letter which indicates that the plans meet the relevant agency, authority or utility specifications shall be submitted.
- 325 In the case of a subdivision or land development proposed to be developed in stages or sections over a period of years, Final Plan requirements as listed in Section 321 through 324 shall apply only to the stage or section for which Final Approval is being sought. However, the Final Plan presented for the stage or section must be considered as it

relates to information presented for the entire subdivision or land development in the application for Preliminary Approval.

330 Plans Exempted from Standard Procedures

331 The Plan shall be clearly and legibly drawn to one of the following scales:

331.1 One (1) inch equals fifty (50) feet;

331.2 One (1) inch equals twenty (20) feet; and

331.3 One (1) inch equals ten (10) feet.

332 The original drawing and all submitted prints shall be made on sheets of one of the following sets of dimensions:

332.1 Eighteen (18) inches by twenty-four (24) inches;

332.2 Twenty-four (24) inches by thirty-six (36) inches;

332.3 Thirty-six (36) inches by forty-eight (48) inches.

333 The Plan shall indicate the full plan of proposed development and the following data:

333.1 Name and address of record owner;

333.2 Name of developer if different from owner;

333.3 Name of the proposed subdivision;

333.4 Name of the municipality or municipalities within which the subdivision is proposed;

333.5 Names of all adjoining subdivisions, if any, and the names of owners of all adjacent unplatted land;

333.6 North point, graphic scale, written scale, and date including the month, day and year that the original drawing was completed, and the month, day and year that the original drawing was revised, for each revision;

333.7 A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals two thousand (2,000) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads and municipal boundaries within one mile of any part of the property;

- 333.8 A statement of total acreage of the property;
- 333.9 Tax map sheet, block and lot numbers within the proposed subdivision tract obtained from the county tax assessor's office;
- 333.10 The zoning district or districts within which the proposed subdivision is located;
- 333.11 All existing buildings or other structures within the proposed subdivision tract;
- 333.12 All existing streets, including streets of record (recorded but not constructed), on or adjoining the tract, including names, right-of-way widths, and pavement widths;
- 333.13 All existing sewer lines, subsurface disposal areas, storm sewers, water lines, wells, fire hydrants, utility transmission lines, culverts, bridges, railroads, other manmade features or watercourses within the proposed subdivision tract and within fifty (50) feet of the boundaries of the proposed subdivision tract;
- 333.14 Location, width, and purpose of existing easements and utility rights-of-way within the proposed subdivision tract;
- 333.15 Contour lines at vertical intervals of not more than two (2) feet for land with average natural slope of five (5) percent or less, and at intervals of not more than five (5) feet for land with average natural slope exceeding five (5) percent. Location and elevation of the data to which contour elevations refer shall be the closest United States Geologic Survey established benchmark, where available;
- 333.16 The latest source of title to the land as shown by the deed, page number and book of the County Recorder of Deeds;
- 333.17 The total tract boundary lines of the area being subdivided with accurate distances to hundredths of a foot and bearing to fifteen (15) seconds. These boundaries shall be determined by accurate survey in the field, to an error of closure not to exceed one (1 foot in ten thousand (10,000) feet. The tract boundary shall be subsequently closed and balanced. The boundary(s) adjoining additional unplatted land of the subdivider, however, are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments;

- 333.18 All lot lines shall be completely dimensioned in feet if straight, and by designating length of arc and radius (in feet) and central angle (in degrees, minutes, and seconds) if curved. All internal angles within the lots shall be designated to within fifteen (15) seconds;
- 333.19 The proposed building setback or the proposed placement of each building;
- 333.20 All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan. Easements shall either be shown or specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities;
- 333.21 The following owner's statement shall be placed on the plan. The owner(s) shall execute the statement before a notary public. The seal of the notary public acknowledging the owner(s) statement shall be impressed on the plan. The statement shall read, "We(I) the owner(s) of this plat of land being duly sworn according to law, depose and say we(I) are(am) the sole owner(s) of this property, in peaceful possession of it, and there are no suits pending affecting title of same.";
- 333.22 A signature block for certification of approval of the plan by the Lehigh Valley Planning Commission;
- 333.23 Space shall be left along the lower edge of the sheet, in order that the County Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented;
- 333.24 A map illustrating the entire contiguous holdings of the landowner, and indicating the area or scope of ultimate proposed subdivision and delineating the area which the Plan encompasses;
- 333.25 A sketch map of the proposed road system for the remainder of the area not included in the Plan;
- 333.26 A statement of the intended use of all non-residential lots and parcels;
- 333.27 Lot numbers, a statement of total number of lots and parcels, and the lot size in square feet or acres for each lot.
- 333.28 Proposed locations of wells, subsurface disposal fields, and alternate fields. percolation test holes, and soil probes, if relevant.

- 333.29 A signature block, executed by the applicant, shall read "The applicant hereby authorizes the LVPC staff to enter upon and inspect the site for the purposes of conducting a review and determining consistency with the requirements of the Lehigh County SALDO during the pendency of the application before the LVPC.";
- 333.30 Significant natural features including but not limited to flood plains, ponds and lakes, streams, natural drainage swales, wooded areas and trees of greater than eight (8) inches in caliper. Flood plain information shall delineate the bounds of the 100 year flood plain, floodway and flood fringe;
- 333.31 Proposed grading.
- 334 The Plan shall be accompanied by the following supplementary data unless the Lehigh Valley Planning Commission has determined that the submission of such data is not necessary:
- 334.1 A legal description of all areas offered for dedication;
- 334.2 Such private deed restrictions as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided;
- 334.3 A copy of the highway occupancy permit for any driveway requiring access to a ~~State Legislative Route~~ **Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction**;
- 334.4 When water service to the proposed subdivision is to be provided by an existing public system, the developer shall submit one (1) copy of a letter from the agency, authority or utility which agrees to provide sewer service subject to the execution of a service agreement.
- 334.5 When sewage disposal service to the proposed subdivision is to be provided by an existing public system, the developer shall submit one (1) copy of a letter from the agency, authority or utility which agrees to provide sewer service subject to the execution of a service agreement.
- 334.6 When sewage disposal service for the proposed subdivision is to be by individual on-lot sewage disposal systems, the applicant shall submit two (2) copies of the Municipal Sewage Enforcement Officer's approval of the planning module.

- 334.7 Where an agency, authority or utility providing sewer or water service to the subdivision has approval authority under its own jurisdiction, a letter which indicates that the plans meet the relevant agency, authority, or utility specifications shall be submitted;
- 334.8 A copy of an opinion of title from a title insurance company or an attorney which sets forth the names of all owners of the property, and a list of all mortgages, judgments, liens, easements, contracts and agreements of record as filed in the Lehigh County Recorder of Deeds Office, which affect the property being acted upon.

SECTION IV

DESIGN STANDARDS

400 Application

- 401 The design standards and requirements outlined in this section will be utilized by the Lehigh Valley Planning Commission in determining the adequacy of all plans for proposed subdivisions and land developments.
- 402 Development shall be planned, reviewed and carried out in conformance with all municipal, state and other applicable laws and regulations.
- 403 Whenever provisions of this ordinance conflict with the provisions of other ordinances and regulations, the most restrictive provisions shall apply.

410 General Standards

- 411 Land shall be suited to the purpose for which it is to be subdivided. Land with unsafe or hazardous conditions such as open quarries, unconsolidated fill, steep slopes, or flood prone areas shall not be subdivided unless the subdivision plan provides for adequate safeguards which are approved by the Lehigh Valley Planning Commission.
- 412 Consideration shall be given to applicable provisions of the municipal Comprehensive Plan and the LVPC's Comprehensive Plan for Lehigh and Northampton Counties, emphasizing future school sites, recreation sites, water supply and sewage treatment systems, highway alignments, and other public facilities. However, consideration must be given to the need for the facilities and utilities mentioned above whether or not they are proposed as part of a comprehensive plan.
- 413 The development of the proposed subdivision shall be coordinated with adjacent existing development so that the area, as a whole, may develop harmoniously.

- 414 These design standards and requirements may be altered by the Lehigh Valley Planning Commission for the purpose of achieving economy and ingenuity in design in accordance with modern and evolving principles of site planning and development, upon presentation of evidence that the intent of such standards shall be substantially achieved.

420 Block and Lot Design Standards

421 Block Layout

- 421.1 The length, width and shape of blocks shall be determined with due regard to:
- 421.11 Provisions of adequate sites for buildings of the type proposed;
 - 421.12 Municipal zoning requirements;
 - 421.13 Topography;
 - 421.14 Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with arterial streets;

422 Block Length

- 422.1 Residential blocks shall ordinarily be no less than five hundred (500) feet in length and no more than eighteen hundred (1,800) feet in length.
- 422.2 In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection.
- 422.3 Where practicable, blocks along arterial and collector streets shall not be less than one thousand (1,000) feet in length.

423 Block Depth

- 423.1 Single family residential blocks shall be of sufficient depth to accommodate two tiers of lots; except the Lehigh Valley Planning Commission may approve a single tier of lots in the following cases:

- 423.11 Where reverse frontage lots are required;

or

423.12 Where two tiers of lots are not possible due to the size, topographical conditions or other inherent conditions of the property.

424 Commercial and Industrial Blocks

424.1 Blocks in commercial, industrial, multi-family and planned residential developments may vary from the elements of design detailed above if required by the nature of the use. In all cases, however, adequate provisions shall be made for traffic and pedestrian circulation, off-street parking, and loading areas.

425 General Lot Design Standards

425.1 Within the requirements of the Municipal Zoning Ordinance, the size, shape and orientation of lots shall be appropriate for the type of development and use contemplated.

425.2 Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.

425.3 Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.

425.4 Generally, the depth of single family detached residential lots shall be not less than one (1) nor more than three (3) times their width.

425.5 Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks and landscaping.

425.6 If, after subdividing, there exists remnants of land, they shall be either:

425.61 Incorporated in existing or proposed lots;

or

425.62 Legally dedicated to public use, if acceptable to the municipality and the Lehigh Valley Planning Commission.

426 Lot Frontage

426.1 All proposed lots shall have frontage on an ordained public street, other than an alley. These requirements shall not apply to individual condominium units when such units are contained in an approved condominium development.

- 426.2 Double or reverse frontage lots may be required to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography or other natural features of the proposed subdivision tract.
- 426.3 All residential reverse frontage lots shall have a rear yard with a minimum depth of seventy-five (75) feet, measured along the shortest distance from the proposed dwelling unit to the ultimate right-of-way and shall, within such rear yard and immediately adjacent to the right-of-way, have a planting screen easement of at least ten (10) feet in width, across which there shall be no right of access.
- 427 Lot Access
- 427.1 Direct access onto arterial roads and numbered traffic routes shall be minimized.
- 427.71 Direct access onto an arterial road or a numbered traffic route shall be prohibited where adequate alternative access can be obtained from a collector road, local road or alley.
- 427.72 Access to two or more abutting residential properties shall be provided by a shared driveway unless the applicant demonstrates that such access is impractical.
- 427.73 A maximum of one access point per property involving a left hand turn exiting a non-residential property onto an arterial road or a numbered traffic route shall be permitted.
- 427.74 Parking lots and internal driveways for non-residential development shall support access management objectives along arterial roads and numbered traffic routes.
- 427.741 Shared parking lots and driveways connecting adjacent parking lots for non-residential uses shall be used whenever practical.
- 427.742 The distance between the intersection of the access road with the arterial road or a numbered traffic route and the intersection of the access road with other internal

access roads shall be maximized to the extent possible.

427.2 Where access is permitted to a state road or highway, authorization from the Pennsylvania Department of Transportation must be proven by the display of a valid highway occupancy permit. Driveways to single family residences shall intersect streets at angles of no less than sixty (60) degrees. All other driveways or access roads shall intersect streets at right angles, where practicable, and in no case less than seventy-five (75) degrees.

427.3 Widths of access roads or driveways shall be in accordance with the following standards:

427.31 Access roads for multi-family residential, mobile home parks and all non-residential subdivisions shall be no less than twenty-four (24) feet in width, shall not exceed thirty (30) feet in width at the street line, and shall be clearly defined by use of curbing;

427.32 Driveways for single family residential subdivisions shall be no less than ten (10) feet in width but shall not exceed twenty (20) feet in width at the street line.

427.4 To provide safe and convenient ingress and egress, access road and driveway entrances shall be rounded at the following minimum radii, except when a curb depression is provided in accord with the Lehigh County Improvements Specifications Ordinance.

427.41 Access road entrances for multi-family residential developments, mobile home parks, and all non-residential subdivisions shall be rounded at a minimum radius of ten (10) feet;

427.42 Driveway entrances for single-family residences shall be rounded at a minimum radius of five feet except along ~~legislative routes~~ **Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction** where a ten (10) foot radius is required.

427.5 Access road grades or driveway grades shall not exceed the following grades:

- 427.51 Twelve (12) percent between the future street right-of-way line and any other point within the confines of the lot being served;
- 427.52 Five (5) percent in a leveling area extending forty (40) feet from the intersection of the access road or driveway with the cartway of the street.
- 427.6 The centerline of an access road or driveway at the point of access to a street shall not be located closer to an intersection of street centerlines than the following distances:
- 427.61 Fifty (50) feet for single-family residential units.
- 427.62 For multi-family residential developments, mobile home parks, and all non-residential subdivisions:
- 427.621 One hundred fifty (150) feet if either street is an arterial street;
- 427.622 One hundred (100) feet if either street is a collector street;
- 427.623 Fifty (50) feet if both streets are local streets.
- 427.7 Vehicular access shall be available to all lots directly from an ordained public street. This requirement shall not apply to individual condominium units where such units are contained in an approved condominium development.
- 427.8 Clear sight triangles shall be provided at all intersections of driveways with streets, except alleys. Clear sight triangles are not required for intersections of driveways with alleys. Within such triangles, no object greater than two and one-half (2-1/2) feet in height and no other object that would obscure the vision of the motorist shall exist or be placed. The triangles shall be measured as follows:
- 427.81 Along the centerline of the driveway from a point twenty (20) feet from where the driveway meets the cartway of the road, to points along the centerline of the road two hundred (200) feet on each side from the intersecting centerlines of the driveway and road, if the road is classified as a local road.
- 427.82 Along the centerline of the driveway, from a point twenty (20) feet from where the driveway meets the

cartway of the road, to points along the centerline of the road three hundred (300) feet on each side from the intersecting centerlines of the driveway and road, if the road is classified as a collector or arterial road.

428 Flag lots may be allowed in certain circumstances to minimize hardships in the use of land that lacks adequate road frontage for an equitable use of the lot. Normally, this situation will be deemed to exist when the lot lacks double the required road frontage for lots in that zoning district. However, flag lots will not be permitted merely to increase the density of development nor to minimize the amount of road improvements. The following requirements will apply:

428.1 No more than two flag lots will be permitted per original tract of land, even if lots are subdivided from the tract at different times;

428.2 The access lane will have a minimum width of twenty-five (25) feet, be contained entirely within the lot and serve only one lot;

428.3 The access lane will have a maximum length of five hundred (500) feet measured from the right-of-way of the public road to the perimeter of the rectangle defining the lot area;

428.4 The area in the access lane shall be excluded from the area required for meeting the minimum lot size standards of the Zoning Ordinance;

428.5 No sharp turns (greater than 45 degrees) shall be allowed within the access lane;

428.6 The location of the access lane shall be logically related to the body of the flag lot, surrounding property configurations, woodlands, topography, watercourses and flood plains.

430 Street Design Standards

431 General Requirements

431.1 Proposed streets shall be properly related to the road and highway plans of the state, county and municipality. Streets shall be designed to provide adequate vehicular access to all lots or parcels and with regard for topographic conditions, project volumes of traffic, and further subdivision possibilities in the area.

431.2 The street system of a proposed subdivision or land development shall be designed to create a hierarchy of street functions which includes collector and local streets.

- 431.3 The street system of a proposed subdivision or land development shall be designed so as to minimize street intersections and pedestrian-vehicular conflict points.
- 431.4 Proposed local streets shall be designed so as to discourage through traffic and excessive speeds. However, the developer shall provide for the extension and continuation of arterial and collector streets into and from adjoining properties.
- 431.5 Where, in the opinion of the Lehigh Valley Planning Commission, it is desirable to provide for street access to adjoining property, streets shall be extended by dedication to the boundary of such property. Distances between access points to adjoining property shall be based on block length standards set forth in Section 422.
- 431.6 Where a subdivision abuts or contains an existing or proposed arterial traffic street, the Lehigh Valley Planning Commission may require marginal access streets, reverse frontage lots, or other such treatment as will provide protection for abutting properties, reduction in the number of intersections with the arterial street, and separation of local and through traffic.
- 431.7 Private streets (streets not to be offered for dedication) may be approved by the Lehigh Valley Planning Commission only if they meet the street design and improvement standards set forth in this Ordinance and when they are part of an approved condominium development.
- 431.8 If the lots in the development are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such an eventuality shall be provided.

432 Street Right-of-Way and Cartway Widths

- 432.1 Street right-of-way and cartway widths in proposed subdivisions shall conform to the standards on the following chart:

STREET DESIGN STANDARDS			
	Street Classification		
	Local	Collector	Arterial
	Right-of-Way Width	50'	50'

Pavement Width	34'	36'	24-48' *
Traffic Lane Width	9'	10'	12'
Parking Lane Width	8' (when required)		
Sidewalk Width	4' as per Section 511.3		
Curbing	vertical curb, or grassed drainage swale with no curbing		
*The width shall depend on whether two lanes or four lanes are provided for traffic.			

432.2 The standards set forth in Section 432.1 may be modified by the Lehigh Valley Planning Commission when an analysis of proposed development densities, provisions for off-street parking, and projected traffic volumes indicate a need for such modifications. The burden of proof shall be upon the developer to justify the adequacy of rights-of-way or cartway widths which are less than those set forth in Section 432.1.

433 Horizontal Curves

433.1 Whenever street centerlines are deflected more than five (5) degrees within five hundred (500) feet, connection shall be made by horizontal curves.

433.2 Horizontal curves shall be designed to produce the following minimum sight distances:

433.21 Local streets - one hundred fifty (150) feet;

433.22 Collector streets - three hundred (300) feet;

433.23 Arterial streets - six hundred (600) feet.

433.3 A minimum tangent of one hundred (100) feet shall be required between reverse curves on a street and between a curve and a street intersection.

434 Street Grades

434.1 There shall be a minimum centerline grade on all streets of seventy-five hundredths (0.75) percent.

434.2 Unless approval is obtained from the Lehigh Valley Planning Commission upon recommendation from the LVPC Engineer, centerline grades shall not exceed the following:

434.21 Local streets - eleven (11) percent;

434.22 Collector streets - eight (8) percent;

434.23 Arterial streets - six (6) percent.

434.3 Intersections shall be approached on all sides by leveling areas. Such leveling areas shall have a minimum length of seventy-five (75) feet (measured from the edge of the cartway of the intersecting road), within which no grade shall exceed a maximum of four (4) percent.

435 Vertical Curves

435.1 Vertical curves shall be used in changes of grade exceeding one (1) percent. However, where the curve would be a sag curve, vertical curves shall be used in changes of grade exceeding two (2) percent.

435.2 Vertical curves shall be designed to meet minimum sight distances according to standards set forth by the American Association of State Highway Officials.

436 Street Intersections

436.1 Streets shall intersect at right angles whenever practicable. When local streets intersect collector or arterial streets, the angle of intersection at the street centerlines shall in no case be less than seventy-five (75) degrees. No two streets shall intersect with an angle of intersection at the centerlines of less than sixty (60) degrees.

436.2 Multiple intersections involving the junction of more than two streets shall be prohibited.

436.3 Two streets intersecting a third street from opposite sides shall either intersect with a common centerline or their centerlines shall be offset according to the following distances:

436.31 The two streets shall be separated by a distance of one hundred fifty (150) feet between centerlines measured along the centerline of the street being

- intersected when all three streets involved are local streets;
- 436.32 The two streets shall be separated by a distance of three hundred (300) feet between centerlines measured along the centerline of the street being intersected when one or more of the streets involved is a collector street;
- 436.33 The two streets shall be separated by a distance of five hundred (500) feet between centerlines measured along the centerline of the street being intersected when one or more of the streets involved is an arterial street.
- 436.4 Street curb intersections shall be rounded by a tangential arc with a minimum radius of:
- 436.41 Twenty (20) feet for intersections involving only local streets;
- 436.42 Thirty (30) feet for all intersections involving a collector street;
- 436.43 Forty (40) feet for all intersections involving an arterial street.
- 436.5 Street right-of-way lines shall be parallel to (or concentric with) curb arcs at intersections.
- 436.6 Clear sight triangles shall be provided at all street intersections. Within such triangles, no object greater than two and one-half (2½) feet in height and no other object that would obscure the vision of the motorist shall exist or be placed. Such triangles shall be established as follows:
- 436.61 Seventy-five (75) feet from the point of intersection of the centerlines of the two streets, along the centerlines of all streets, where both streets are local streets and the intersection is not controlled by a stop sign or a traffic light.
- 436.62 One hundred (100) feet from the point of intersection of the centerlines of the two streets, along the centerlines of all streets, where at least one road is collector road and the intersection is not controlled by a stop sign or a traffic light.

- 436.63 One hundred fifty (150) feet from the point of intersection of the centerlines of the two streets along the centerlines of all streets where at least one road is an arterial street and the intersection is not controlled by a stop sign or a traffic light.
- 436.64 Along the centerline of the street where movement is controlled by a stop sign, from a point twenty (20) feet from where the cartways of the two roads meet, to points two hundred (200) feet on each side from the point where the centerlines of the two roads meet along the other road, if both roads are classified as local roads.
- 436.65 Along the centerline of the street whose movement is controlled by a stop sign from a point twenty (20) feet from where the cartways of the two roads meet, to points three hundred (300) feet on each side from the point where the centerlines of the two roads meet along the other road, if at least one road is classified as a collector or arterial road.
- 436.7 Wherever a portion of the line of such triangles occurs within the proposed building setback line, such portion shall be shown on the Final Plan of the subdivision, and shall be considered a building setback line.
- 437 Cul-de-sacs
- 437.1 Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.
- 437.2 Any dead-end street which is constructed for future access to an adjoining property or because of authorized stage development, and which is open to traffic and exceeds two hundred (200) feet in length, shall be provided with a temporary, all-weather turning circle or "T" type turnaround. The turning circle or "T" type turnaround shall be completely within the boundaries of the subdivision and the use of the turnaround shall be guaranteed to the public until such time as the street is extended.
- 437.3 Cul-de-sac streets, permanently designed as such, shall not exceed one thousand (1,000) feet in length and shall not furnish access to more than twenty-five (25) dwelling units. In the case of industrial parks, a cul-de-sac shall not furnish access to more than one hundred (100) employees. Exemptions from these requirements may be granted where necessary due to unique characteristics of the site.

437.4 All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully-paved turning circle. The turning circle may be offset to the left, but turnarounds offset to the right shall be discouraged.

437.41 If parking will be prohibited on the turning circle, the minimum radius to the pavement edge or curb line shall be forty (40) feet and the minimum radius of the right-of-way shall be forty-eight (48) feet.

437.42 If parking will be permitted on the turning circle, the minimum radius to the pavement edge or curb line shall be fifty (50) feet and the minimum radius of the right-of-way line shall be fifty-eight (58) feet.

437.5 The centerline grade on a cul-de-sac street shall not exceed eleven (11) percent, and the grade of the diameter of the turnaround shall not exceed five (5) percent.

438 Half Streets

438.1 The dedication of new half streets at the perimeter of a new subdivision is prohibited.

438.2 The subdivider shall provide the entire required right-of-way, or as much thereof as is possible, within his property, along all existing streets which traverse or abut the property.

439 Street Names and Street Signs

439.1 Proposed streets which are in alignment with others already existing and named shall bear the name of the existing streets.

439.2 In no case shall the name of a proposed street duplicate an existing street name in the municipality and in the postal district, irrespective of the use of the suffix street, road, avenue, boulevard, driveway, place, court or lane.

439.3 All street names shall be subject to the approval of the Lehigh Valley Planning Commission.

439.4 Street signs shall be provided at the intersection of all streets. The type, height and design shall be according to the provisions of Section 511.10.

440 Sanitary Sewage Disposal

441 The developer shall provide the most effective type of sanitary sewage disposal consistent with the municipality's official plan for sewage facilities prepared in

accordance with the Pennsylvania Sewage Facilities Act (Act 537) and Chapter 71 of the Pennsylvania Department of Environmental Protection Regulations.

- 442 Connection to a public sanitary sewer system shall be required where such a system is proposed by the municipality's official plan for sewage facilities, can feasibly be provided to the proposed subdivision tract, and where such a system can adequately fulfill the sewage disposal needs of the subdivision or land development.
- 443 Where a public sanitary sewer system is not yet accessible to the site, but is planned for extension within a five (5) year period, the developer shall install sanitary sewer lines within the subdivision boundary to the point where the future connection to a public sewer system will be made. Lateral connections shall be constructed for all lots. Connections shall be available in the structures so as to allow the switch from the use of on-lot systems to the public system. Such sewer systems shall be capped until ready for use. On-lot disposal facilities shall be provided for interim use.
- 444 In subdivision/land developments where connection to a public sewage system is not possible, on-lot sewage disposal systems shall be provided in accordance with the Pennsylvania Sewage Facilities Act, Chapter 73 of DEP Regulations, and the requirements of the Municipal Sewage Enforcement Officer. Each lot shall be provided with a tested, approved primary and secondary absorption area.
- 445 Sanitary sewerage systems shall be located and designed to minimize or eliminate flood damage, infiltration of flood waters into the system, and discharges from the system into flood waters.
- 446 On-lot sewage disposal systems shall be located and designed to avoid impairment or contamination from flooding.

450 Water Supply and Distribution Systems

- 451 The developer shall provide a water supply and distribution system to service the proposed subdivision through one of the following methods:
- 451.1 Connection shall be made to a public water supply system where such a system can feasibly be provided to the proposed subdivision tract and where the capacity of such a system can adequately fulfill the water supply demands of the proposed subdivision. A distribution system shall be designed to furnish an adequate supply of water to each lot.
- 451.2 Where a public water supply system is planned to serve the proposed subdivision area within ten (10) years, a centralized water system will be provided by the developer if the subdivision involves twenty (20) or more dwelling units unless the average

residential lot size is one acre or larger. Whenever such a system is provided, the water distribution lines shall be dedicated to the appropriate public authority and the authority will acquire other parts of the water supply system such as wells, pumps and storage tanks that can be integrated into the public water system. This will take place after the improvements are completed so that the system can be operated by the public authority. Also, such a system shall be designed and constructed in a manner that will permit adequate connection to a public water supply system in the future. The system shall meet the design and construction standards for centralized water systems set forth in Appendix A.

451.3 Where a public water supply is not proposed in the area of the proposed subdivision within ten (10) years, the developer shall provide a centralized water system if the subdivision involves twenty (20) or more lots and the average residential lot size is less than one (1) acre. The system shall meet the design and construction standards for centralized water systems set forth in Appendix A.

451.4 All centralized water systems that remain privately owned shall be organized in a manner as to fall within the jurisdiction of the Pennsylvania Public Utility Commission.

451.5 Water supply systems shall be located and designed to minimize or eliminate infiltration of flood waters so as to meet Federal Insurance Administration provisions.

460 Storm Drainage Systems

461 Storm drainage systems shall be provided in order to:

461.1 Ensure adequate drainage of all low points along the line of streets;

461.2 Intercept stormwater runoff along streets at intervals related to the extent and grade of the area drained;

461.3 Provide positive drainage away from on-site sewage disposal systems;

461.4 Take surface water from the bottom of vertical grades, lead water from springs, and avoid excessive use of cross-gutters at street intersections and elsewhere;

461.5 Prevent overloading of downstream drainage systems and watercourses as a result of increased rate of runoff caused by the proposed development. No stormwater runoff or natural drainage

shall be so diverted as to overload existing drainage systems, or create flooding or the need for additional drainage structures on other private properties or public lands, without approved provisions being made by the developer for properly handling such conditions.

462 General Requirements

- 462.1 A site drainage plan for the proposed subdivision tract shall be prepared which illustrates the complete drainage systems for the subdivision. All existing drainage features which are to be incorporated in the design shall be so identified. If the subdivision is to be developed in stages, a general drainage plan for the entire subdivision shall be presented with the first stage and appropriate development stages for the drainage system shall be indicated.
- 462.2 The site drainage plan for the proposed subdivision shall meet the requirements of the Act 167 Storm Water Management Ordinance as included in Appendix B.
- 462.3 Drainage facilities that are located on State highway rights-of-way shall be approved by the Pennsylvania Department of Transportation and a letter indicating such approval shall be directed to the Lehigh Valley Planning Commission.
- 462.4 All streets shall be designed so as to provide for the eventual discharge of surface water away from their rights-of-way.
- 462.5 Where detention facilities are included as part of the storm drainage system, the developer shall demonstrate that such ponds are designed, protected and located to assure that public safety is maximized and health problems are prevented;
- 462.6 Storm drainage systems shall be provided to permit unimpeded flow in natural watercourses except as modified by storm water detention facilities or open channels consistent with this Ordinance.
- 462.7 The existing points of concentrated drainage discharge onto adjacent property shall not be altered without written approval of the affected property owner(s).
- 462.8 Areas of existing diffused drainage discharge onto adjacent property shall be managed such that, at minimum, the peak diffused flow does not increase in the general direction of discharge, except as otherwise provided in this Ordinance. If diffused flow is proposed to be concentrated and discharged onto adjacent property, the developer must document that there are

adequate downstream conveyance facilities to safely transport the concentrated discharge or otherwise prove that no harm will result from the concentrated discharge. Areas of existing diffused drainage discharge shall be subject to any applicable release rate criteria in the general direction of existing discharge whether they are proposed to be concentrated or maintained as diffused drainage areas.

- 462.9 Where a site is traversed by watercourses other than those for which a 100-year floodplain is defined by the municipality, there shall be provided drainage easements conforming substantially with the line of such watercourses. The width of any easement shall be adequate to provide for unimpeded flow of storm runoff based on calculations made in conformance with Section 304 for the 100-year return period runoff and to provide a freeboard allowance of one-half (0.5) foot above the design water surface level. The terms of the easement shall prohibit excavation, the placing of fill or structures, and any alterations which may adversely affect the flow of storm water within any portion of the easement. Also, periodic maintenance of the easement to ensure proper runoff conveyance shall be required. Watercourses for which the 100-year floodplain is formally defined are subject to the applicable municipal floodplain regulations.
- 462.10 When it can be shown that, due to topographic conditions, natural drainage swales on the site cannot adequately provide for drainage, open channels may be constructed conforming substantially to the line and grade of such natural drainage swales. Capacities of open channels shall be calculated using the Manning equation.
- 462.11 Storm drainage facilities and appurtenances shall be so designed and provided as to minimize erosion in watercourse channels and at all points of discharge.
- 462.12 Consideration should be given to the design and use of volume controls for storm water management, where geology and soils permit. Areas of suitable geology for volume controls shall be determined by the LVPC. Documentation of the suitability of the soil for volume controls shall be provided by the applicant. Volume controls shall be acceptable in areas of suitable geology where the soils are designated as well drained in the County Soil Survey. Other soils may be acceptable for use of volume controls based on site-specific soils evaluations provided by the applicant.

463 Improvement Specifications

463.1 Inlets shall be designed and located to prevent hazardous conditions for vehicles, bicycles or pedestrians.

463.2 The LVPC Engineer will supply additional specifications which may be necessary for spacing and type of inlets and manholes, minimum pipe sizes and materials and construction methods.

464 Maintenance

464.1 If the lands of the proposed subdivision or land development will remain in common ownership, the developer will identify the proposed owner of the control facilities and provide written assurances that the control facilities will be properly maintained. The maintenance shall include, but not be limited to, grass mowing, sediment cleaning, repair of eroded areas, and repair of damaged structures.

464.2 If the lands of the proposed subdivision or land development will be conveyed to two or more separate owners, the developer shall either identify the proposed owner of the control facilities and provide written assurances that the control facilities will be properly maintained, or shall dedicate the land on which the control facilities are located to the municipality which shall then be responsible for maintaining the control facilities. The maintenance shall include, but not be limited to grass mowing, sediment cleaning, repair of eroded areas, and repair of damaged structures.

470 Underground Utilities and Utility Easements

471 In accordance with the Pennsylvania Public Utility Commission Investigation Docket No. 99, as amended from time to time, all electric utility distribution lines shall be installed underground in subdivisions or land developments of five (5) or more dwelling units. In addition, the following design requirements shall be observed:

471.1 Established public utility and state and Federal governmental agency design standards shall be observed in preparing the utility plan;

471.2 Utility lines to be installed within street rights-of-way shall be located according to municipal or municipal authority requirements;

471.3 Whenever practicable, telephone and cable TV utilities shall be installed underground in connection with the installation of electric utility distribution lines;

471.4 Street lighting, where required, shall be provided at each intersection of the development and at intervals not to exceed two hundred (200) feet between intersections;

471.5 Utility lines shall be installed at the rough grade phase of construction. Utility lines shall be installed according to their depth, with the utility line installed at the greatest depth being installed first.

472 Utility Easements

472.1 Utility easements shall be provided for all utility lines servicing the abutting lots when such utility lines are installed outside street rights-of-way. No structures or trees shall be placed within such easements. The location of utility easements shall be acceptable to the appropriate public utility or municipal authority.

472.2 Whenever practicable all utility lines to be installed outside street rights-of-way shall share a common utility easement.

472.3 Utility easements shall be located either:

472.31 Abutting the street right-of-way. In this case a minimum easement width of ten (10) feet shall be required;

472.32 Along rear or side lot lines. In this case a minimum easement width of twenty (20) feet, ten (10) feet on each side of the lot line, shall be provided. Where the lot line coincides with the subdivision boundary a minimum easement width of fifteen (15) feet may be required by the Lehigh Valley Planning Commission.

473 Petroleum and Natural Gas Transmission Lines

473.1 No company intending to install any petroleum, petroleum product or natural gas transmission line shall be allowed to construct the line on less than a fifty (50) foot right-of-way. Such lines are to be installed in the center of the right-of-way, and shall comply with the applicable standards imposed by State and Federal laws and regulations.

473.2 There shall be a minimum distance of twenty-five (25) feet, measured from the right-of-way line, between any proposed dwelling unit and any petroleum, petroleum products or natural gas transmission line which traverses the subdivision.

474 Floodproofing

- 474.1 Facilities for gas, electric and communication utilities shall be elevated or floodproofed to a level at least one (1) foot above the 100-year flood elevation.

480 Mobile Home Parks

481 Applicable Standards and Requirements

- 481.1 The design and development of mobile home parks shall conform to all the general standards and requirements set forth for subdivision and land developments in this Ordinance in addition to the specific design standards set forth herein (Section 480).

482 Permits

- 482.1 It shall be unlawful for any person to construct, alter, or extend any mobile home park or any of the facilities thereof within the limits of the municipality unless such action has been approved by the Lehigh Valley Planning Commission.
- 482.2 Mobile home park expansions, constructions and alterations shall be approved by the Lehigh Valley Planning Commission only after all requirements of this Ordinance are met.

483 Off-Street Parking Areas

- 483.1 Off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests. A minimum of two (2) off-street parking places for each mobile home unit shall be required.
- 483.2 Required car parking spaces shall be so located as to provide convenient access to the mobile home, but shall not exceed a distance of two hundred (200) feet from the mobile home that they are intended to serve.

484 Pedestrian Walkways

- 484.1 All parks shall provide safe, convenient, all-season pedestrian access between individual mobile homes, the park streets, and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.
- 484.2 Where a common walk system is provided and maintained between locations, and where pedestrian traffic is concentrated, such common walks shall have a minimum width of three and one-half (3½) feet.

- 484.3 All mobile home stands shall be connected to common walks, streets, driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two (2) feet.

485 Mobile Home Siting

485.1 Mobile Home Stand Construction

- 485.11 The area of the mobile home stand shall be improved to provide an adequate foundation for the placement of the mobile home.

- 485.12 The stand shall be constructed from either concrete, asphalt concrete or other material sufficient to adequately support the mobile home and to prevent abnormal settling or heaving under the weight of the home. The corners of the mobile home shall be anchored to prevent wind overturn and rocking with tie-downs such as concrete "dead men", screw augers, arrowhead anchors, or other devices suitable to withstand a tension of at least two thousand eight-hundred (2,800) pounds.

- 485.13 After a mobile home has been anchored to the mobile home stand, the hitch which is employed for the transportation of the unit shall be removed, and there shall be a decorative skirt installed around the base of the unit. Common Open Space

- 486.1 At least twenty (20) percent of the usable site area of the mobile home park must be in common open space. The usable site area is that area which is free of water surfaces, severe high water table, quarries, or slopes over twenty (20) percent.

- 486.2 Whenever possible, the common space shall be designed as a contiguous area with pedestrian and visual accessibility to all residents of the mobile home park.

- 486.3 Recreation areas and facilities shall be provided to meet the anticipated needs of the residents of the park. Not less than ten (10) percent of the usable site area shall be devoted to recreation. Recreation areas shall be of a size, shape and relief that is conducive to active play.

487 Utilities

487.1 Water Supply

487.11 All mobile home parks shall be connected to the public water supply and distribution system upon construction or expansion. The availability of service shall be certified in accordance with the provisions of Section 334.4.

487.12 Individual Water Connections

487.121 Individual water-riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.

487.122 The water-riser pipe shall have a minimum inside diameter of three-quarter (3/4) inch and terminate at least four (3/4) inches above the ground surface. The water outlet shall be provided with a cap when the mobile home does not occupy the lot.

487.123 Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

487.124 A shut-off valve below the frost line shall be provided near the water-riser pipe on each mobile home lot. Underground stop-and-waste valves are prohibited unless the type of manufacture and method of installation are approved by the LVPC Engineer.

487.2 Sewage Disposal

487.21 All mobile home parks shall be connected to the public sanitary sewage disposal system upon

construction or expansion. The availability of service shall be certified in accordance with the provisions of Section 334.5.

487.22 Individual Sewer Connections

487.221 Each mobile home stand shall be provided with at least a four (4) inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.

487.222 The sewer connection shall have a nominal inside diameter of not less than four (4) inches, and the slope of any portion thereof shall be at least one-fourth (1/4) inch per foot. All joints shall be watertight.

487.223 All materials used for sewer connections shall be semirigid, corrosion resistant, non-absorbent and durable. The inner surface shall be smooth.

487.224 Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the site. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least one-half (1/2) inch above ground elevation.

487.3 Individual Electrical Connections

487.31 Each mobile home lot shall be provided with an approved disconnecting device and over-current protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.

487.32 The mobile home shall be connected to the outlet receptacle by an approved type of flexible cable with connectors and a male attachment plug.

- 487.33 Where the calculated load of the mobile home is more than one hundred (100) amperes either a second outlet receptacle shall be installed or electrical service shall be provided by means of permanently installed conductors.
- 487.4 Required Electrical Grounding
- 487.41 All exposed non-current carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors and other approved methods of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.
- 487.5 Natural Gas Systems
- 487.51 Natural gas piping systems when installed in mobile home parks shall conform to the rules and regulations of the American Gas Association.
- 487.52 Each mobile home lot provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with a cap to prevent accidental discharge of gas when the outlet is not in use.
- 487.6 Liquefied Petroleum Gas Systems
- 487.61 Liquefied petroleum systems provided for mobile homes, service buildings or other structures shall be installed and maintained in conformity with the rules and regulations of the National Fire Prevention Association Standards NFPA Nos. 57 and 58.
- 487.62 Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so

that the discharge terminates at a safe location.

487.63 Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.

487.64 All liquefied petroleum gas piping outside of the mobile homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas shall not be conveyed through piping equipment and systems in mobile homes.

487.65 Vessels of more than twelve (12) and less than sixty (60) U.S. gallons gross capacity may be installed on a mobile home lot and shall be securely, but not permanently, fastened to prevent accidental overturning.

487.66 No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure.

487.7 Fuel Oil Supply Systems

487.71 All fuel oil supply systems for mobile homes, service buildings, and other structures shall be installed and maintained in conformity with the rules and regulations of the National Fire Protection Association Standard NFPA No. 31.

487.72 All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.

487.73 All fuel oil supply systems provided for mobile homes, service buildings, and other structures shall have shutoff valves located within five (5) feet from any mobile home exit.

487.74 All fuel storage tanks or cylinders shall be a minimum of five (5) feet from any mobile home exit.

487.75 Storage tanks located in areas subject to traffic shall be protected against physical damage.

488 Roads

The private street system shall be designed and built to the specifications contained in the Lehigh County Subdivision and Land Development Ordinance.

488.1 The roads shall meet the design standards for local roads contained in Section 430.

488.2 The roads shall be built to the local road specifications set forth in the Lehigh County Improvements specifications ordinance.

490 Environmental Protection and Open Space Preservation

491 Erosion and Sedimentation Control

491.1 All earth-moving activities shall be conducted in such a way as to prevent accelerated erosion and the resulting sedimentation.

491.2 No earth-moving or soil disturbance may take place until an erosion and sedimentation control plan has been developed in accordance with Chapter 102, Erosion Control, P.L. 1987. Such a plan is to be maintained on the construction site until all disturbed areas are finally stabilized.

491.3 The erosion and sedimentation control plan shall be developed in the form outlined in the Soil Erosion and Sedimentation Control Manual, issued by the Pennsylvania Department of Environmental Protection.

491.4 All erosion and sedimentation control plans shall be submitted with the final plan as set forth in Section 324.10 of this Ordinance.

491.5 When it has been determined that an earth-moving permit is required, the application for such a permit must be filed with the County Conservation District.

491.6 The Lehigh Valley Planning Commission may require the submission of the erosion and sedimentation control plan to the County Conservation District for review and recommendations, whether a permit for earth-moving is required or not.

491.7 All earth-moving shall be conducted in accordance with the current federal regulations relative to the NPDES.

492 Natural Feature Preservation

492.1 The design and development of all subdivisions and land developments shall preserve, whenever possible, natural features which will aid in providing adequate open space for recreation and conditions generally favorable to the health, safety, and welfare of the residents. Some of these natural features are the natural terrain of the site, woodland areas, large trees, natural watercourses and bodies of water, wetlands, rock outcroppings, and scenic views. More detailed standards concerning the preservation of specific natural features are set forth in the following sections.

492.2 Flood Plain Regulation

492.21 The flood elevation map shall be based on the municipal flood insurance rate map (FIRM). When not available, the map shall be based on estimated 100-year flood elevations or estimated areas subject to flooding based on best available data.

492.22 No new buildings or structures shall be placed within the bounds of the 100-year flood plain except as Section 492.23 provides.

492.23 The substantial improvement of an existing building or the redevelopment of a vacant but formerly developed parcel is permissible within the floodway fringe if said development is in accordance with the flood plain provisions of the borough zoning ordinance if one has been enacted or with the borough flood plain ordinance.

492.24 When a developer does not intend to develop the plat himself and the LVPC determines that additional controls are required to insure safe development, it may require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.

- 492.25 The finished elevation of proposed streets shall not be more than the one (1) foot below the Regulatory Flood Elevation. The LVPC may require profiles and elevations of streets to determine compliance with the requirements. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.
- 492.26 All sanitary sewer systems, whether public or private, shall be floodproofed up to the Regulatory Flood Elevation.
- 492.27 The installation of sewage disposal facilities requiring soil absorption systems shall be prohibited within designated flood plain areas.
- 492.28 All water systems, whether public or private, shall be flood-proofed up to the Regulatory Flood Elevation.
- 492.29 All other public and private utilities and facilities including gas and electric shall be elevated or flood-proofed up to the Regulatory Flood Elevation.
- 492.3 Lake, Stream and River Frontage Preservation
- 492.31 Lake, stream and river frontage shall be preserved as open space whenever possible. This area may be credited toward the open space requirement set forth in Section 493.
- 492.32 Access to the water and maintenance easement area shall be provided at intervals of not more than one-half (0.5) mile. These access points shall not be less than one hundred (100) feet in width.
- 492.4 Landscaping and Street Trees
- 492.41 General Conditions
- 492.411 Street trees and other required plant material shall not be planted until the finished grading of the subdivision or land development has been completed.
- 492.412 All required planting shall be guaranteed for a period of twelve

(12) months from the date of planting and shall be alive and healthy as determined by the Borough at the end of the guaranteed period. Should a disagreement arise as to whether the planting is alive and healthy, a qualified nursery ~~man~~ **person** shall be retained by the Borough at the expense of the developer to make a final determination.

492.413 Where planting is required, it shall be assured by financial security posted with the Borough in an amount equal to the estimated cost of trees and shrubs and planting. Such guarantee shall be released only after passage of the second growing season following planting.

492.414 The developer shall be responsible for plant material provided for a period of twelve (12) months. Any such tree that dies within the time period shall be removed including the stump and replaced by a tree or shrub, similar in size and species, at the expense of the developer.

492.415 All mechanical and electrical equipment not enclosed in a structure shall be fully and completely screened from view from any point in a manner compatible with the architectural and landscaping style of the remainder of the lot.

492.42 Existing Vegetation

492.421 In cases where natural features existing on the site duplicate or essentially duplicate the requirements of the street tree, or landscaping provisions of this Ordinance, these requirements may be waived.

492.422 All subdivisions and land developments shall be laid out in such manner as to preserve the healthy trees on the site. If trees greater than eight (8) inch in caliper are removed, they shall be replaced by trees of three and one-half (3½) inch minimum caliper which appear on the recommended plant list.

492.423 During the construction of any site, trees and shrubs, as defined herein, shall be protected by fencing to insure that there is no encroachment within the area of their dripline by changing grade, trenching, stockpiling of building materials or topsoil, or the compaction of the soil and roots by any motor vehicle unless the following regulations are met:

492.4231 The area of dripline of any tree or group of trees may be encroached up to a maximum of one-third (1/3) of the total area of the dripline provided that an equivalent proportion of the canopy is removed by pruning by a trained arborist.

492.4232 The grade of land within the entire area of dripline shall not be raised more than six (6) inches unless tree wells are constructed around each trunk or group of trunks and aeration pipes are extended out to the edge of the dripline.

492.4233 Tree wells are to be constructed of uncemented stone, or any other suitable material. Such walls shall be a minimum of three (3) feet in diameter or one (1) foot in diameter for each inch in caliper measured twelve (12) inches above natural ground level, whichever is greater.

492.4234 Retaining walls are to be constructed around each tree or group of trees immediately after any grade is lowered within the area of the dripline.

492.424 If any plant material is to be moved, it must be done in accordance with the specifications set forth by the American Hort Association of Nurserymen.

492.425 All diseased or dead trees shall be promptly removed from the site.

492.43 Detention Basin Plantings

As a general standard, one tree shall be planted per each forty-five (45) lineal feet of the perimeter. It is preferred, however, that this required number of trees be planted in an informal arrangement if possible. Approved trees for the perimeter of detention basins shall include the following:

Acer rubrum - Red Maple
Liquidambar styraciflua - Sweet Gum
Nyssa sylvatica - Black Gum
Salix species – Willow

492.44 Parking Facilities

492.441 Screen planting shall be provided along each perimeter of a parking area. No less than ten (10) percent of a proposed parking area must consist of buffer areas and islands and must be landscaped and *continually maintained*.

492.442 Any area for off-street parking or for display, storage, sale or movement of three (3) or more motor vehicles shall be enclosed, except at entrances or exits, by a compact evergreen hedge, not less than four (4) feet in height.

492.443 Where a planted screen is proposed, it shall incorporate the planting of staggered and overlapping evergreen and deciduous shrubs of such species and size as will produce within two (2) growing seasons (May through September) after planting a screen at least four (4) feet higher than the elevation of the adjacent parking area, and of such density as will obscure seventy-five (75) percent of the light emitted from automobile headlights on the premises throughout the full course of the year. Where the adjacent land elevation is higher than the parking area elevation, trees and shrubs shall be at least two (2) feet in height, satisfaction of the four (4) foot requirement notwithstanding. These provisions shall not, however, interfere with the maintenance of clear sight lines at intersections. Where such screening is required, it shall be assured by a performance guarantee posted with the governing body in an amount equal to twenty (20) percent of the estimated cost of the plantings. Such guarantee shall be released only

after passage of the second growing season following planting.

492.444 Parking areas of a twenty (20) vehicle capacity shall be separated from one another by planting strips not less than ten (10) feet in width.

492.445 All parking areas shall have at least one (1) tree of two and one-half (2½) inch caliper minimum for every five (5) parking spaces in single bays and one (1) tree of 2½ inch caliper minimum for every ten (10) parking spaces in double bays. Trees shall be planted in such a manner to afford maximum protection from the sun for parked vehicles. A minimum of ten (10) percent of any parking lot facility over two thousand (2,000) square feet in gross area shall be devoted to landscaping, inclusive of required trees.

492.446 Plantings shall be able to survive soot and gas fumes. Trees which have low growing branches, gum or moisture, which may drop on vehicles, blossoms, thorns, seeds, or pods which may clog drainage facilities shall be avoided. The plantings chosen should be of sufficient size to be effective the first year they are planted.

492.447 For recommended plants see Section 492.47.

492.45

Multiple-Family Developments

For all multi-family developments, the following minimum landscaping shall be provided either on-lot or within the general open space in addition to all other required street tree and parking requirements.

Any combination of the following shall be required for each dwelling unit:

Either: one (1) 2" caliper shade tree, or
one (1) 4-5' evergreen tree, or
two (2) flowering trees, or
eight (8) 2-3' shrubs

492.46 Street Trees

492.461 General Requirements

492.4611 Street trees and associated planting shall be required for any subdivision or land development as part of the design and construction of:

492.46111 New streets;

492.46112 New sidewalks or pedestrian ways;

492.46113 Existing streets, sidewalks, pedestrian ways, highways, bicycle or other trails or pathways when they abut or lie within the subdivision or land development; and

492.46114 Access driveways to residential developments serving greater than four (4) dwelling units.

492.4612 Trees shall be placed in such a position as to minimize conflict with overhead utilities.

492.4613 Plant material shall not at maturity obstruct the necessary visibility of traffic control signs or signals, nor obstruct visibility at street intersections or driveway entrances.

492.4614 Plant material shall be selected to minimize future maintenance costs, including, but not limited to, considerations of pruning, tree removal and sidewalk repair.

492.4615 Plant material shall not interfere with underground utilities or storm water management facilities.

492.4616 Plant material shall be spaced to permit the healthy growth of each plant.

492.462 Quantity

Street trees generally shall be at intervals not to exceed twenty-five (25) feet along the street right-of-way as part of a residential or non-residential subdivision or land development, with trees alternating from side-to-side (fifty (50) foot maximum spacing on any one side). An equivalent number may be planted in an informal arrangement.

492.463 Location

492.4631 At intersections, trees shall be located no closer than thirty (30) feet from the intersection of the curbs.

492.4632 Street trees shall be planted on lots rather than within the right-of-way, unless otherwise approved by the Lehigh Valley Planning Commission.

492.4633 Street trees shall not be closer than:

- 492.46331 Six (6) feet from the edge of any sidewalks or curb;
- 492.46332 Ten (10) feet from the edge of any uncurbed cartway or one story building; or
- 492.46333 Fifteen (15) feet from any overhead utility lines or two or more story building;
- 492.46334 A minimum of one (1) foot off a public street right-of-way or ten (10) feet off a public sewer or water line unless approved by the Lehigh Valley Planning Commission.

492.464

Size

Tree caliper at time of planting, as measured six (6) inches above ground level, shall be no less than two and one-half (2½) inches in both residential and non-residential areas.

492.465

Approved Plant Material

The following plant material is approved for use provided that the specific site is suitable:

492.4651 Large Trees

Acer rebrum - Red Maple
Acer saccharum - Sugar Maple
Fraxinus americana - White Ash
Fraxinus pennsylvania lanceolata - Green Ash
Gleditsia tricanthos inermis - Thornless Honey Locust

Liquidambar styraciflua - Sweet Gum
Phellodendron amurense - Amur
Cork Tree
Plantanus acerifolia - London Plane
Tree
Quercus alba - White Oak
Quercus borealis - Red Oak
Quercus coccinea - Scarlet Oak
Tilia-Linden - All species hardy to
the area
Zelkova serrata - Japanese Zelkova

492.4652 Small Trees

Acer ginnala - Amur Maple
Cornus florida - Flowering Dogwood
Crataegus phaenopyrum -
Washington Hawthorn
Ginkgo biloba - Ginkgo (male only)
Prunus kwanzan - Kwanzan Cherry
Pyrus calleryana bradford - Callery
Pear
Sophora japonica - Japanese
Pagodatree
**Upon the approval of the LVPC,
other species may be utilized.

492.47

The following are plant materials and sizes
recommended for landscaping purposes. The
LVPC may permit other planting types if they are
hardy to the area, are not subject to blight or
disease, and are of the same general character and
growth habit as those listed below. All planting
material shall meet the standards of the
American Hort Association of Nurserymen.

492.471 Canopy Tree (1½ inch caliper)

Acer ginnala - Amur Maple
Acer rubrum - Red Maple
Acer saccharum - Sugar Maple
Fagus grandifolia - American Beech
Fagus sylvatica - European Beech
Fraxinus americana - White Ash
Fraxinus pennsylvanica lanceolata - Green Ash
Ginkgo biloba - Ginkgo (male only)
Gleditsia triacanthos inermis - Thornless Honey
Locust Liquidamber styraciflua - Sweet Gum

Phellodendron amurense - Amur Cork Tree
Plantanus acerifolia - London Plane Tree
Quercus alba - White Oak
Quercus borealis - Red Oak
Quercus coccinea - Scarlet Oak
Quercus palustris - Pine Oak
Sophora japonica - Japanese Pagodatree
Tilia-Linden - all species hardy to the area
Zelkova serrata - Japanese Zelkova

492.472 Flowering Trees

Amelanchier canadensis - Shade
5-6 feet blow Serviceberry
Cornus florida - Flowering
5-6 feet Dogwood
Cornus kousa - Kousa Dogwood; 5-6 feet
Cornus mas - Cornelian Cherry; 5-6 feet
Crataegus phaenopyrum - Washington Hawthorn;
5-6 feet
Magnolia soulangeana - Saucer Magnolia; 5-6 feet
Malus baccata - Siberian Crab; 114-11½" caliper
Malus floribunda - Japanese Flowering Crab; 114-
1½" caliper
Malus hopa - Hopa Red Flowering Crab; 114-1½"
caliper
Pyrus calleryana bradford - Callery Pear; 114-1½"
caliper
Prunus kwanzan - Kwanzan Cherry; 114-1½"
caliper
Prunus yedoensis - Yoshino Cherry; 114-11/2"
caliper

492.473 Evergreen (4-5 feet)

Ilex opaca - American Holly
Picea abies - Norway Spruce
Picea omorika - Serbian Spruce
Picea pungens - Colorado Spruce & Blue Spruce
Pinus nigra - Austrian Pine
Pinus strobus - White Pine
Pseudotsuga mensiesii - Douglas Fir
Tsuga canadensis - Canadian Hemlock

492.474 Hedge

Cragaegus intricata - Thicket Hawthorn; 3-4 feet
Forsythia intermedia - Border Forsythia; 4-5 feet
Rhamnus frazula columnaris - Tallhedge
Buckthorn, 3-4 feet

Syringa chinensis - Chinese Lilac; 3-4 feet
Syringa vulgaris - Common Lilac; 4-5 feet
Euonymus alatus - Winged Euonymus; 3-4 feet
Hedgerow *Crataegus crus-galli* - Cockspur Thorn; 3-4 feet
Crataegus phanenopyrum - Washington Hawthorn; 3-4 feet
Elaeagnus angustifolia - Russian Olive; 4-5 feet
Euonymus alatus - Winged Euonymus; 3-4 feet
Viburnum sieboldi - Siebold Viburnum; 4-5 feet
Viburnum tomentosum - Doublefile Viburnum; 4-5 feet

492.476 Evergreen Shrubs

Juniperus virginiana - Upright Juniper; 4-5 feet
Pyracantha laland - Laland Firethorn; 5-6 feet
Taxus capitata - Upright Yew; 2½-3 feet
Taxus hicksi - Hicks Yew; 22-3 feet
Thuja occidentalis - American Arborvitae; 4-5 feet

492.477 Deciduous Shrubs

Euonymus alatus - Winged Euonymus; 3-4 feet
Hamamelis vernalis - Vernal Witch Hazel; 4-5 feet
Hamamelis virginiana - Common Witch Hazel; 4-5 feet
Ilex verticillata - Winterberry; 4-5 feet
Rhamnus frangula - Glossy Buckthorn; 4-5 feet
Viburnum dentatum - Arrowwood Viburnum; 4-5 feet
Viburnum lantana - Wayfaring tree Viburnum; 4-5 feet

492.5 Topography

492.51

The natural terrain of the proposed subdivision tract will be retained wherever possible with cut and fill operations being kept to a minimum. Subdivisions and land developments shall minimize the disturbance of steeply sloping areas, that is areas with slopes in excess of fifteen (15) percent. Development shall be directed to the lesser sloping portions of the site to the greatest degree possible.

492.52

Finished slopes on all cuts and fills shall not exceed thirty-three (33) percent.

492.6 Topsoil Protection

492.61 Topsoil shall not be removed from the development site or used as fill. Topsoil shall be removed from the areas of construction and stored separately. The topsoil shall be stabilized to minimize erosion during storage. Upon completion of the construction, topsoil must be uniformly redistributed on the site.

493 Open Space and Recreation Areas

Subject to the provisions and requirements of the Municipalities Planning Code, the open space and recreation needs of subdivisions and land developments shall be met as follows:

493.1 For subdivisions and land developments involving less than sixty (60) lots or dwelling units, cash in lieu of recreation space shall be provided as set forth in Section 493.3.

493.2 For subdivisions and land developments involving sixty (60) or more lots or dwelling units, the recreation needs shall be met as follows:

493.21 Land may be offered for dedication to the municipality, subject to approval by the LVPC. A minimum of seven hundred fifty (750) square feet per lot or dwelling unit shall be provided. The land offered for dedication shall not (1) be subject to flooding, (2) have slopes in excess of fifteen (15) percent, (3) include stormwater management facilities, (4) include wetlands, or (5) include quarries and/or other dangerous features. The LVPC shall consider the offer relative to the following factors:

493.211 The suitability of the size, shape and landform of the tract for appropriate recreational facilities;

493.212 Accessibility for future users;

493.213 Conformity with the Recreation Element of the Comprehensive Plan;

493.214 Availability of nearby recreation facilities for meeting the recreation needs; and

493.215 The ability to provide adequate security.

493.22 Cash in lieu of open space may be provided as set forth in Section 493.3

493.3 Cash in lieu of open space and recreation land dedication shall be provided to and used by the Municipality as follows:

493.31 The cash in lieu shall be five hundred (\$500) dollar per lot or dwelling unit.

493.32 The use of the monies shall be restricted to the purchase of lands for recreation and open space areas, the improvement of said areas, or other capital purchases.

SECTION V

IMPROVEMENT SPECIFICATIONS

500 General Requirements

501 Physical improvements to the subdivision/land development tract shall be provided, constructed and installed as shown on the Record Plan, in accordance with the requirements of this Ordinance.

502 As a condition to review of a Final Plan by the Lehigh Valley Planning Commission, the developer shall agree with the Municipal Governing Body, public utility or municipal authority as to installations of all improvements shown on the Plan and required by this Ordinance. Before the Record Plan may be endorsed by the Lehigh Valley Planning Commission, the developer shall submit a completed and executed original copy of the Subdivision Improvements Agreement and performance and maintenance guarantees in the amount required by Section 520.

503 All improvements installed by the developer shall be constructed in accordance with the design specifications of the Municipal Governing Body, public utility or municipal authority. In cases where no applicable adopted municipal specifications exist, the required improvements shall be constructed to the specifications set forth in the Lehigh County Improvements Specifications Ordinance.

- 504 Inspection of the installation of those improvements required by Section 510, shall in all cases be the responsibility of the Municipal Governing Body and Municipal Engineer.

510 Required Improvements

- 511 Improvements shall be provided, constructed and installed by the developer as stated in the Improvements Agreement, shown on the Record Plan, and in accordance with the design standards set forth in Section IV of this Ordinance. The following improvements will be required in all applicable cases:

- 511.1 Street excavating, grading, subgrade preparation, base course paving and surface course paving installed according to the Lehigh County Improvements specifications;
- 511.2 Concrete curbing of the vertical type, or stabilized shoulder and drainage swale with no curbing installed according to the Lehigh County Improvements specifications;
- 511.3 Concrete sidewalks or interior walkways installed according to the Lehigh County Improvements specifications in connection with road construction pursuant to Section 511.1 or when required by Section 402;
- 511.4 Sanitary sewer system improvements installed according to the specifications of the municipality, public utility, the appropriate government authority and the ~~Pa.~~ **Pennsylvania** Department of Environmental Protection;
- 511.5 Water supply and distribution system improvements installed according to the specifications of the municipality, public utility, the appropriate governmental authority, and the ~~Pa.~~ **Pennsylvania** Department of Environmental Protection;
- 511.6 Storm drainage system improvements installed according to the Lehigh County Improvements specifications;
- 511.7 Monuments shall be installed:
- 511.71 Permanent reference monuments shall be located at each intersection of rights-of-ways of street(s) constructed by the developer, at the beginning and ending of all street curves, and at exterior corners of the subdivision or land development unless an alternate arrangement is approved that still permits a surveyor to stake out accurately any building lot shown on the Record Plan.
- 511.72 Monuments shall be made of PennDOT Class "A" concrete, shall be 4 inches x 4 inches square or 4 inches in

diameter at the top, and shall taper from 4 inches at the top to 6 inches at the bottom. All monuments shall be a minimum of 30 inches in length and shall be marked with a round metal cap, re-bar or drilled hole. All monuments in developed areas shall be flush with finished grade and in undeveloped areas shall be set 2 inches to 3 inches above existing grade.

511.73 All monuments shall be placed by a Registered Professional Engineer or Surveyor so that the scored point shall coincide exactly with the point of intersection of the line being monumented.

511.74 Monuments shall be set with their top level with the finished grade of the surrounding ground, except:

511.741 Monuments which are placed within the lines of existing or proposed sidewalks shall be so located (preferably beneath the sidewalks) that their tops will not be affected by lateral movement of the sidewalks, and

511.742 Where monuments are located beneath a sidewalk, proper access shall be provided for their use.

511.743 Where sidewalks are existing, a stone point (a four (4) inch square chisel cut in the sidewalk with a drill hole in center) may be substituted for a monument.

511.75 Lot corner markers shall be provided at all lot corners. Lot corner markers shall be permanently located and shall be a #4 (1½") or #5 (5/8") diameter re-bar a minimum length of thirty (30) inches. Lot corner markers shall be located in the ground flush to existing grade.

511.8 Fire hydrants installed according to the specifications of the Lehigh County Improvements and the appropriate authority;

511.9 Street signs installed according to municipal specifications;

511.10 Shade trees shall be of nursery stock quality of a species grown under the same climatic condition as exist in the municipality. The trees shall be of symmetrical growth, free of insect pests and

disease, suitable for street use, and durable under the maintenance contemplated.

520 Improvements Guarantee Procedure

521 Before the Lehigh Valley Planning Commission approves any Final Plan and as a prerequisite for approval, the developer shall deliver to the Municipal Governing Body, public utility, or municipal authority, a performance guarantee in the amount of one hundred ten (110) percent of the cost of all improvements required by this Ordinance, as determined in accordance with the procedures set forth in the Municipalities Planning Code as amended, in a form and with a surety as determined in accordance with the procedures set forth in the Municipalities Planning Code as amended, guaranteeing the construction and installation of all such improvements before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements. Upon written application signed by both the obligor and surety of the performance guarantee in a form approved by the Solicitor, the Governing Body, public utility, or municipal authority may, at their discretion, extend said period by not more than three (3) additional years. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10) percent for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (110) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure. In the event of default under a performance guarantee, the proceeds of the performance guarantee received by the municipality, public utility, or municipal authority shall be used to construct and install the improvements.

522 Before the Lehigh Valley Planning Commission approves any Final Plan and as a prerequisite for approval, the developer shall deliver to the Municipal Governing Body, public utility, or municipal authority, a maintenance guarantee in an amount of not less than fifteen (15) percent of the actual cost of the installation of all improvements required by this ordinance, guaranteeing acceptance of all such improvements by the Municipal Governing Body, public utility, or municipal authority.

530 Approval of Improvements and Release of Performance Guarantee by the Municipal Governing Body, Public Utility or Municipal Authority

531 The approval of improvements and release of performance guarantee by the Municipal Governing Body, Public Utility or Municipal Authority, and the inspection of the improvements shall occur in conformance with the procedures prescribed by the Municipalities Planning Code.

532 In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved Final Plan,

the Governing Body of the Municipality, public utility, or municipal authority, is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Governing Body of the Municipality may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

SECTION VI

ADMINISTRATION

600 Amendments

601 Amendments to the Subdivision and Land Development Ordinance shall become effective only after a public hearing held pursuant to public notice in the manner prescribed for enactment of a subdivision and land development ordinance by the Pennsylvania Municipalities Planning Code. In addition, in case of an amendment other than that prepared by the Lehigh Valley Planning Commission, the ~~County Council~~ **Lehigh County Commissioners** shall submit each such amendment to the Lehigh Valley Planning Commission for recommendations at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendment.

610 Appeals

611 The decisions of the Lehigh Valley Planning Commission with respect to the approval or disapproval of Subdivision or Land Development Plans may be appealed directly to court in the same manner and within the same time limitations as is provided for zoning appeals in Article X of the Pennsylvania Municipalities Planning Code.

620 Enforcement Remedies

621 Violations and Penalties

For any and every violation of the provisions of this Ordinance, the owner, agent, architect, contractor, engineer, or other person who commits a violation shall be liable on conviction to pay a fine or penalty not to exceed \$500.00 per day per violation, and all court costs and County legal expenses, which shall be paid to the County of ~~Northampton~~ **Lehigh**.

621.1 Such fines and penalties may be collected by suit or summary proceedings brought in the name of Lehigh County before any Magistrate.

621.2 Whenever any such person specified above shall have been notified by the Lehigh Valley Planning Commission or by the Lehigh County Solicitor, in writing, that there is a violation of this Ordinance, such person shall commence correction of all violations within five (5) days after notice and correct all violations within thirty (30) days of notice. If corrections are not commenced within five (5) days or completed within thirty (30) days, each day that a violation continues shall be considered a separate offense punishable by the like fine.

630 Validity and Conflicts

631 Should any action or provisions of this Ordinance be declared by the courts to be invalid, such decision shall not affect the validity of the Ordinance as a whole, nor the validity of any other section or provision of the Ordinance than the one so declared.

632 Whenever there is a conflict between minimum standards or requirements set forth in this Ordinance and those contained in other municipal ordinances and regulations, or other applicable laws and regulations, the most stringent standard or requirement shall apply.

640 Fees

641 The County Council ~~Lehigh County Commissioners~~ shall delegate, by resolution, the right of the Lehigh Valley Planning Commission to establish, by resolution, a schedule of fees to be paid by the developer ~~applicant~~ at the time of filing for the Feasibility, Preliminary and Final Plans, and Plans Exempt from Standard Procedures.

642 The applicant shall pay the ~~required subdivision~~ fees charged according to the adopted fee schedule. At the time of the submission, the applicant shall deposit the amount of money specified by the fee schedule with the Lehigh Valley Planning Commission. No application will be accepted for consideration unless accompanied by the required ~~fees, including but not limited any escrow~~ deposit. ~~Charges and expenses~~ Funds will be withdrawn from the account as ~~they~~ ~~expenses~~ are incurred by the Lehigh Valley Planning Commission. If the charges and expenses attributable to the application exceed the amount deposited, the applicant shall be notified so that additional funds as are necessary to meet the charges and expenses are deposited with the LVPC. No plan shall be approved unless all fees are paid in full. Any amounts which were deposited in excess of the charges and expenses recorded shall be returned to the applicant following Commission or staff action on the proposal.

650 Repealer

The Lehigh County Subdivision and Land Development Ordinance of 1989 and all amendments thereto are hereby repealed. This Ordinance does not repeal other laws or ordinances except those specifically repealed by this Ordinance.

660 Modifications and Exceptions

The Lehigh Valley Planning Commission and staff may grant a modification to 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 modification will not be contrary to the public interest and that the purpose and intent of this ordinance is met. All requests for modifications shall be in writing and shall accompany and be a part of the application for development. The requests shall state in full, the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.

670 ~~Effective Date of Ordinance~~

~~This Ordinance shall become effective in ten (10) days.~~

This Ordinance shall take effect immediately upon enactment.

680 Entry

Upon presentation of proper credentials, duly authorized representatives of the municipality or the county may enter at reasonable times upon any property to investigate or ascertain the condition of the subject property in regard to any aspect regulated by this Ordinance.

SECTION VII

DEFINITIONS

700 Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meaning indicated:

701 Words in the singular include the plural and those in the plural include the singular.

702 Words in the present tense include the future tense.

703 The words "person", "developer", "subdivider", and "owner" include a corporation, unincorporated association, a partnership, or other legal entity, as well as an individual.

704 The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof".

705 The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive.

710 Other terms or words used herein shall be interpreted or defined as follows:

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

BLOCK. Property bounded on one side by a street, and other three sides, by a street, railroad right-of-way, waterway, unsubdivided area, or other definite barrier.

BUILDING, ACCESSORY. A detached subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

BUILDING, PRINCIPAL. A structure enclosed within exterior walls or fire walls; built, erected, and framed of component structural parts; designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind; main structure on a given lot.

BUILDING SETBACK LINE. The line within a property defining the minimum required front yard distance between any building to be erected, and an adjacent right-of-way.

CISTERN. An underground reservoir or tank for storing rainwater.

CLEAR SIGHT TRIANGLE. An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.

COMMON OPEN SPACE. A parcel or parcels of land, an area of water, or a combination of land and water within a development site designed and intended for the use of residents of the development, not including streets, off-street parking area, private yard space, and areas set aside for non-residential and public facilities. Common open space shall be substantially free of structures, but may contain such improvements as are appropriate for recreational use by the residents.

COMPREHENSIVE PLAN. The maps, charts, and textual material adopted by the Lehigh Valley Planning Commission or municipality in accordance with the Pennsylvania Municipalities Planning Code and designated, as a whole and in its several parts, as a Comprehensive Plan for the continuing development of Lehigh and Northampton Counties or the municipality.

COUNTY. The County of Lehigh.

COUNTY CONSERVATION DISTRICT. The Lehigh County Conservation District.

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

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

DAM. An artificial barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or another fluid or semifluid or a refuse bank, fill or structure for highway, railroad or other purposes which does or may impound water or another fluid or semifluid.

DEP. The Pennsylvania Department of Environmental Protection (formerly the Pennsylvania Department of Environmental Resources).

DESIGN STORM. The magnitude of precipitation from a storm event measured in probability of occurrence (e.g. 50-yr. storm) and duration (e.g. 24-hour), and used in computing storm water management control systems.

DETENTION BASIN. A basin designed to retard storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate.

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

DOUBLE OR REVERSE FRONTAGE LOT. A lot extending between and having frontage on two generally parallel streets with vehicular access from only one street.

DRAINAGE EASEMENT. A right granted by a land owner to a grantee, allowing the use of private land for storm water management purposes.

DRAINAGE PLAN. The documentation of the proposed storm water management controls, if any, to be used for a given development site.

DWELLING UNIT. Any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit.

EASEMENT. A right-of-way granted, but not dedicated, for limited use of private land and for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structures, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

ELECTRONIC SUBMISSION PORTAL. A secure, web-based application operated by the Lehigh Valley Planning Commission that allows for the digital submission, management, and review of subdivision and land development applications.

ENGINEER. A professional engineer licensed as such in the Commonwealth of Pennsylvania.

EROSION. The removal of surface materials by the action of natural elements.

EROSION AND SEDIMENTATION CONTROL PLAN. A plan designed to prevent on-site accelerated erosion and off-site sedimentation through the use of vegetative or mechanical controls. Control measures must be designed to fit the topography, soils, rainfall and land use of the area they are to protect. The plan includes as a minimum: (a) a map or maps describing the topography of the area, the proposed alteration to the area and the specific erosion and sedimentation control measures and facilities; and (b) a narrative report describing the project and giving the purpose and the engineering assumptions and calculations for control measures and facilities.

FLAG LOT. A lot with direct frontage on a public road which does not meet the required lot width at the minimum required front yard setback line, which consists of an access lane with a minimum width of twenty-five (25) feet and a rectangular area, the dimensions of which exceed the minimum lot width requirement as established in the municipal zoning ordinance, if any.

FLOOD, ONE HUNDRED (100) YEAR. The flood having a one (1) percent chance of being equaled or exceeded in any given year.

FLOOD FRINGE. That portion of the flood plain outside the floodway.

FLOOD PLAIN. The area of normally dry land along a natural watercourse which is periodically inundated by water therefrom.

FLOODWAY, REGULATORY. The channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the one hundred (100) year flood. The regulatory floodway is designated on the flood boundary and floodway map of the municipality's flood insurance study prepared by the Federal Emergency Management Agency.

FREEBOARD. The incremental depth in a storm water management structure, provided as a safety factor of design, above that required to convey the design runoff event.

GROUNDWATER RECHARGE. Replenishment of existing natural underground water supplies.

IMPERVIOUS SURFACE. A surface which prevents the percolation of water into the ground.

IMPROVEMENTS. Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

INFILTRATION STRUCTURE. A structure designed to direct runoff into the ground, e.g. french drain, seepage pit or seepage trench.

LAND DEVELOPMENT. Any of the following activities: (1) The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving, (i) a group of two 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 (ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (2) A subdivision of land.

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 having a remaining term of not less than forty (40) years, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this Ordinance.

LEHIGH COUNTY IMPROVEMENTS SPECIFICATIONS. The specifications adopted by Lehigh County by Ordinance xxx-2003.

LEHIGH VALLEY PLANNING COMMISSION (LVPC). The Lehigh Valley. Planning Commission, Pennsylvania.

LOCAL RUNOFF CONVEYANCE FACILITIES. Any natural channel or manmade conveyance system which has the purpose of transporting runoff from the site to the mainstem.

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

LOT AREA. The area contained within the property line of a lot (as shown on the Plan), excluding space within all streets and within all permanent drainage easements, but including the areas of all other easements.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this ordinance.

MAINSTEM (MAIN CHANNEL). Any stream segment or other conveyance used as a reach in the hydrologic model.

MAINTENANCE GUARANTEE. Security in a form in accord with the provisions set forth in the Municipalities Planning Code as amended, which insures the structural integrity of the improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a period not to exceed eighteen (18) months after the acceptance of said improvements by the Municipal Governing Body, public utility, or municipal authority.

MANNING EQUATION (MANNING FORMULA). A method for calculation of velocity of flow (e.g. feet per second) and flow rate (e.g. cubic feet per second) in open channels based upon channel shape, roughness, depth of flow and slope. Open channels may include closed conduits so long as the flow is not under pressure.

MARKER. A metal pipe #4 (1/2") or #5 (5/8") re-bar at least thirty (30) inches in length.

MOBILE HOME PARK. A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MOBILE HOME STAND. That part of an individual lot which has been reserved for the placement of the mobile home, appurtenant structures or additions.

MONUMENT. A tapered concrete monument at least 4 inches by 4 inches square or 4 inches in diameter and at least 30 inches in length and marked with a round metal cap, re-bar or drilled hole.

MUNICIPALITIES PLANNING CODE. The Pennsylvania Municipalities Planning Code, Act 1988-170, as amended.

MUNICIPALITY. The municipality in which the property proposed for subdivision or development is located.

NPDES REGULATIONS. National Pollutant Discharge Elimination System Regulations.

NRCS - Natural Resource Conservation Service - U.S. Department of Agriculture. (Formerly the Soil Conservation Service).

NUMBERED TRAFFIC ROUTE. A highway that has been assigned an Interstate, United States, or Pennsylvania route number to aid motorists in their travels.

OFFICIAL MAP. The municipal map adopted by Ordinance showing exact locations of existing and proposed lines for public streets, watercourses and public grounds, including widenings, narrowings, extensions, diminutions, opening or closing of some for the entire municipality.

OFFICIAL PLAN - SEWAGE FACILITIES. A comprehensive plan for the provision of adequate sewage systems adopted by a municipality or municipalities possessing authority or jurisdiction over the provision of such systems and submitted to and approved by the State Department of Environmental Protection as provided by the Pennsylvania Sewage Facilities Act, and Chapter 71, Rules and Regulations promulgated thereunder.

PAVEMENT WIDTH (ROADWAY). The portion of a street right-of-way, generally paved, intended for vehicular use.

PEAK DISCHARGE. The maximum rate of flow of stream runoff at a given location and time resulting from a specified storm event.

PENN STATE RUNOFF MODEL (PSRM). The computer-based hydrologic modeling technique used in early Act 167 Plans. PSRM was also updated to include water quality modeling capabilities and renamed PSRM-QUAL. The PSRM and PSRM-QUAL calculation methodologies were used as the basis for writing the WATERSHED model.

PERFORMANCE GUARANTEE. Security in a form in accord with the provisions set forth in the Municipalities Planning Code as amended to guarantee that the proper construction of improvements be made by the developer as a condition for the approval of the Plan.

PLAN, FEASIBILITY REVIEW. An initial submission, by the developer, of maps and other materials analyzing the natural features of the site as they relate to its development potential. The proposed concept for development of the tract is included in the submission.

PLAN, PRELIMINARY. A tentative plan, in lesser detail than a Final Plan, showing proposed streets and lot layout and such other information as required by this Ordinance.

PLAN, FINAL. A complete and exact plan prepared for official recording as required by this Ordinance to define property rights, streets and other proposed improvements.

PLAN, RECORD. The copy of the Final Plan bearing the original endorsements of the Lehigh Valley Planning Commission, which is intended to be recorded with the County Recorder of Deeds.

PLANNING MODULE FOR LAND DEVELOPMENT. A document to be prepared by the developer or subdivider, accepted by the municipality, and submitted to the Pennsylvania Department of Environmental Protection to provide proposed development data in order to supplement or revise the municipality's Official Plan for sewage facilities.

RATIONAL METHOD. A method of peak runoff calculation using a standardized runoff coefficient (rational "c"), acreage of tract and rainfall intensity determined by return period and by the time necessary for the entire tract to contribute runoff. The rational formula is stated as follows: $Q=ciA$, where "Q" is the calculated peak flow rate in cubic feet per second, "c" is the dimensionless runoff coefficient (see Attachment C), "i" is the rainfall intensity in inches per hour, and "A" is the area of the tract in acres.

REACH. Any of the natural or man-made runoff conveyance channels used for modeling purposes to connect the subareas and transport flows downstream.

RELEASE RATE. The percentage of the pre-development peak rate of runoff for a development site to which the post-development peak rate of runoff must be controlled to avoid peak flow increases throughout the watershed.

RESUBDIVISION. Any replatting or resubdivision of land, limited to changes in lot lines on approved Final Plans or Recorded Plans as specified in this Ordinance. Other replatting shall be considered as constituting a new subdivision of land. See also Subdivision.

RETURN PERIOD. The average interval in years over which an event of a given magnitude can be expected to recur. For example, the twenty-five (25) year return

period rainfall or runoff event would be expected to recur on the average once every twenty-five years.

RIGHT-OF-WAY. The total width of any land reserved or dedicated as a street, sidewalk, or for other public or quasi-public purposes.

RUNOFF. That part of precipitation which flows over land.

SANITARY SEWAGE DISPOSAL, PUBLIC. A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, generally serving a major portion of a municipality or municipalities, and operated by a governmental agency, governmental authority, or public utility company.

SANITARY SEWAGE DISPOSAL, CENTRALIZED. A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, commonly called a "package treatment plant", generally serving a single land development, subdivision, or neighborhood, and operated by a governmental agency, governmental authority, public utility company, or a developer.

SANITARY SEWAGE DISPOSAL, ON-LOT. Any structure designed to treat sanitary sewage within the boundaries of an individual lot.

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

SEEPAGE PIT/SEEPAGE TRENCH. An area of excavated earth filled with loose stone or similar material and into which surface water is directed for infiltration into the ground.

SEWAGE ENFORCEMENT OFFICER. The municipal official who issues and reviews permit applications and conducts investigations and inspections as are necessary to implement Act 537 and the rules and regulations thereunder.

SIGHT DISTANCE. The required length of roadway visible to the driver of a motor vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurements shall be made from a point 3.75 feet above the centerline of the road surface to a point 00.5 feet above the centerline of the road surface. SLOPE. The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per one hundred (100) feet of horizontal distance.

SOIL-COVER-COMPLEX METHOD. A method of runoff computation developed by NRCS which is based upon relating soil type and land use/cover to a runoff parameter called a Curve Number.

STAFF. The employee of the Lehigh Valley Planning Commission designated by the Executive Director to administer this Ordinance. For the purpose of this Ordinance, staff

shall constitute a "planning agency" within the terms of Section 107-(a) of the Municipalities Planning Code.

STORAGE INDICATION METHOD. A reservoir routing procedure based on solution of the continuity equation (inflow minus outflow equals the change in storage for a given time interval) and based on outflow being a unique function of storage volume.

STORM DRAINAGE PROBLEM AREAS. Areas which lack adequate storm water collection and/or conveyance facilities and which present a hazard to persons or property. These areas are either documented in Attachment B of this ordinance or identified by the municipality or municipal engineer.

STORM SEWER. A system of pipes or other conduits which carries intercepted surface runoff, street water and other wash waters, or drainage, but excludes domestic sewage and industrial wastes.

STORMWATER DETENTION FACILITIES. Basins, ponds, ponding areas, depressions or other structures or features used to temporarily store rainfall and release it at a controlled rate.

STORM DRAINAGE SYSTEMS. All facilities and features, such as pipes, culverts, open channels, ditches, swales, and storm water detention facilities, used to transmit or temporarily store surface water runoff.

STORM WATER MANAGEMENT PLAN. The plan for managing storm water runoff adopted by Lehigh County, for each watershed as required by the Act of October 4, 1978, P.L. 864, (Act 167), as amended, and known as the Storm Water Management Act.

STREAM. A watercourse.

STREET. A strip of land, including the entire right-of-way (i.e., not limited to the cartway) intended for use as a means of vehicular and pedestrian circulation to provide access to more than one (1) lot. The word "street" includes street, avenue, boulevard, road, highway, freeway, parkway, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets are further classified according to the functions they perform:

Arterial Street. A street serving a large volume of comparatively high-speed and long distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.

Collector Street. A street which, in addition to providing access to abutting properties, intercepts local streets to provide a route giving access to community facilities and/or other collector and arterial streets (streets in industrial and commercial subdivisions shall generally be considered collector streets);

Local Street. A street used primarily to provide access to abutting properties;

Cul-de-Sac Street. A local street intersecting another street at one end, and terminating in a vehicular turn-around at the other;

Half (Partial) Street. A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street;

Marginal Access Street. A local street, parallel and adjacent to a major street (but separated from it by a reserve strip) which provides access to abutting properties and control of intersections with the major street;

Alley. A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties. All streets with a right-of-way width of less than thirty (30) feet are alleys.

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

SUBAREA. The smallest unit of watershed breakdown for hydrologic modeling purposes for which the runoff control criteria have been established in each Storm Water Management Plan.

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

Minor Subdivision. A residential subdivision which does not and will not in the future involve more than a total of three (3) lots, including the residue parcel, and does not involve the provision of any new street or easement for access. Such subdivision applications shall be processed in accordance with the provisions of Section 280.

SUBSTANTIAL IMPROVEMENT. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure before the "start of construction" of the improvement.

SURVEYOR. A licensed surveyor registered by the Commonwealth of Pennsylvania.

SWALE. A low lying stretch of natural or man-made land which gathers or carries surface water runoff.

TESTING ON-LOT SANITARY SEWER SYSTEMS. Soil tests and percolation tests conducted by the Municipal Sewage Enforcement Officer in compliance with Chapter 73 of Pa. **Pennsylvania** Department of Environmental Protection Regulations in order to

determine whether a permit may be issued for installation of on-lot sewage disposal systems.

TOPSOIL. Surface soils and subsurface soils which presumably are fertile soils and soil material. Ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.

WATERCOURSE. Any channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

WATERSHED. The computer-based hydrologic modeling technique adapted to the Little Lehigh Creek Watershed for the Act 167 Plan Update. This model was written by Tarsi Software Laboratories and uses the same algorithms found in the Penn State Runoff Quality Model (PSRMQUAL). The model has been calibrated to reflect actual flow values by adjusting key model input parameters.

WATER SUPPLY AND DISTRIBUTION SYSTEM, PUBLIC. A system for supplying and distributing water from a common source to dwellings and other buildings, generally serving a major portion of a municipality or municipalities, and operated by a governmental agency, governmental authority, or a public utility company.

WATER SUPPLY AND DISTRIBUTION SYSTEM, CENTRALIZED. A system for supplying and distributing water from a common source to two or more dwellings and/or other buildings, generally serving a single land development, subdivision, or neighborhood, and operated by a governmental agency, governmental authority, public utility company or a developer.

WATER SUPPLY AND DISTRIBUTION SYSTEM, ON-LOT. A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

SECTION VIII

STANDARD CLAUSES

800 Standard Clauses

- 801 The proper officers and other personnel of Lehigh County are hereby authorized and empowered to take all such further action and execute such additional documents as they may deem appropriate to carry out the purpose of this ordinance.
- 802 The County Executive shall distribute copies of this ordinance to the proper offices and other personnel of Lehigh County whose further action is required to achieve the purpose of this ordinance.
- 803 Any ordinance or part of an ordinance conflicting with the provisions of this ordinance is hereby repealed insofar as the same affects this ordinance.

- 804 If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications, which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

DRAFT

ENACTED AND ORDAINED this ____ day of _____, 2025.

ATTEST: _____
Clerk of the Board of Commissioners

APPROVED this _____ day of _____, 2025.

PHILIPS ARMSTRONG, County Executive

Enacted this _____ day of _____, 2025.

ORDINANCE AMENDMENT

County of Northampton
Ordinance No. [XXXX]

AN ORDINANCE AMENDING THE COUNTY OF NORTHAMPTON SUBDIVISION AND LAND DEVELOPMENT ORDINANCE REQUIRING ELECTRONIC PLAN SUBMISSION AND REVISING FOR CONSISTENCY.

WHEREAS, the Pennsylvania Municipalities Planning Code (MPC) Act 247 of 1968, as enacted and amended, authorizes counties to enact and amend subdivision and land development ordinances (Article V); and

WHEREAS, the County of Northampton enacted a Subdivision and Land Development Ordinance in 1989 and revised the same on March 24, 2003 (Bill 428); and

WHEREAS, the County of Northampton Subdivision and Land Development Ordinance applies to those municipalities within the county that have not adopted their own such ordinance, pursuant to the MPC (Article V§502(b)); and

WHEREAS, the County seeks to improve the efficiency and accessibility of the subdivision and land development review process by transitioning to a secure, electronic plan submission portal administered by the Lehigh Valley Planning Commission as the official administrative agency for review and approval of plats; and

WHEREAS, the Lehigh Valley Planning Commission, as Northampton County's official administrative agency for review and approval of plats has developed Northampton County Subdivision and Land Development Ordinance amendment language to require electronic plan submissions and propose language revisions for clarity and consistency, and forwarded the same to the Northampton County Council for consideration; and

WHEREAS, the Northampton County Council members have determined that such amendments are consistent with the County Comprehensive Plan, *FutureLV: The Regional Plan*, and serve the public interest; and

WHEREAS, the MPC requires a "public hearing pursuant to public notice" (Article V§505(a)) which was held on [INSERT DATE] at the Northampton County Courthouse at 669 Washington Street, Easton, PA 18042; and

WHEREAS, the proposed amendment and public hearing was advertised in the Morning Call on [INSERT DATE] including the date, time and location of public hearing, summary of the proposed subdivision and land development ordinance amendment and locations where full copies of proposed changes could be accessed pursuant to the requirements of the MPC (Article V§506(a)); and

WHEREAS, the full text of the proposed subdivision and land development ordinance amendment was made available to the public on [INSERT DATE] and at the following locations: Lehigh Valley Planning Commission office at 615 Waterfront Drive, Suite 201, Allentown, PA 18102, on the Lehigh Valley Planning Commission website at www.lvpc.org, Northampton County Courthouse at 669 Washington Street, Easton, PA 18042, and on the Northampton County website at www.norcopa.gov; and

WHEREAS, the County of Northampton Subdivision and Land Development Ordinance states that “Amendments to the Subdivision and Land Development Ordinance shall become effective only after a public hearing held pursuant to public notice” (Section 601).

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Northampton County Council that the Northampton County Subdivision and Land Development Ordinance is hereby amended as follows:

SECTION I

PURPOSE, AUTHORITY, TITLE AND JURISDICTION

100 Purpose

101 The purpose of this Ordinance is to regulate subdivision and land development in those municipalities within Northampton County, Pennsylvania, which have not adopted subdivision regulations.

110 Authority and Title

111 This Ordinance is enacted pursuant to the Pennsylvania Municipalities Planning Code and may be cited as the Northampton County Subdivision and Land Development Ordinance of 2003.

120 Jurisdiction

121 This Ordinance shall apply in the following circumstances:

121.1 To all subdivision and land development plans for property located in municipalities which have not adopted a subdivision ordinance submitted after the effective date of this Ordinance.

121.2 To all subdivision and land development plans for property located in municipalities which have not adopted a subdivision ordinance, previously approved in accordance with any law or regulation then applicable, the development of which has not been completed in accordance with the terms of such approval within three (3) years of such approval.

121.3 A modification to a submitted Drainage Plan for a proposed development site which involves a change in control methods or techniques, or which involves the relocation or redesign of control measures, or which is necessary because soil or other conditions are not as stated on the Drainage Plan (as determined by the municipal engineer or the LVPC engineer) shall require a resubmission of the modified Drainage Plan consistent with this Ordinance.

130 Application

131 No subdivision or land development of any lot, tract or parcel of land shall be made, and no street, sanitary sewer, water main, gas, or electric transmission line, or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon, except in accordance with this Ordinance.

132 No lot in a proposed subdivision or land development may be sold, and no final permit to erect any building upon land in a subdivision or land development may be issued unless and until a final plan has been approved and recorded and either the Lehigh Valley Planning Commission (LVPC) has been assured by means of an Improvements Agreement acceptable to the LVPC that the improvements will subsequently be installed or the required improvements in connection therewith have been constructed.

133 Notwithstanding any provisions of this Ordinance, including waiver provisions, any landowner and any person engaged in the alteration or development of land which may affect storm water runoff characteristics shall implement such measures as are reasonably necessary to prevent injury to health, safety or other property. Such measures shall include such actions as are required to manage the rate, volume and direction of resulting storm water runoff in a manner which otherwise adequately protects health and property from possible injury.

SECTION II

SUBMISSION PROCEDURES

210 Feasibility Review Submission

211 Feasibility review maps and materials may be submitted for any proposed subdivisions and land developments, for purposes of discussion between the Lehigh Valley Planning Commission and the ~~developer~~ applicant.

212 ~~Five (5) copies of all feasibility review maps and materials, as set forth in Section 300, shall be submitted to the staff.~~

Applications for subdivision and land development feasibility review, including maps and materials as set forth by Section 300, shall be submitted electronically through the Lehigh Valley Planning Commission (LVPC) Online Submission Portal. Information on Portal access may be obtained from LVPC. Paper submissions shall no longer be accepted by LVPC for review unless specifically authorized in writing by LVPC for technical or legal reasons. Electronic submission materials will be made accessible to external agencies including, but not limited to, the Municipal Governing Body.

~~213 The staff shall refer one (1) copy of the feasibility review maps and materials to the Municipal Planning Commission for its review and recommendations.~~

~~214 The staff shall refer one (1) copy of feasibility review maps and materials to the Municipal Governing Body for its review and recommendations.~~

220 Feasibility Review

221 When feasibility review maps and materials have been submitted to the Lehigh Valley Planning Commission, the data presented will be reviewed by that body at its next regular meeting, provided that submission has occurred no less than fourteen (14) days prior to such scheduled meeting.

222 The Lehigh Valley Planning Commission shall review the feasibility review data to determine the development potential of the site, as indicated by the natural features analysis presented. The general development concepts of the ~~developer~~ submitted will be reviewed to determine their compatibility with the development potential of the site and with relevant plans and ordinances. Also, the feasibility review stage is designed to offer the ~~developer~~ applicant an opportunity to informally discuss his plans for the proposed subdivision or land development with the Lehigh Valley Planning Commission.

223 Within sixty (60) days of submission of feasibility review maps and materials to the Lehigh Valley Planning Commission, the Commission shall make any recommendations to the ~~developer~~ applicant which it deems necessary or

advisable in the public interest in order to provide an acceptable subdivision or land development plan for the site.

Within fifteen (15) days after such meeting, the staff shall send written notice of the Commission's recommendations to the following:

223.1 The applicant;

223.2 The municipal governing body;

223.3 The municipal planning commission.

230 Submission of the Preliminary Plan

231 Preliminary Plans and all required supplementary data for all proposed subdivisions and land developments shall be submitted to the staff.

232 ~~Official submission of a Preliminary Plan to the staff by a developer shall comprise of the following: (submissions which do not include the material specified in the following subsections shall not be accepted as an official submission.)~~

Official submission of a Preliminary Plan to LVPC by an applicant shall be submitted electronically through the Lehigh Valley Planning Commission (LVPC) Online Submission Portal. Official submissions of a Preliminary Plan shall comprise of the following:

~~232.1 Five (5) copies of a completed Application for Review of Preliminary Subdivision Plans;~~

An application for review completed through the LVPC Online Submission Portal system;

~~232.2 Seven (7) black-on-white or blue-on-white prints on paper of the Preliminary Plan which shall fully comply with the provisions of this Ordinance as set forth in Section 310;~~

Uploaded digital copies of the Preliminary Plans which shall fully comply with the provisions of this Ordinance as set forth in Section 310;

~~232.3 Seven (7) copies all required supplemental information as set forth in Section 316;~~

All required supplemental information as set forth in Section 316;

232.4 The review fee and escrow shall be submitted as set forth in Section 640;

232.5 Submissions which do not include the material specified herein shall not be accepted as an official submission for review.

- 233 ~~The staff shall refer preliminary plan submission materials to the various review bodies as follows:~~

The LVPC shall refer preliminary plan submission materials to various review and/or coordination bodies including but not limited to the Municipality, any applicable adjacent communities and/or multi-municipal comprehensive planning partners.

~~233.1 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Planning Commission;~~

~~233.2 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the LVPC Engineer;~~

~~233.3 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the municipal governing body.~~

- 234 Additional copies of the Preliminary Plan materials shall be referred by the staff to the respective agencies in the following circumstances: **required in accordance with the following circumstances:**

234.1 ~~Whenever the property being subdivided or developed abuts a State Legislative Route, one (1) plan print shall be submitted to the Pennsylvania Department of Transportation District Office;~~

Whenever the property being subdivided or developed abuts a Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction, all application materials shall be submitted to the Pennsylvania Department of Transportation in accordance with agency requirements at the same time as submitted to the LVPC. In addition, a complete copy of any materials for Pennsylvania Department of Transportation required permits shall be submitted to the LVPC along with the Preliminary Plan. All copies of letters, communications and permits from the Pennsylvania Department of Transportation shall be copied by the applicant to the LVPC;

234.2 ~~Whenever the municipality has an adopted zoning ordinance, one (1) application and one (1) plan print shall be referred to the zoning officer;~~

Each Preliminary Plan and all associated materials provided to the LVPC will be made available to the Municipality or Municipalities where the development is proposed;

234.3 Whenever a proposed subdivision or land development is located adjacent to another municipality, ~~one (1) plan print~~ **all application materials** shall be referred to that municipality;

234.4 Any and all required outside agency approvals shall be noted in the application materials, including but not limited to sewer and/or water authorities, Pennsylvania Department of Environmental Protection, Army Corp of Engineers. Copies of outside agency application materials, correspondence, permits approved or denied shall be provided to the LVPC upon request.

235 Supplemental submissions are permitted subject to the following provisions:

235.1 ~~The supplemental submission shall consist of seven (7) complete sets of the plans, seven (7) copies of any revised supporting documentation, a completed and executed application form which notes the submission as a supplemental submission and a written summary of the changes made. The summary of the changes made shall refer to the Staff and other reviews to which the changes are responding.~~

The supplemental submission shall be submitted electronically through the Lehigh Valley Planning Commission (LVPC) Online Submission Portal and consist of a complete plan set, any revised supporting documentation, and a written summary of the changes made. The summary of the changes made shall refer to the Staff and other reviews to which the changes are responding. Any design changes made on plans shall be shown in a different color on the plan sheets or sheets to which they are applicable.

235.2 The submission shall be received at least fourteen (14) days prior to the date of the next meeting of the Lehigh Valley Planning Commission at which the application is to be considered.

235.3 Supplemental submissions which do not comply with the requirements of Section 235.1 shall not be accepted for review. The submission of a final plan application will not be considered as a supplemental submission.

240 Review of Preliminary Plan

241 By the Lehigh Valley Planning Commission

241.1 When a Preliminary Plan has been officially submitted, such plan shall be placed on the agenda of the Planning Commission for review at its next regular monthly meeting, provided that such official submission has occurred no less than fourteen (14) calendar days prior to such regular meeting. ~~The Planning Commission may hold a Public Hearing on the Preliminary Plan at this time.~~

241.2 Within ninety (90) days following the date of the regular meeting of the Planning Commission next following the date of the application (unless the next meeting does not fall in a 30-day period in which case the 90-day period commences on the 30th day following the date of the application),

the Lehigh Valley Planning Commission shall, in accordance with the provisions of relevant ordinances, take action by approving, conditionally approving or disapproving the Preliminary Plan and document the findings upon which that action is based, in writing to:

241.21 The applicant;

241.22 The applicant's engineer;

241.23 The Municipal Planning Commission;

241.24 The Municipal Governing Body;

241.25 Adjacent communities and/or multi-municipal comprehensive planning communities as necessary.

241.3 In no case shall the decision be communicated to the applicant in more than fifteen (15) days from the date that the decision has been made.

241.4 The applicant shall be provided with a form to indicate acceptance of the conditions of approval, if any were imposed. The form shall be signed and dated by the applicant and shall be returned to the LVPC. Unless the signed, dated form is received by the LVPC within ten (10) days of the date that the form was sent to the applicant, the LVPC action is to deny the application for failure to comply with the ordinance requirements cited in the action for conditional approval.

250 Submission of the Final Plan

251 Within twelve (12) months after approval of the Preliminary Plan, a Final Subdivision or Land Development Plan and all required supplemental data shall be submitted to the staff. An extension of time may be granted by the Lehigh Valley Planning Commission upon written request by the applicant. Otherwise, the plan submitted may be considered as a new Preliminary Plan.

252 The Final Plan shall conform in all significant respects to the Preliminary Plan as previously approved by the Lehigh Valley Planning Commission and shall incorporate all modifications required by the Lehigh Valley Planning Commission in its Preliminary Plan approval. The Lehigh Valley Planning Commission may, however, accept a Final Plan modified so as to reflect any substantial changes which have occurred on the site of the proposed subdivision, or its surroundings, since the time of the Preliminary Plan review.

253 The Final Plan may be submitted in sections or stages, each covering a reasonable portion of the entire proposed subdivision as shown on the reviewed Preliminary Plan, in accordance with the regulations set forth in Section 320. In the case of the Final Subdivision or Land Development Plan which is to be submitted in sections or stages over a period of years, the time between

submission of application for final approval of each stage or section shall be no greater than twelve (12) months.

254 Final plans and all required supplementary data set forth in Section 320 for all proposed subdivisions and land developments shall be submitted to the staff.

255 ~~Official submission of a Final Plan to the staff by a developer shall comprise of the following: (submissions which do not include the material specified in the following subsections shall not be accepted as an official submission.)~~

Official submission of a Final Plan to the staff by an applicant shall be submitted electronically through the Lehigh Valley Planning Commission Online Submission Portal. Information on Portal access may be obtained from LVPC. Official submissions of a Final Plan shall comprise of the following:

~~255.1 Six (6) copies of a completed Application for Review of Final Subdivision Plan;~~

An application for review completed through the LVPC Online Submission Portal system;

~~255.2 Seven (7) black on white or blue on white prints on paper of the Final Plan which shall fully comply with the provisions of this Ordinance as set forth in Section 320;~~

Uploaded digital copies of the Final Plans which shall fully comply with the provisions of this Ordinance as set forth in Section 320;

~~255.3 Seven (7) copies of all required supplemental information as set forth in Section 320; 255.4 The review fee and escrow as set forth in Section 640.~~

All required supplemental information as set forth in Section 320;

255.4 The review fee and escrow shall be submitted as set forth in Section 640;

255.5 Submissions which do not include the material specified herein shall not be accepted as an official submission for review.

256 ~~The staff shall refer Final Plan submission materials to the various review bodies as follows:~~

The LVPC shall refer final plan submission materials to the various review and/or coordination bodies including but not limited to the Municipality, any applicable adjacent communities and/or multi-municipal comprehensive planning partners.

~~256.1 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Planning Commission;~~

~~256.2 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the LVPC Engineer;~~

~~256.3 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Governing body.~~

257 Additional copies of the Final Plan materials shall be ~~referred by the staff to the respective agencies in the following circumstances:~~ **required in accordance with the following circumstances:**

257.1 Whenever the property being subdivided or developed abuts a State Legislative Route Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction and the plan differs from plans previously submitted to PennDOT with reference to access points, proposed external road improvements or traffic impact, one (1) application, one (1) plan print all application materials shall be submitted to the Pennsylvania Department of Transportation District Office. in accordance with agency requirements at the same time as submitted to the LVPC. In addition, a complete copy of any materials for Pennsylvania Department of Transportation required permits shall be submitted to the LVPC along with the Preliminary Plan. All copies of letters, communications and permits from the Pennsylvania Department of Transportation shall be copied by the applicant to the LVPC.

~~257.2 Whenever the municipality has an adopted zoning ordinance, one (1) application and one (1) plan print shall be submitted to the Zoning Officer.~~

Each Final Plan and all associated materials provided to the LVPC will be made available to the Municipality or Municipalities where the development is proposed;

257.3 Whenever the subdivision or land development requires a soil erosion and sedimentation control permit, as described in Section 491.5 of this Ordinance, ~~one (1) application, one (1) plan print, and one (1) copy of supplemental information~~ **all application materials** shall be submitted to the Northampton County Conservation District;

257.4 Whenever a proposed subdivision or land development is located adjacent to another municipality, ~~one (1) application and one (1) plan print~~ **all application materials** shall be referred to that municipality;

257.5 Any and all required outside agency approvals shall be noted in the application materials, including but not limited to sewer and/or water authorities, Pennsylvania Department of Environmental Protection, Army Corp of Engineers. Copies of outside agency application materials, correspondence, permits approved or denied shall be provided to the LVPC upon request.

260 Review of Final Plan

261 By the Lehigh Valley Planning Commission

261.1 When a Final Plan has been officially submitted, such plan shall be placed on the agenda of the Planning Commission for review at its next regular monthly meeting, provided that such official submission has occurred no less than fourteen (14) calendar days prior to such regular meeting.

261.2 Within ninety (90) days following the date of the regular meeting of the Planning Commission next following the date of the application (unless the next meeting does not fall in a 30-day period following the date of the application, in which case the 90-day period commences on the 30th day following the date of the application), the Lehigh Valley Planning Commission shall, in accordance with the provisions of relevant ordinances, take action by approving, conditionally approving or disapproving the Final Plan and document the findings upon which that action is based, in writing to:

261.21 The applicant;

261.22 The Municipal Governing Body;

261.23 The Municipal Planning Commission;

261.24 The Municipal Zoning Officer;

261.25 The applicant's engineer.

261.3 In no case shall the decision be communicated to the applicant in more than fifteen (15) days from the date that the decision has been made.

261.4 The applicant shall be provided with a form to indicate acceptance of the conditions of approval, if any were imposed. The form shall be signed and dated by the applicant and shall be returned to the LVPC. Unless the signed, dated form is received by the LVPC within ten (10) days of the date that the form was sent to the applicant, the LVPC action is to deny the application for failure to comply with the ordinance requirements cited in the action for conditional approval.

270 Recording of the Final Plan

271 After the Final Plan is approved by the Lehigh Valley Planning Commission, the applicant shall provide one mylar reproducible print and six (6) paper prints of the Final Plan to the staff for endorsement.

272 The Record Plan shall be a clear and legible print of a type and material required by the County Recorder of Deeds.

- 273 After the Lehigh Valley Planning Commission staff has endorsed the record plan, the applicant shall file the plan with the Northampton County Recorder of Deeds within ninety (90) days of the approval. The applicant shall provide proof of the recording by providing the LVPC with a receipt from the Recorder's office.
- 274 At the time the Record Plan is endorsed by the staff, the Municipal Planning Commission shall receive one (1) print of the approved Final Plan for their permanent files.
- 275 At the time the Record Plan is signed by the staff, the Municipal Governing Body shall receive one (1) Final Plan for the permanent files.

280 Plans Exempted from Standard Procedures

- 281 In the case of any proposed residential subdivision which does not by itself or in combination with previously approved subdivisions, involve more than a total of three (3) lots including the residue property and does not involve the provision of any new street or easement for access (i.e. one in which all proposed lots will have frontage on an existing public street), or for a boundary adjustment where no new lots are created and where no development is proposed, the following procedure shall apply:

281.1 Plans and all required supplementary data as required shall be submitted to the staff.

281.2 ~~Official submission of a minor subdivision to the staff by a developer shall comprise of the following: (submissions which do not include the material specified in the following subsections shall not be accepted as an official submission.)~~

Official submission of a minor subdivision to LVPC by an applicant shall be submitted electronically through the Lehigh Valley Planning Commission (LVPC) Online Submission Portal. Official submissions of a minor subdivision shall comprise of the following:

~~281.21 Five (5) copies of a completed Application for Review of Minor Subdivision Plans;~~

An application for review completed through the LVPC Online Submission Portal system;

~~281.22 Seven (7) black-on-white or blue-on-white prints on paper of the Plan which shall fully comply with the provisions of this Ordinance as set forth in Section 330 and 323;~~

Uploaded digital copies of the plans which shall fully comply with the provisions of this Ordinance as set forth in Section 330 and 323;

~~281.23~~ ~~Seven (7) copies of all required supplemental information as set forth in Section 334.~~

All required supplemental information as set forth in Section 334;

281.24 The review fee shall be submitted as set forth in Section 640;

281.25 Submissions which do not include the material specified herein shall not be accepted as an official submission for review.

~~281.3~~ ~~The staff shall refer plan submission materials to the various review bodies as follows:~~

The LVPC shall refer plan submission materials to various review and/or coordination bodies including but not limited to the Municipality, any applicable adjacent communities and/or multi-municipal comprehensive planning partners.

~~281.31~~ ~~One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Planning Commission;~~

~~281.32~~ ~~One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the municipal governing body.~~

281.4 Additional copies of the Plan materials for which the applicant is responsible for supplying shall be referred by the staff to the respective agencies in the following circumstances: shall be required in accordance with the following circumstances:

281.41 ~~Whenever the property being subdivided or developed abuts a State Legislative Route, one (1) application and one (1) plan print shall be submitted to the Pennsylvania Department of Transportation District Office;~~

Whenever the property being subdivided or developed abuts a Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction, all application materials shall be submitted to the Pennsylvania Department of Transportation in accordance with agency requirements at the same time as submitted to the LVPC. In addition, a complete copy of any materials for Pennsylvania Department of Transportation required permits shall be submitted to the LVPC along with

the Plan submission materials. All copies of letters, communications and permits from the Pennsylvania Department of Transportation shall be copied by the applicant to the LVPC;

~~281.42 Whenever the municipality has an adopted zoning ordinance, one (1) application and one (1) plan print shall be referred to the Zoning Officer;~~

Each Plan and all associated materials provided to the LVPC will be made available to the Municipality or Municipalities where the minor subdivision or development is proposed;

281.43 Whenever a proposed subdivision or land development is located adjacent to another municipality, ~~one (1) application and one (1) plan print~~ all application materials shall be referred to that municipality;

~~281.44 Whenever the plan requires storm drainage or other improvements as specified in Section 510, one (1) plan print and one (1) copy of the supplemental information shall be sent to the LVPC Engineer.~~

Any and all required outside agency approvals shall be noted in the application materials, including but not limited to sewer and/or water authorities, Pennsylvania Department of Environmental Protection, Army Corp of Engineers. Copies of outside agency application materials, correspondence, permits approved or denied shall be provided to the LVPC upon request.

281.5 Within sixty (60) days of the submission, the staff shall, in accordance with the provisions of relevant ordinances, take action by approving, conditionally approving, or recommending to the Lehigh Valley Planning Commission that the Commission disapprove the Plan. In the instance where the staff recommends disapproval of the plan, the subdivision shall be placed on the agenda of the next meeting of the Lehigh Valley Planning Commission. At that meeting, the Commission shall take action by approving, conditionally approving, or disapproving the Plan in accordance with the provisions of relevant ordinances. The staff shall document the findings upon which that action is based, in writing to:

281.51 The applicant;

281.52 The applicant's engineer;

281.53 The Municipal Planning Commission;

281.54 The Municipal Zoning Officer;

281.55 The Municipal Governing Body;

281.56 Adjacent communities and/or multi-municipal
comprehensive planning communities as necessary.

281.6 In no case shall the decision be communicated to the applicant in more than fifteen (15) days from the date that the decision has been made.

281.7 The provisions of Section 270 shall be followed for the recording of the approved Plans.

281.8 The applicant shall be provided with a form to indicate acceptance of the conditions of approval, if any were imposed. The form shall be signed and dated by the applicant and shall be returned to the LVPC. Unless the signed, dated form is received by the LVPC within ten (10) days of the date that the form was sent to the applicant, the LVPC action is to deny the application for failure to comply with the ordinance requirements cited in the action for conditional approval.

SECTION III

PLAN REQUIREMENTS

300 Feasibility Review

301 The feasibility review submission shall include the following maps and materials.

301.1 A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals two thousand (2,000) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads and municipal boundaries existing within one (1) mile of any part of the property. The key map may be based on USGS quad sheet maps.

301.2 A map illustrating an analysis of natural drainage patterns and water resources within the proposed subdivision tract, including delineation of streams, natural drainage swales, ponds and lakes, wetlands, flood plains subject to a one hundred (100) year flood frequency, and permanent and seasonal high water table areas. The map shall be based on USGS quad sheets, County Soil Survey Maps, and the flood boundary and floodway map from the Municipal Flood Insurance Study, when available.

301.3 A topographic map of the site based on USGS quad sheets.

301.4 A map delineating additional significant physical features within the proposed subdivision tract, such as woodland areas, large trees, rock

outcroppings and scenic views. The map may be based on USGS quad sheets and on-site survey work.

- 301.5 Where feasible and legible, the analysis involved in Sections 301.1 through 301.4 may be illustrated on one or a combination of composite maps. The combined impact of the natural characteristics upon the development potential of the tract shall be clearly illustrated on the map or maps.
- 301.6 A letter of intent and a sketch of the proposed subdivision or land development tract at a scale of one (1) inch equals one hundred (100) feet explaining and illustrating the developer's general development concepts for the tract. The type of development, density of development, form of ownership, circulation patterns, and means of providing major utility service should be explained and illustrated. The sketch may be based on deed and tax map information.

310 Preliminary Plan

- 311 The Preliminary Plan of a proposed subdivision or land development shall be clearly and legibly drawn at one of the following scales:
- 311.1 One (1) inch equals one hundred (100) feet;
- 311.2 One (1) inch equals fifty (50) feet;
- 311.3 One (1) inch equals twenty (20) feet; and
- 311.4 One (1) inch equals ten (10) feet.
- 312 The original drawing and all submitted prints shall be made on sheets of one of the following sets of dimensions:
- 312.1 Eighteen (18) inches by twenty-four (24) inches;
- 312.2 Twenty-four (24) inches by thirty-six (36) inches;
- 312.3 Thirty-six (36) inches by forty-eight (48) inches.
- 313 If the Preliminary Plan requires more than one sheet, a key diagram illustrating relative location of the several sections shall be drawn on each sheet.
- 314 The Preliminary Plan shall indicate the following data:
- 314.1 Name and address of record owner;
- 314.2 Name of developer if different from owner;
- 314.3 Name of the proposed subdivision;

- 314.4 Name of the municipality or municipalities within which subdivision is proposed;
- 314.5 Names of all adjoining subdivisions, if any, and the names of owners of all adjacent unplatted land;
- 314.6 Name, address, license number, and seal of the registered surveyor responsible for the subdivision plan. The surveyor shall sign a statement attesting to the accuracy of the survey.
- 314.7 North point, graphic scale, written scale, and date including the month, day and year that the original drawing was completed, and the month, day and year that the original drawing was revised, for each revision;
- 314.8 A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals two thousand (2,000) feet and showing the relationship of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, and municipal boundaries, within one (1) mile of any part of the property;
- 314.9 Total tract boundaries of the property being subdivided showing bearings and distances, and a statement of total acreage of the property::
- 314.10 Tax map sheet, block and lot numbers within the proposed subdivision tract obtained from the county tax assessor's office;
- 314.11 The zoning district or districts within which the proposed subdivision is located;
- 314.12 All existing buildings or other structures within the proposed subdivision tract;
- 314.13 All existing streets, including streets of record (recorded but not constructed), on or adjoining the tract, including names, right-of-way widths, and pavement widths;
- 314.14 All existing sewer lines, septic systems, storm sewers, water lines, wells, fire hydrants, utility transmission lines, culverts, bridges, railroads, other man-made features, watercourses and wetlands within the proposed subdivision tract and immediately adjacent to the subdivision tract;
- 314.15 Location, width, and purpose of existing easements and utility rights-of-way within the proposed subdivision tract;

- 314.16 Contour lines at vertical intervals of not more than two (2) feet for land with average natural slope of five (5) percent or less, and at intervals of not more than five (5) feet for land with average natural slope exceeding five (5) percent. Location and elevation of the data to which contour elevations refer shall be the closest United States Geologic Survey established benchmark, where available;
- 314.17 A signature block for the Lehigh Valley Planning Commission approval of the subdivision;
- 314.18 The following owner's statement shall be placed on the plan. The owner(s) shall execute the statement before a notary public. The seal of the notary public acknowledging the owner(s) statement shall be impressed on the plan. The statement shall read, "We (I), the owners of this plat of land being duly sworn according to law, depose and say we (I) are (am) the sole owner(s) of this property in peaceful possession of it and there are no suits pending affecting title of same.";
- 314.19 Proposed locations of wells (if any), proposed locations of subsurface disposal fields and alternate fields (if any), and the locations of percolation test holes and soil probe pits (if any);
- 314.20 A signature block, executed by the applicant, shall read "The applicant hereby authorizes the LVPC staff to enter upon and inspect the site for the purposes of conducting a review and determining consistency with the requirements of the Northampton County SALDO during the pendency of the application before the LVPC.";
- 314.21 Significant natural features including but not limited to flood plains, ponds and lakes, wooded areas and trees of greater than eight (8) inches in caliper. Flood plain information shall delineate the bounds of the 100 year flood plain, floodway and flood fringe.
- 315 The full plan of proposed development, including:
- 315.1 Location and width of all streets and rights-of-way, with a statement of any conditions governing their use;
- 315.2 Suggested street names;
- 315.3 Utility easement locations;
- 315.4 Building setback lines along each street;
- 315.5 Lot lines with approximate dimensions;

- 315.6 A statement of the intended use of all non-residential lots and parcels;
- 315.7 Lot numbers, a statement of total number of lots and parcels and the lot size in square feet or acres for each lot;
- 315.8 Sanitary and/or storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities;
- 315.9 Parks, playgrounds and other areas dedicated or reserved for public or common use, with any conditions governing such use;
- 315.10 Location, width, and purpose of proposed easements and utility rights-of-way;
- 315.11 Copies of the proposed deed restrictions and protective and restrictive covenants referenced to the Preliminary Plan;
- 315.12 A contour grading plan.
- 316 The Preliminary Plan shall be accompanied by the following supplementary data unless the Lehigh Valley Planning Commission has determined that the submission of such data is not necessary:
 - 316.1 Preliminary profiles, typical cross-sections and specifications for proposed street, sanitary sewer, water system improvements, and storm drainage in accordance to the design standards of Sections 430, 440, 450 and 460, respectively.
 - 316.2 A storm drainage plan for the proposed subdivision tract which includes the following in addition to the requirements of Sections 314 and 315:
 - 316.201 A narrative with a general description of the proposed subdivision and/or land development and a general description of proposed permanent storm water controls.
 - 316.202 Maps of the project area showing:
 - 316.2021 Soil types and boundaries based on the Northampton County Soil Survey.
 - 316.2022 Proposed structures, paved areas and buildings.

- 316.2023 Storm Water Management District boundaries applicable to the site.
- 316.2024 A schematic showing all tributaries contributing flow to the site and all existing man-made features beyond the property boundary that would be affected by the project.
- 316.203 Storm water management controls.
- 316.2031 All storm water management controls must be shown on a map and described, including:
- 316.20311 Groundwater recharge methods such as seepage pits, beds or trenches. When these structures are used, the locations of septic tank infiltration areas and wells must be shown.
- 316.20312 Other control devices or methods such as roof-top storage, semi-pervious paving materials, grass swales, parking lot ponding, vegetated strips, detention or retention ponds, storm sewer, etc.
- 316.2032 All calculations, assumptions and criteria used in the design of the control device or method must be shown.
- 316.3 A landscape plan, where applicable, according to the standards set forth in Section 492.4, Tree Preservation and Planting;
- 316.4 In the case of subdivisions or land development plans to be developed in stages or sections, over a period of time, a map delineating each stage or section of the proposed subdivision or land development consecutively numbered so as to illustrate phasing of development and a schedule indicating the approximate time for which application for final approval of each stage or section are intended to be filed;

- 316.5 Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection - Division of Dams and Encroachments and/or the Pennsylvania Department of Transportation;
- 316.6 A map illustrating the entire contiguous holdings of the landowner indicating the area or scope of ultimate proposed subdivision and delineating the area which the Preliminary Plan encompasses;
- 316.7 A sketch map of the proposed road system for the remainder of the area not included in the Preliminary Plan;
- 316.8 When water service to the proposed subdivision is to be provided by an existing public system, the developer shall submit one (1) copy of a letter from the agency, authority or utility which agrees to extend water service, subject to the execution of a service agreement.
- 316.9 Certification of sewage disposal systems.
- 316.91 When sewage disposal service to the proposed subdivision is to be provided by an existing public system, the developer shall submit one (1) copy of a letter from the agency, authority or utility which agrees to provide sewer service subject to the execution of a service agreement.
- 316.92 When sewage disposal service for the proposed subdivision is to be by individual on-lot sewage disposal systems, the applicant shall submit two (2) copies of the Municipal Sewage Enforcement Officer's approval of the planning module.
- 316.10 Whenever a subdivision or land development or part thereof is in an area of carbonate geology as mapped in Map 1, the following provisions shall apply:
- 316.101 A recognized professional with competence in the field shall review aerial photographs, soils, geologic and other related data available to him or her, as the data relates to the subject property. The professional shall also conduct a site inspection of the property.
- 316.102 Based on the work required in Section 316.101, the professional shall prepare a map of the site showing all karst features or feature indicators. The

mapping shall indicate, but shall not be limited to, the following features:

- 316.1021 Closed depressions;
- 316.1022 Open sinkholes;
- 316.1023 Seasonal high water table indicators;
- 316.1024 Outcrops of bedrock;
- 316.1025 Unplowed areas in plowed fields;
- 316.1026 Surface drainage into ground;
- 316.1027 "Ghost Lakes" after rainfall.

316.103 Based upon the work performed in Section 316.101, the professional shall determine what further testing should be done by the applicant to ensure compliance with the performance standards set forth in Section 494. Testing methodology shall be reasonable under the circumstances, including (1) the scale of the proposed development, and (2) the hazards revealed by examination of available data and site inspection.

316.104 The applicant shall cause the additional testing established in Section 316.103 to be done. The test results shall be included with the submission and shall be referred to the LVPC reviewer, who shall be a recognized professional with competence in the field.

316.105 The LVPC reviewer shall report to the LVPC, with a copy to the landowner, his or her opinion as to the adequacy of the study and as to the capability of the site to support the proposed development in a manner in which the risks attendant to development in carbonate areas are either eliminated or minimized. Recommendations for site development including storm water management, the layout of utility lines, and building location may be included. Additional studies or testing as deemed necessary by the LVPC reviewer in order to produce an adequate study given the scale of the proposed development and the hazards revealed, may be required of the applicant.

316.11 If the subdivision or land development includes wetlands or hydric soils, the applicant shall submit either a written determination from the U.S. Army Corps of Engineers that the area does not contain wetlands, or copies of permits for the proposed activity from the U.S. Army Corps of Engineers pursuant to Sections 9 and 10 of the River and Harbor Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act and from the Pennsylvania Department of Environmental Protection pursuant to the Dam Safety and Encroachments Act. A copy of any wetlands study prepared for the property, including a study prepared for the use of the U.S. Army Corps of Engineers or the Pennsylvania Department of Environmental Protection shall be submitted.

316.12 A traffic impact study and report shall be required for proposed developments that meet one or more of the following criteria:

Residential: 100 or more dwelling units

Commercial: A commercial building or buildings consisting of 20,000 sq. ft. or more of total floor area

Office: A development consisting of 100,000 sq. ft. or more of total floor area

Industrial: A development consisting of 200,000 sq. ft. or more of total floor area

Other: A use generating 1,000 or more trips per day as determined by generation rates published by the Institute of Transportation Engineers

Traffic Impact Study. The study will enable the Commission to assess the impact of a proposed development on the traffic system. Its purpose is to ensure that proposed developments do not adversely affect the traffic network and to identify any traffic problems associated with access from the site onto the existing roads. The study's purpose is also to delineate solutions to potential problems and to present improvements to be incorporated into the proposed development. Traffic impact reports shall be based on the following criteria:

316.1201 General Site Description. The site description shall include the size, location, proposed land uses, construction, staging and completion date or types of dwelling units. A brief description of other major existing and proposed land developments within

one-half mile of the proposal which shall constitute the study area.

- 316.1202 Traffic Facilities Description. The description shall contain a full documentation of the proposed internal and existing highway system. The report shall describe the external roadway system within the area. Major intersections in the area shall be identified and diagrammed. All future highway improvements which are part of proposed surrounding developments shall be noted and included in the calculations.
- 316.1203 Existing Traffic Conditions. Existing traffic conditions shall be measured and documented for all streets and intersections in the area. Existing traffic volumes for average daily traffic, peak highway hour(s) traffic and peak development-generated hour(s) traffic shall be recorded. Traffic counts at major intersections in the study area shall be included in the report. A volume/capacity analysis based upon existing volumes shall be performed during the peak highway hour(s) and the peak development-generated hour(s) for all streets and major intersections in the study area. Levels of service shall be determined for each major road segment and turning movement. Detailed traffic counts of existing local streets are not required, unless the Commission would so require. A tabulation of accident locations during the past 2-year period shall be shown.
- 316.1204 Traffic Impact of the Development. Estimation of vehicular trips to result from the proposal shall be computed from the average daily peak highway hour(s). Vehicular trip generation rates to be used for this calculation shall be obtained from the Trip Generation Manual, published by the Institute of Transportation Engineers. These development-generated traffic volumes shall be provided for the inbound and outbound traffic movements as estimated, and the reference source(s) and methodology followed shall be documented. All turning movements shall be calculated. These generated volumes shall be distributed to the area and assigned to the existing streets and intersections throughout the area. Documentation

of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to individual access points. Any characteristics of the site that will cause particular trip generation problems shall be noted.

316.1205 Analysis of Traffic Impact. The total future traffic demand shall be calculated. This demand shall consist of the combination of the existing traffic expanded to the completion year (straight line projections based on historical data), the development-generated traffic and the traffic generated by other proposed development is anticipated, calculations for each stage of completion shall be made. This analysis shall be performed during the peak highway hour(s) for all roadways and major intersections in the study area. Volume/capacity calculations shall be completed for all major intersections.

All access points shall be examined as to the necessity of installing traffic signals. This evaluation shall compare the projected traffic to State warrant regulations for traffic signal installation.

316.1206 Conclusions and Recommendations. Levels of service for all streets and intersections shall be listed. All streets and/or intersections showing a level of service below C shall be considered deficient, and specific recommendations for the elimination of these problems shall be listed. This listing of recommended improvements shall include, but not be limited to, the following elements: internal circulation design, site access location and design, external roadway and intersection design and improvements, traffic signal installation and operation including signal timing. All physical street improvements shall be shown in sketches.

316.1207 Costs of Needed Projects. Approximate costs for all needed transportation improvements shall be developed within a defined impact area.

316.1208 The project manager for any traffic impact report shall be a professional traffic engineer or transportation planner, who should be a member of the Institute for Transportation Engineering.

- 316.1209 The Commission may combine contributions for traffic impact studies from more than one applicant to accomplish one major coordinated traffic study.
- 316.1210 Applicant's Responsibilities. The applicant shall respond to the traffic impact report by stating to what degree he/she is willing to assist in funding any off-site improvements that are needed and to state what onsite improvements he/she proposes.
- 316.1211 Future Stages of Development. The traffic study shall include not only an analysis of one individual project proposed at one point in time, but also the overall projected impacts of future development of all nearby lands owned by the applicant or that the applicant has an option to purchase. The study shall include a projection of the traffic expected from this development, using reasonable alternatives if no definite plans are available.
- 316.1212 Other Proposed Development. The study should also take in account traffic that can be expected as a result of other development which has been approved or is being reviewed by the Commission and other development that might reasonable be expected to occur.

320 Final Plans

- 321 The final plans shall conform to the standards and data requirements set forth for Preliminary Plans in Sections 311 through 315 of this Ordinance.
- 322 It shall not be necessary to resubmit supporting maps and data submitted with the Preliminary Plan, as set forth in Section 316 of this Ordinance, provided that no change has occurred.
- 323 The following additional data shall be illustrated on the Final Plan:
- 323.1 The latest source of title to the land as shown by the deed, page number and book of the County Recorder of Deeds;
- 323.2 The total tract boundary lines of the area being subdivided with accurate distances to hundredths of a foot and bearing to fifteen (15) seconds. These boundaries shall be determined by accurate survey in the field, to an error of closure not to exceed one (1) foot in ten thousand (10,000) feet. The tract boundary shall be subsequently closed and balanced. The boundary(s) adjoining additional unplatted land of the subdivider (for example, between

separately-submitted Final Plan sections), however, are not required to be based upon field survey, and may be calculated. The location of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments;

323.3 All lot lines shall be completely dimensioned in feet if straight, and by designating length of arc and radius (in feet) and central angle (in degrees, minutes, and seconds) if curved. All internal angles within the lots shall be designated to within fifteen (15) seconds;

323.4 The proposed building setback or the proposed placement of each building;

323.5 All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan. Easements shall either be shown or specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities;

323.6 Such private deed restrictions as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided;

323.7 Space shall be left along the lower edge of the sheet, in order that the County Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented;

323.8 If the Final Plan requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.

324 The Final Plan shall be accompanied by the following:

324.1 Plans showing:

324.101 Location, size and invert elevation of all sanitary sewer, water distribution and storm drainage systems and the location of all manholes, inlets and culverts;

324.102 Final profiles, cross-sections, and specifications for proposed streets, sanitary sewers, water distribution systems, and storm drainage systems

shall each be shown on one or more separate sheets.

- 324.2 Documentation from the Sewage Enforcement Officer that each lot has been approved for on-lot sewage systems (where applicable).
- 324.3 A copy of the Department of Environmental Protection acceptance or approval of the planning module (where applicable).
- 324.4 A copy of the permit granted by the Pennsylvania Department of Environmental Protection for a private centralized sanitary sewer system, where applicable.
- 324.5 A copy of the highway occupancy permit for any road or driveway requiring access to a ~~State Legislative Route~~ **Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction.**
- 324.6 A copy of a permit granted by the Pennsylvania Department of Environmental Protection for a private centralized water system (where applicable).
- 324.7 A completed and executed copy of the Subdivision Improvements Agreement as agreed upon by the developer and the Municipal Governing Body, public utility or municipal authority subject to the following LVPC findings. The LVPC shall find, upon review of the executed improvements agreement that the agreement covers all public improvements specified on the subdivision plan, and that the agreement is enforceable. Should the improvements agreement not meet these criteria, this requirement shall be considered to be unmet.
- 324.8 A performance guarantee in the amount of one hundred ten (110) percent of the cost of all required improvements, as set forth in Section 520 as estimated in accordance with the provisions set forth in the Municipalities Planning Code as amended, in a form and with surety in accordance with the provisions set forth in the Municipalities Planning Code as amended and acceptable to the LVPC solicitor, guaranteeing the construction and installation of all such improvements within a stated period which shall not be longer than one (1) year from the date of the Final Subdivision Approval. Where the Final Plan is submitted in stages or sections, the amount of the guarantee may also be provided in stages if acceptable to the Municipal Governing Body, public utility or municipal authority.

- 324.9 A maintenance guarantee in an amount of not less than fifteen (15) percent of the actual cost of the installation of the improvements as set forth in Section 520. This guarantee assures the structural integrity of the improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a period not to exceed eighteen (18) months after the acceptance of all such improvements by the Municipal Governing Body, public utility, or municipal authority.
- 324.10 An erosion and sedimentation control plan developed in accordance with Part IV, paragraph 44 of the Soil Erosion and Sedimentation Control Manual issued by the Department of Environmental Protection.
- 324.11 A legal description of all areas offered for dedication.
- 324.12 A copy of an opinion of title from a title insurance company or an attorney which sets forth the names of all owners of the property, and a list of all mortgages, judgments, liens, easements, contracts and agreements of record as filed in the Northampton County Recorder of Deeds Office, which affect the property being acted upon.
- 324.13 When an agency, authority or utility providing sewer or water service to the subdivision or land development has approval authority under its own jurisdiction, a letter which indicates that the plans meet the relevant agency, authority or utility specifications shall be submitted.
- 325 In the case of a subdivision or land development proposed to be developed in stages or sections over a period of years, Final Plan requirements as listed in Section 321 through 324 shall apply only to the stage or section for which Final Approval is being sought. However, the Final Plan presented for the stage or section must be considered as it relates to information presented for the entire subdivision or land development in the application for Preliminary Approval.

330 Plans Exempted from Standard Procedures

- 331 The Plan shall be clearly and legibly drawn to one of the following scales:
- 331.1 One (1) inch equals fifty (50) feet;
- 331.2 One (1) inch equals twenty (20) feet; and
- 331.3 One (1) inch equals ten (10) feet.

332 The original drawing and all submitted prints shall be made on sheets of one of the following sets of dimensions:

332.1 Eighteen (18) inches by twenty-four (24) inches;

332.2 Twenty-four (24) inches by thirty-six (36) inches;

332.3 Thirty-six (36) inches by forty-eight (48) inches.

333 The Plan shall indicate the full plan of proposed development and the following data:

333.1 Name and address of record owner;

333.2 Name of developer if different from owner;

333.3 Name of the proposed subdivision;

333.4 Name of the municipality or municipalities within which the subdivision is proposed;

333.5 Names of all adjoining subdivisions, if any, and the names of owners of all adjacent unplatted land;

333.6 North point, graphic scale, written scale, and date including the month, day and year that the original drawing was completed, and the month, day and year that the original drawing was revised, for each revision;

333.7 A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals two thousand (2,000) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads and municipal boundaries within one mile of any part of the property;

333.8 A statement of total acreage of the property;

333.9 Tax map sheet, block and lot numbers within the proposed subdivision tract obtained from the county tax assessor's office;

333.10 The zoning district or districts within which the proposed subdivision is located;

333.11 All existing buildings or other structures within the proposed subdivision tract;

- 333.12 All existing streets, including streets of record (recorded but not constructed), on or adjoining the tract, including names, right-of-way widths, and pavement widths;
- 333.13 All existing sewer lines, subsurface disposal areas, storm sewers, water lines, wells, fire hydrants, utility transmission lines, culverts, bridges, railroads, other manmade features or watercourses within the proposed subdivision tract and within fifty (50) feet of the boundaries of the proposed subdivision tract;
- 333.14 Location, width, and purpose of existing easements and utility rights-of-way within the proposed subdivision tract;
- 333.15 Contour lines at vertical intervals of not more than two (2) feet for land with average natural slope of five (5) percent or less, and at intervals of not more than five (5) feet for land with average natural slope exceeding five (5) percent. Location and elevation of the data to which contour elevations refer shall be the closest United States Geologic Survey established benchmark, where available;
- 333.16 The latest source of title to the land as shown by the deed, page number and book of the County Recorder of Deeds;
- 333.17 The total tract boundary lines of the area being subdivided with accurate distances to hundredths of a foot and bearing to fifteen (15) seconds. These boundaries shall be determined by accurate survey in the field, to an error of closure not to exceed one (1 foot in ten thousand (10,000) feet. The tract boundary shall be subsequently closed and balanced. The boundary(s) adjoining additional unplatted land of the subdivider, however, are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments;
- 333.18 All lot lines shall be completely dimensioned in feet if straight, and by designating length of arc and radius (in feet) and central angle (in degrees, minutes, and seconds) if curved. All internal angles within the lots shall be designated to within fifteen (15) seconds;
- 333.19 The proposed building setback or the proposed placement of each building;
- 333.20 All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-

of-way. Rights-of-way shall be shown and accurately identified on the plan. Easements shall either be shown or specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities;

- 333.21 The following owner's statement shall be placed on the plan. The owner(s) shall execute the statement before a notary public. The seal of the notary public acknowledging the owner(s) statement shall be impressed on the plan. The statement shall read, "We(I) the owner(s) of this plat of land being duly sworn according to law, depose and say we(I) are(am) the sole owner(s) of this property, in peaceful possession of it, and there are no suits pending affecting title of same.";
- 333.22 A signature block for certification of approval of the plan by the Lehigh Valley Planning Commission;
- 333.23 Space shall be left along the lower edge of the sheet, in order that the County Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented;
- 333.24 A map illustrating the entire contiguous holdings of the landowner, and indicating the area or scope of ultimate proposed subdivision and delineating the area which the Plan encompasses;
- 333.25 A sketch map of the proposed road system for the remainder of the area not included in the Plan;
- 333.26 A statement of the intended use of all non-residential lots and parcels;
- 333.27 Lot numbers, a statement of total number of lots and parcels, and the lot size in square feet or acres for each lot.
- 333.28 Proposed locations of wells, subsurface disposal fields, and alternate fields. percolation test holes, and soil probes, if relevant.
- 333.29 A signature block, executed by the applicant, shall read "The applicant hereby authorizes the LVPC staff to enter upon and inspect the site for the purposes of conducting a review and determining consistency with the requirements of the Northampton County SALDO during the pendency of the application before the LVPC.";
- 333.30 Significant natural features including but not limited to flood plains, ponds and lakes, streams, natural drainage swales, wooded areas and trees of greater than eight (8) inches in caliper. Flood plain

information shall delineate the bounds of the 100 year flood plain, floodway and flood fringe;

333.31 Proposed grading.

334 The Plan shall be accompanied by the following supplementary data unless the Lehigh Valley Planning Commission has determined that the submission of such data is not necessary:

334.1 A legal description of all areas offered for dedication;

334.2 Such private deed restrictions as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided;

334.3 A copy of the highway occupancy permit for any driveway requiring access to a ~~State Legislative Route~~ **Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction**;

334.4 When water service to the proposed subdivision is to be provided by an existing public system, the developer shall submit one (1) copy of a letter from the agency, authority or utility which agrees to provide sewer service subject to the execution of a service agreement.

334.5 When sewage disposal service to the proposed subdivision is to be provided by an existing public system, the developer shall submit one (1) copy of a letter from the agency, authority or utility which agrees to provide sewer service subject to the execution of a service agreement.

334.6 When sewage disposal service for the proposed subdivision is to be by individual on-lot sewage disposal systems, the applicant shall submit ~~two (2) copies~~ **one (1) copy** of the Municipal Sewage Enforcement Officer's approval of the planning module.

334.7 Where an agency, authority or utility providing sewer or water service to the subdivision has approval authority under its own jurisdiction, a letter which indicates that the plans meet the relevant agency, authority, or utility specifications shall be submitted;

334.8 A copy of an opinion of title from a title insurance company or an attorney which sets forth the names of all owners of the property, and a list of all mortgages, judgments, liens, easements, contracts and agreements of record as filed in the Northampton County

Recorder of Deeds Office, which affect the property being acted upon.

SECTION IV

DESIGN STANDARDS

400 Application

- 401 The design standards and requirements outlined in this section will be utilized by the Lehigh Valley Planning Commission in determining the adequacy of all plans for proposed subdivisions and land developments.
- 402 Development shall be planned, reviewed and carried out in conformance with all municipal, state and other applicable laws and regulations.
- 403 Whenever provisions of this ordinance conflict with the provisions of other ordinances and regulations, the most restrictive provisions shall apply.

410 General Standards

- 411 Land shall be suited to the purpose for which it is to be subdivided. Land with unsafe or hazardous conditions such as open quarries, unconsolidated fill, steep slopes, or flood prone areas shall not be subdivided unless the subdivision plan provides for adequate safeguards which are approved by the Lehigh Valley Planning Commission.
- 412 Consideration shall be given to applicable provisions of the municipal Comprehensive Plan and the LVPC's Comprehensive Plan for Lehigh and Northampton Counties, emphasizing future school sites, recreation sites, water supply and sewage treatment systems, highway alignments, and other public facilities. However, consideration must be given to the need for the facilities and utilities mentioned above whether or not they are proposed as part of a comprehensive plan.
- 413 The development of the proposed subdivision shall be coordinated with adjacent existing development so that the area, as a whole, may develop harmoniously.
- 414 These design standards and requirements may be altered by the Lehigh Valley Planning Commission for the purpose of achieving economy and ingenuity in design in accordance with modern and evolving principles of site planning and development, upon presentation of evidence that the intent of such standards shall be substantially achieved.

420 Block and Lot Design Standards

421 Block Layout

421.1 The length, width and shape of blocks shall be determined with due regard to:

421.11 Provisions of adequate sites for buildings of the type proposed;

421.12 Municipal zoning requirements;

421.13 Topography;

421.14 Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with arterial streets;

422 Block Length

422.1 Residential blocks shall ordinarily be no less than five hundred (500) feet in length and no more than eighteen hundred (1,800) feet in length.

422.2 In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection.

422.3 Where practicable, blocks along arterial and collector streets shall not be less than one thousand (1,000) feet in length.

423 Block Depth

423.1 Single family residential blocks shall be of sufficient depth to accommodate two tiers of lots; except the Lehigh Valley Planning Commission may approve a single tier of lots in the following cases:

423.11 Where reverse frontage lots are required;

or

423.12 Where two tiers of lots are not possible due to the size, topographical conditions or other inherent conditions of the property.

424 Commercial and Industrial Blocks

424.1 Blocks in commercial, industrial, multi-family and planned residential developments may vary from the elements of design detailed above if required by the nature of the use. In all cases,

however, adequate provisions shall be made for traffic and pedestrian circulation, off-street parking, and loading areas.

425 General Lot Design Standards

425.1 Within the requirements of the Municipal Zoning Ordinance, the size, shape and orientation of lots shall be appropriate for the type of development and use contemplated.

425.2 Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.

425.3 Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.

425.4 Generally, the depth of single family detached residential lots shall be not less than one (1) nor more than three (3) times their width.

425.5 Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks and landscaping.

425.6 If, after subdividing, there exists remnants of land, they shall be either:

425.61 Incorporated in existing or proposed lots;

or

425.62 Legally dedicated to public use, if acceptable to the municipality and the Lehigh Valley Planning Commission.

425.7 Where the municipality has adopted a zoning ordinance, the minimum lot size specified for that use in the appropriate district shall be provided.

If no zoning ordinance is in effect in the municipality, the following lot size standards shall be met:

425.71 A minimum lot size of 43,560 square feet shall exist per dwelling unit or per equivalent dwelling unit of sewage produced by non-residential uses, where on-lot sewage disposal and on-lot water supply system are used.

425.72 A minimum lot size of 30,000 square feet shall exist per dwelling unit or per equivalent dwelling unit of sewage produced

by non-residential uses, where on-lot sewage disposal and public water supply systems are used.

425.73 No minimum lot size standards shall exist where public sewerage is used.

426 Lot Frontage

426.1 All proposed lots shall have frontage on an ordained public street, other than an alley. These requirements shall not apply to individual condominium units when such units are contained in an approved condominium development.

426.2 Double or reverse frontage lots may be required to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography or other natural features of the proposed subdivision tract.

426.3 All residential reverse frontage lots shall have a rear yard with a minimum depth of seventy-five (75) feet, measured along the shortest distance from the proposed dwelling unit to the ultimate right-of-way and shall, within such rear yard and immediately adjacent to the right-of-way, have a planting screen easement of at least ten (10) feet in width, across which there shall be no right of access.

427 Lot Access

427.1 Direct access onto arterial roads and numbered traffic routes shall be minimized.

427.71 Direct access onto an arterial road or a numbered traffic route shall be prohibited where adequate alternative access can be obtained from a collector road, local road or alley.

427.72 Access to two or more abutting residential properties shall be provided by a shared driveway unless the applicant demonstrates that such access is impractical.

427.73 A maximum of one access point per property involving a left hand turn exiting a non-residential property onto an arterial road or a numbered traffic route shall be permitted.

427.74 Parking lots and internal driveways for non-residential development shall support access

management objectives along arterial roads and numbered traffic routes.

427.741 Shared parking lots and driveways connecting adjacent parking lots for non-residential uses shall be used whenever practical.

427.742 The distance between the intersection of the access road with the arterial road or a numbered traffic route and the intersection of the access road with other internal access roads shall be maximized to the extent possible.

427.2 Where access is permitted to a state road or highway, authorization from the Pennsylvania Department of Transportation must be proven by the display of a valid highway occupancy permit. Driveways to single family residences shall intersect streets at angles of no less than sixty (60) degrees. All other driveways or access roads shall intersect streets at right angles, where practicable, and in no case less than seventy-five (75) degrees.

427.3 Widths of access roads or driveways shall be in accordance with the following standards:

427.31 Access roads for multi-family residential, mobile home parks and all non-residential subdivisions shall be no less than twenty-four (24) feet in width, shall not exceed thirty (30) feet in width at the street line, and shall be clearly defined by use of curbing;

427.32 Driveways for single family residential subdivisions shall be no less than ten (10) feet in width but shall not exceed twenty (20) feet in width at the street line.

427.4 To provide safe and convenient ingress and egress, access road and driveway entrances shall be rounded at the following minimum radii, except when a curb depression is provided in accord with the Northampton County Improvements Specifications Ordinance.

427.41 Access road entrances for multi-family residential developments, mobile home parks, and all non-

- residential subdivisions shall be rounded at a minimum radius of ten (10) feet;
- 427.42 Driveway entrances for single-family residences shall be rounded at a minimum radius of five feet except along ~~legislative routes~~ **Pennsylvania Department of Transportation route or where the Pennsylvania Department of Transportation has jurisdiction** where a ten (10) foot radius is required.
- 427.5 Access road grades or driveway grades shall not exceed the following grades:
- 427.51 Twelve (12) percent between the future street right-of-way line and any other point within the confines of the lot being served;
- 427.52 Five (5) percent in a leveling area extending forty (40) feet from the intersection of the access road or driveway with the cartway of the street.
- 427.6 The centerline of an access road or driveway at the point of access to a street shall not be located closer to an intersection of street centerlines than the following distances:
- 427.61 Fifty (50) feet for single-family residential units.
- 427.62 For multi-family residential developments, mobile home parks, and all non-residential subdivisions:
- 427.621 One hundred fifty (150) feet if either street is an arterial street;
- 427.622 One hundred (100) feet if either street is a collector street;
- 427.623 Fifty (50) feet if both streets are local streets.
- 427.7 Vehicular access shall be available to all lots directly from an ordained public street. This requirement shall not apply to individual condominium units where such units are contained in an approved condominium development.
- 427.8 Clear sight triangles shall be provided at all intersections of driveways with streets, except alleys. Clear sight triangles are not required for intersections of driveways with alleys. Within such triangles, no object greater than two and one-half (2 1/2) feet in

height and no other object that would obscure the vision of the motorist shall exist or be placed. The triangles shall be measured as follows:

427.81 Along the centerline of the driveway from a point twenty (20) feet from where the driveway meets the cartway of the road, to points along the centerline of the road two hundred (200) feet on each side from the intersecting centerlines of the driveway and road, if the road is classified as a local road.

427.82 Along the centerline of the driveway, from a point twenty (20) feet from where the driveway meets the cartway of the road, to points along the centerline of the road three hundred (300) feet on each side from the intersecting centerlines of the driveway and road, if the road is classified as a collector or arterial road.

428 Flag lots may be allowed in certain circumstances to minimize hardships in the use of land that lacks adequate road frontage for an equitable use of the lot. Normally, this situation will be deemed to exist when the lot lacks double the required road frontage for lots in that zoning district. However, flag lots will not be permitted merely to increase the density of development nor to minimize the amount of road improvements. The following requirements will apply:

428.1 No more than two flag lots will be permitted per original tract of land, even if lots are subdivided from the tract at different times;

428.2 The access lane will have a minimum width of twenty-five (25) feet, be contained entirely within the lot and serve only one lot;

428.3 The access lane will have a maximum length of five hundred (500) feet measured from the right-of-way of the public road to the perimeter of the rectangle defining the lot area;

428.4 The area in the access lane shall be excluded from the area required for meeting the minimum lot size standards of the Zoning Ordinance;

428.5 No sharp turns (greater than 45 degrees) shall be allowed within the access lane;

428.6 The location of the access lane shall be logically related to the body of the flag lot, surrounding property configurations, woodlands, topography, watercourses and flood plains.

430 Street Design Standards

431 General Requirements

- 431.1 Proposed streets shall be properly related to the road and highway plans of the state, county and municipality. Streets shall be designed to provide adequate vehicular access to all lots or parcels and with regard for topographic conditions, project volumes of traffic, and further subdivision possibilities in the area.
- 431.2 The street system of a proposed subdivision or land development shall be designed to create a hierarchy of street functions which includes collector and local streets.
- 431.3 The street system of a proposed subdivision or land development shall be designed so as to minimize street intersections and pedestrian-vehicular conflict points.
- 431.4 Proposed local streets shall be designed so as to discourage through traffic and excessive speeds. However, the developer shall provide for the extension and continuation of arterial and collector streets into and from adjoining properties.
- 431.5 Where, in the opinion of the Lehigh Valley Planning Commission, it is desirable to provide for street access to adjoining property, streets shall be extended by dedication to the boundary of such property. Distances between access points to adjoining property shall be based on block length standards set forth in Section 422.
- 431.6 Where a subdivision abuts or contains an existing or proposed arterial traffic street, the Lehigh Valley Planning Commission may require marginal access streets, reverse frontage lots, or other such treatment as will provide protection for abutting properties, reduction in the number of intersections with the arterial street, and separation of local and through traffic.
- 431.7 Private streets (streets not to be offered for dedication) may be approved by the Lehigh Valley Planning Commission only if they meet the street design and improvement standards set forth in this Ordinance and when they are part of an approved condominium development.
- 431.8 If the lots in the development are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such an eventuality shall be provided.

432 Street Right-of-Way and Cartway Widths

- 432.1 Street right-of-way and cartway widths in proposed subdivisions shall conform to the standards on the following chart:

STREET DESIGN STANDARDS			
	Street Classification		
	Local	Collector	Arterial
Right-of-Way Width	50'	50'	80'
Pavement Width	34'	36'	24-48' *
Traffic Lane Width	9'	10'	12'
Parking Lane Width	8' (when required)		
Sidewalk Width	4' as per Section 511.3		
Curbing	vertical curb, or grassed drainage swale with no curbing		
*The width shall depend on whether two lanes or four lanes are provided for traffic.			

432.2 The standards set forth in Section 432.1 may be modified by the Lehigh Valley Planning Commission when an analysis of proposed development densities, provisions for off-street parking, and projected traffic volumes indicate a need for such modifications. The burden of proof shall be upon the developer to justify the adequacy of rights-of-way or cartway widths which are less than those set forth in Section 432.1.

433 Horizontal Curves

433.1 Whenever street centerlines are deflected more than five (5) degrees within five hundred (500) feet, connection shall be made by horizontal curves.

433.2 Horizontal curves shall be designed to produce the following minimum sight distances:

433.21 Local streets - one hundred fifty (150) feet;

433.22 Collector streets - three hundred (300) feet;

433.23 Arterial streets - six hundred (600) feet.

433.3 A minimum tangent of one hundred (100) feet shall be required between reverse curves on a street and between a curve and a street intersection.

434 Street Grades

434.1 There shall be a minimum centerline grade on all streets of seventy-five hundredths (0.75) percent.

434.2 Unless approval is obtained from the Lehigh Valley Planning Commission upon recommendation from the LVPC Engineer, centerline grades shall not exceed the following:

434.21 Local streets - eleven (11) percent;

434.22 Collector streets - eight (8) percent;

434.23 Arterial streets - six (6) percent.

434.3 Intersections shall be approached on all sides by leveling areas. Such leveling areas shall have a minimum length of seventy-five (75) feet (measured from the edge of the cartway of the intersecting road), within which no grade shall exceed a maximum of four (4) percent.

435 Vertical Curves

435.1 Vertical curves shall be used in changes of grade exceeding one (1) percent. However, where the curve would be a sag curve, vertical curves shall be used in changes of grade exceeding two (2) percent.

435.2 Vertical curves shall be designed to meet minimum sight distances according to standards set forth by the American Association of State Highway Officials.

436 Street Intersections

436.1 Streets shall intersect at right angles whenever practicable. When local streets intersect collector or arterial streets, the angle of

intersection at the street centerlines shall in no case be less than seventy-five (75) degrees. No two streets shall intersect with an angle of intersection at the centerlines of less than sixty (60) degrees.

436.2 Multiple intersections involving the junction of more than two streets shall be prohibited.

436.3 Two streets intersecting a third street from opposite sides shall either intersect with a common centerline or their centerlines shall be offset according to the following distances:

436.31 The two streets shall be separated by a distance of one hundred fifty (150) feet between centerlines measured along the centerline of the street being intersected when all three streets involved are local streets;

436.32 The two streets shall be separated by a distance of three hundred (300) feet between centerlines measured along the centerline of the street being intersected when one or more of the streets involved is a collector street;

436.33 The two streets shall be separated by a distance of five hundred (500) feet between centerlines measured along the centerline of the street being intersected when one or more of the streets involved is an arterial street.

436.4 Street curb intersections shall be rounded by a tangential arc with a minimum radius of:

436.41 Twenty (20) feet for intersections involving only local streets;

436.42 Thirty (30) feet for all intersections involving a collector street;

436.43 Forty (40) feet for all intersections involving an arterial street.

436.5 Street right-of-way lines shall be parallel to (or concentric with) curb arcs at intersections.

436.6 Clear sight triangles shall be provided at all street intersections. Within such triangles, no object greater than two and one-half (2½) feet in height and no other object that would obscure the

vision of the motorist shall exist or be placed. Such triangles shall be established as follows:

436.61 Seventy-five (75) feet from the point of intersection of the centerlines of the two streets, along the centerlines of all streets, where both streets are local streets and the intersection is not controlled by a stop sign or a traffic light.

436.62 One hundred (100) feet from the point of intersection of the centerlines of the two streets, along the centerlines of all streets, where at least one road is collector road and the intersection is not controlled by a stop sign or a traffic light.

436.63 One hundred fifty (150) feet from the point of intersection of the centerlines of the two streets along the centerlines of all streets where at least one road is an arterial street and the intersection is not controlled by a stop sign or a traffic light.

436.64 Along the centerline of the street where movement is controlled by a stop sign, from a point twenty (20) feet from where the cartways of the two roads meet, to points two hundred (200) feet on each side from the point where the centerlines of the two roads meet along the other road, if both roads are classified as local roads.

436.65 Along the centerline of the street whose movement is controlled by a stop sign from a point twenty (20) feet from where the cartways of the two roads meet, to points three hundred (300) feet on each side from the point where the centerlines of the two roads meet along the other road, if at least one road is classified as a collector or arterial road.

436.7 Wherever a portion of the line of such triangles occurs within the proposed building setback line, such portion shall be shown on the Final Plan of the subdivision, and shall be considered a building setback line.

437 Cul-de-sacs

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

- 437.2 Any dead-end street which is constructed for future access to an adjoining property or because of authorized stage development, and which is open to traffic and exceeds two hundred (200) feet in length, shall be provided with a temporary, all-weather turning circle or "T" type turnaround. The turning circle or "T" type turnaround shall be completely within the boundaries of the subdivision and the use of the turnaround shall be guaranteed to the public until such time as the street is extended.
- 437.3 Cul-de-sac streets, permanently designed as such, shall not exceed one thousand (1,000) feet in length and shall not furnish access to more than twenty-five (25) dwelling units. In the case of industrial parks, a cul-de-sac shall not furnish access to more than one hundred (100) employees. Exemptions from these requirements may be granted where necessary due to unique characteristics of the site.
- 437.4 All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully-paved turning circle. The turning circle may be offset to the left, but turnarounds offset to the right shall be discouraged.
- 437.41 If parking will be prohibited on the turning circle, the minimum radius to the pavement edge or curb line shall be forty (40) feet and the minimum radius of the right-of-way shall be forty-eight (48) feet.
- 437.42 If parking will be permitted on the turning circle, the minimum radius to the pavement edge or curb line shall be fifty (50) feet and the minimum radius of the right-of-way line shall be fifty-eight (58) feet.
- 437.5 The centerline grade on a cul-de-sac street shall not exceed eleven (11) percent, and the grade of the diameter of the turnaround shall not exceed five (5) percent.
- 438 Half Streets
- 438.1 The dedication of new half streets at the perimeter of a new subdivision is prohibited.
- 438.2 The subdivider shall provide the entire required right-of-way, or as much thereof as is possible, within his property, along all existing streets which traverse or abut the property.
- 439 Street Names and Street Signs

- 439.1 Proposed streets which are in alignment with others already existing and named shall bear the name of the existing streets.
- 439.2 In no case shall the name of a proposed street duplicate an existing street name in the municipality and in the postal district, irrespective of the use of the suffix street, road, avenue, boulevard, driveway, place, court or lane.
- 439.3 All street names shall be subject to the approval of the Lehigh Valley Planning Commission.
- 439.4 Street signs shall be provided at the intersection of all streets. The type, height and design shall be according to the provisions of Section 511.10.

440 Sanitary Sewage Disposal

- 441 The developer shall provide the most effective type of sanitary sewage disposal consistent with the municipality's official plan for sewage facilities prepared in accordance with the Pennsylvania Sewage Facilities Act (Act 537) and Chapter 71 of the Pennsylvania Department of Environmental Protection Regulations.
- 442 Connection to a public sanitary sewer system shall be required where such a system is proposed by the municipality's official plan for sewage facilities, can feasibly be provided to the proposed subdivision tract, and where such a system can adequately fulfill the sewage disposal needs of the subdivision or land development.
- 443 Where a public sanitary sewer system is not yet accessible to the site, but is planned for extension within a five (5) year period, the developer shall install sanitary sewer lines within the subdivision boundary to the point where the future connection to a public sewer system will be made. Lateral connections shall be constructed for all lots. Connections shall be available in the structures so as to allow the switch from the use of on-lot systems to the public system. Such sewer systems shall be capped until ready for use. On-lot disposal facilities shall be provided for interim use.
- 444 In subdivision/land developments where connection to a public sewage system is not possible, on-lot sewage disposal systems shall be provided in accordance with the Pennsylvania Sewage Facilities Act, Chapter 73 of DEP Regulations, and the requirements of the Municipal Sewage Enforcement Officer. Each lot shall be provided with a tested, approved primary and secondary absorption area.
- 445 Sanitary sewerage systems shall be located and designed to minimize or eliminate flood damage, infiltration of flood waters into the system, and discharges from the system into flood waters.

- 446 On-lot sewage disposal systems shall be located and designed to avoid impairment or contamination from flooding.

450 Water Supply and Distribution Systems

- 451 The developer shall provide a water supply and distribution system to service the proposed subdivision through one of the following methods:
- 451.1 Connection shall be made to a public water supply system where such a system can feasibly be provided to the proposed subdivision tract and where the capacity of such a system can adequately fulfill the water supply demands of the proposed subdivision. A distribution system shall be designed to furnish an adequate supply of water to each lot.
 - 451.2 Where a public water supply system is planned to serve the proposed subdivision area within ten (10) years, a centralized water system will be provided by the developer if the subdivision involves twenty (20) or more dwelling units unless the average residential lot size is one acre or larger. Whenever such a system is provided, the water distribution lines shall be dedicated to the appropriate public authority and the authority will acquire other parts of the water supply system such as wells, pumps and storage tanks that can be integrated into the public water system. This will take place after the improvements are completed so that the system can be operated by the public authority. Also, such a system shall be designed and constructed in a manner that will permit adequate connection to a public water supply system in the future. The system shall meet the design and construction standards for centralized water systems set forth in Appendix A.
 - 451.3 Where a public water supply is not proposed in the area of the proposed subdivision within ten (10) years, the developer shall provide a centralized water system if the subdivision involves twenty (20) or more lots and the average residential lot size is less than one (1) acre. The system shall meet the design and construction standards for centralized water systems set forth in Appendix A.
 - 451.4 All centralized water systems that remain privately owned shall be organized in a manner as to fall within the jurisdiction of the Pennsylvania Public Utility Commission.
 - 451.5 Water supply systems shall be located and designed to minimize or eliminate infiltration of flood waters so as to meet Federal Insurance Administration provisions.

460 Storm Drainage Systems

461 Storm drainage systems shall be provided in order to:

- 461.1 Ensure adequate drainage of all low points along the line of streets;
- 461.2 Intercept stormwater runoff along streets at intervals related to the extent and grade of the area drained;
- 461.3 Provide positive drainage away from on-site sewage disposal systems;
- 461.4 Take surface water from the bottom of vertical grades, lead water from springs, and avoid excessive use of cross-gutters at street intersections and elsewhere;
- 461.5 Prevent overloading of downstream drainage systems and watercourses as a result of increased rate of runoff caused by the proposed development. No stormwater runoff or natural drainage shall be so diverted as to overload existing drainage systems, or create flooding or the need for additional drainage structures on other private properties or public lands, without approved provisions being made by the developer for properly handling such conditions.

462 General Requirements

- 462.1 A site drainage plan for the proposed subdivision tract shall be prepared which illustrates the complete drainage systems for the subdivision. All existing drainage features which are to be incorporated in the design shall be so identified. If the subdivision is to be developed in stages, a general drainage plan for the entire subdivision shall be presented with the first stage and appropriate development stages for the drainage system shall be indicated.
- 462.2 The site drainage plan for the proposed subdivision shall meet the requirements of the Act 167 Storm Water Management Ordinance as included in Appendix B.
- 462.3 Drainage facilities that are located on State highway rights-of-way shall be approved by the Pennsylvania Department of Transportation and a letter indicating such approval shall be directed to the Lehigh Valley Planning Commission.
- 462.4 All streets shall be designed so as to provide for the eventual discharge of surface water away from their rights-of-way.
- 462.5 Where detention facilities are included as part of the storm drainage system, the developer shall demonstrate that such

ponds are designed, protected and located to assure that public safety is maximized and health problems are prevented;

- 462.6 Storm drainage systems shall be provided to permit unimpeded flow in natural watercourses except as modified by storm water detention facilities or open channels consistent with this Ordinance.
- 462.7 The existing points of concentrated drainage discharge onto adjacent property shall not be altered without written approval of the affected property owner(s).
- 462.8 Areas of existing diffused drainage discharge onto adjacent property shall be managed such that, at minimum, the peak diffused flow does not increase in the general direction of discharge, except as otherwise provided in this Ordinance. If diffused flow is proposed to be concentrated and discharged onto adjacent property, the developer must document that there are adequate downstream conveyance facilities to safely transport the concentrated discharge or otherwise prove that no harm will result from the concentrated discharge. Areas of existing diffused drainage discharge shall be subject to any applicable release rate criteria in the general direction of existing discharge whether they are proposed to be concentrated or maintained as diffused drainage areas.
- 462.9 Where a site is traversed by watercourses other than those for which a 100-year floodplain is defined by the municipality, there shall be provided drainage easements conforming substantially with the line of such watercourses. The width of any easement shall be adequate to provide for unimpeded flow of storm runoff based on calculations made in conformance with Section 304 for the 100-year return period runoff and to provide a freeboard allowance of one-half (0.5) foot above the design water surface level. The terms of the easement shall prohibit excavation, the placing of fill or structures, and any alterations which may adversely affect the flow of storm water within any portion of the easement. Also, periodic maintenance of the easement to ensure proper runoff conveyance shall be required. Watercourses for which the 100-year floodplain is formally defined are subject to the applicable municipal floodplain regulations.
- 462.10 When it can be shown that, due to topographic conditions, natural drainage swales on the site cannot adequately provide for drainage, open channels may be constructed conforming substantially to the line and grade of such natural drainage swales. Capacities of open channels shall be calculated using the Manning equation.

462.11 Storm drainage facilities and appurtenances shall be so designed and provided as to minimize erosion in watercourse channels and at all points of discharge.

462.12 Consideration should be given to the design and use of volume controls for storm water management, where geology and soils permit. Areas of suitable geology for volume controls shall be determined by the LVPC. Documentation of the suitability of the soil for volume controls shall be provided by the applicant. Volume controls shall be acceptable in areas of suitable geology where the soils are designated as well drained in the County Soil Survey. Other soils may be acceptable for use of volume controls based on site-specific soils evaluations provided by the applicant.

463 Improvement Specifications

463.1 Inlets shall be designed and located to prevent hazardous conditions for vehicles, bicycles or pedestrians.

463.2 The LVPC Engineer will supply additional specifications which may be necessary for spacing and type of inlets and manholes, minimum pipe sizes and materials and construction methods.

464 Maintenance

464.1 If the lands of the proposed subdivision or land development will remain in common ownership, the developer will identify the proposed owner of the control facilities and provide written assurances that the control facilities will be properly maintained. The maintenance shall include, but not be limited to, grass mowing, sediment cleaning, repair of eroded areas, and repair of damaged structures.

464.2 If the lands of the proposed subdivision or land development will be conveyed to two or more separate owners, the developer shall either identify the proposed owner of the control facilities and provide written assurances that the control facilities will be properly maintained, or shall dedicate the land on which the control facilities are located to the municipality which shall then be responsible for maintaining the control facilities. The maintenance shall include, but not be limited to grass mowing, sediment cleaning, repair of eroded areas, and repair of damaged structures.

470 Underground Utilities and Utility Easements

471 In accordance with the Pennsylvania Public Utility Commission Investigation Docket No. 99, as amended from time to time, all electric utility distribution lines

shall be installed underground in subdivisions or land developments of five (5) or more dwelling units. In addition, the following design requirements shall be observed:

- 471.1 Established public utility and state and Federal governmental agency design standards shall be observed in preparing the utility plan;
 - 471.2 Utility lines to be installed within street rights-of-way shall be located according to municipal or municipal authority requirements;
 - 471.3 Whenever practicable, telephone and cable TV utilities shall be installed underground in connection with the installation of electric utility distribution lines;
 - 471.4 Street lighting, where required, shall be provided at each intersection of the development and at intervals not to exceed two hundred (200) feet between intersections;
 - 471.5 Utility lines shall be installed at the rough grade phase of construction. Utility lines shall be installed according to their depth, with the utility line installed at the greatest depth being installed first.
- 472 Utility Easements
- 472.1 Utility easements shall be provided for all utility lines servicing the abutting lots when such utility lines are installed outside street rights-of-way. No structures or trees shall be placed within such easements. The location of utility easements shall be acceptable to the appropriate public utility or municipal authority.
 - 472.2 Whenever practicable all utility lines to be installed outside street rights-of-way shall share a common utility easement.
 - 472.3 Utility easements shall be located either:
 - 472.31 Abutting the street right-of-way. In this case a minimum easement width of ten (10) feet shall be required;
 - 472.32 Along rear or side lot lines. In this case a minimum easement width of twenty (20) feet, ten (10) feet on each side of the lot line, shall be provided. Where the lot line coincides with the subdivision boundary a minimum easement width of fifteen (15) feet may

be required by the Lehigh Valley Planning Commission.

473 Petroleum and Natural Gas Transmission Lines

473.1 No company intending to install any petroleum, petroleum product or natural gas transmission line shall be allowed to construct the line on less than a fifty (50) foot right-of-way. Such lines are to be installed in the center of the right-of-way, and shall comply with the applicable standards imposed by State and Federal laws and regulations.

473.2 There shall be a minimum distance of twenty-five (25) feet, measured from the right-of-way line, between any proposed dwelling unit and any petroleum, petroleum products or natural gas transmission line which traverses the subdivision.

474 Floodproofing

474.1 Facilities for gas, electric and communication utilities shall be elevated or floodproofed to a level at least one (1) foot above the 100-year flood elevation.

480 Mobile Home Parks

481 Applicable Standards and Requirements

481.1 The design and development of mobile home parks shall conform to all the general standards and requirements set forth for subdivision and land developments in this Ordinance in addition to the specific design standards set forth herein (Section 480).

482 Permits

482.1 It shall be unlawful for any person to construct, alter, or extend any mobile home park or any of the facilities thereof within the limits of the municipality unless such action has been approved by the Lehigh Valley Planning Commission.

482.2 Mobile home park expansions, constructions and alterations shall be approved by the Lehigh Valley Planning Commission only after all requirements of this Ordinance are met.

483 Off-Street Parking Areas

483.1 Off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests. A minimum of two (2) off-street parking places for each mobile home unit shall be required.

- 483.2 Required car parking spaces shall be so located as to provide convenient access to the mobile home, but shall not exceed a distance of two hundred (200) feet from the mobile home that they are intended to serve.

484 Pedestrian Walkways

- 484.1 All parks shall provide safe, convenient, all-season pedestrian access between individual mobile homes, the park streets, and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.
- 484.2 Where a common walk system is provided and maintained between locations, and where pedestrian traffic is concentrated, such common walks shall have a minimum width of three and one-half (3½) feet.
- 484.3 All mobile home stands shall be connected to common walks, streets, driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two (2) feet.

485 Mobile Home Siting

485.1 Mobile Home Stand Construction

- 485.11 The area of the mobile home stand shall be improved to provide an adequate foundation for the placement of the mobile home.
- 485.12 The stand shall be constructed from either concrete, asphalt concrete or other material sufficient to adequately support the mobile home and to prevent abnormal settling or heaving under the weight of the home. The corners of the mobile home shall be anchored to prevent wind overturn and rocking with tie-downs such as concrete "dead men", screw augers, arrowhead anchors, or other devices suitable to withstand a tension of at least two thousand eight-hundred (2,800) pounds.
- 485.13 After a mobile home has been anchored to the mobile home stand, the hitch which is employed for the transportation of the unit shall be removed, and there shall be a decorative skirt installed around the base of the unit. Common Open Space

- 486.1 At least twenty (20) percent of the usable site area of the mobile home park must be in common open space. The usable site area

is that area which is free of water surfaces, severe high water table, quarries, or slopes over twenty (20) percent.

486.2 Whenever possible, the common space shall be designed as a contiguous area with pedestrian and visual accessibility to all residents of the mobile home park.

486.3 Recreation areas and facilities shall be provided to meet the anticipated needs of the residents of the park. Not less than ten (10) percent of the usable site area shall be devoted to recreation. Recreation areas shall be of a size, shape and relief that is conducive to active play.

487 Utilities

487.1 Water Supply

487.11 All mobile home parks shall be connected to the public water supply and distribution system upon construction or expansion. The availability of service shall be certified in accordance with the provisions of Section 334.4.

487.12 Individual Water Connections

487.121 Individual water-riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.

487.122 The water-riser pipe shall have a minimum inside diameter of three-quarter (3/4) inch and terminate at least four (3/4) inches above the ground surface. The water outlet shall be provided with a cap when the mobile home does not occupy the lot.

487.123 Adequate provisions shall be made toto prevent freezing of service lines, valves and riser pipe and to protect risers from heaving and thawing actions of ground during freezing

weather. Surface drainage shall be diverted from the location of the riser pipe.

487.124 A shut-off valve below the frost line shall be provided near the water-riser pipe on each mobile home lot. Underground stop-and-waste valves are prohibited unless the type of manufacture and method of installation are approved by the LVPC Engineer.

487.2 Sewage Disposal

487.21 All mobile home parks shall be connected to the public sanitary sewage disposal system upon construction or expansion. The availability of service shall be certified in accordance with the provisions of Section 334.5.

487.22 Individual Sewer Connections

487.221 Each mobile home stand shall be provided with at least a four (4) inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.

487.222 The sewer connection shall have a nominal inside diameter of not less than four (4) inches, and the slope of any portion thereof shall be at least one-fourth (1/4) inch per foot. All joints shall be watertight.

487.223 All materials used for sewer connections shall be semirigid, corrosion resistant, non-absorbent and durable. The inner surface shall be smooth.

487.224 Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the site.

Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least one-half ($\frac{1}{2}$) inch above ground elevation.

487.3 Individual Electrical Connections

487.31 Each mobile home lot shall be provided with an approved disconnecting device and over-current protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.

487.32 The mobile home shall be connected to the outlet receptacle by an approved type of flexible cable with connectors and a male attachment plug.

487.33 Where the calculated load of the mobile home is more than one hundred (100) amperes either a second outlet receptacle shall be installed or electrical service shall be provided by means of permanently installed conductors.

487.4 Required Electrical Grounding

487.41 All exposed non-current carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors and other approved methods of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

487.5 Natural Gas Systems

487.51 Natural gas piping systems when installed in mobile home parks shall conform to the rules and regulations of the American Gas Association.

487.52 Each mobile home lot provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with a cap to prevent

accidental discharge of gas when the outlet is not in use.

487.6 Liquefied Petroleum Gas Systems

487.61 Liquefied petroleum systems provided for mobile homes, service buildings or other structures shall be installed and maintained in conformity with the rules and regulations of the National Fire Prevention Association Standards NFPA Nos. 57 and 58.

487.62 Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.

487.63 Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.

487.64 All liquefied petroleum gas piping outside of the mobile homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas shall not be conveyed through piping equipment and systems in mobile homes.

487.65 Vessels of more than twelve (12) and less than sixty (60) U.S. gallons gross capacity may be installed on a mobile home lot and shall be securely, but not permanently, fastened to prevent accidental overturning.

487.66 No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure.

487.7 Fuel Oil Supply Systems

487.71 All fuel oil supply systems for mobile homes, service buildings, and other structures shall be installed and maintained in conformity with the rules and regulations of the National Fire Protection Association Standard NFPA No. 31.

487.72 All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.

487.73 All fuel oil supply systems provided for mobile homes, service buildings, and other structures shall have shutoff valves located within five (5) feet from any mobile home exit.

487.74 All fuel storage tanks or cylinders shall be a minimum of five (5) feet from any mobile home exit.

487.75 Storage tanks located in areas subject to traffic shall be protected against physical damage.

488 Roads

The private street system shall be designed and built to the specifications contained in the Northampton County Subdivision and Land Development Ordinance.

488.1 The roads shall meet the design standards for local roads contained in Section 430.

488.2 The roads shall be built to the local road specifications set forth in the Northampton County Improvements specifications ordinance.

490 Environmental Protection and Open Space Preservation

491 Erosion and Sedimentation Control

491.1 All earth-moving activities shall be conducted in such a way as to prevent accelerated erosion and the resulting sedimentation.

- 491.2 No earth-moving or soil disturbance may take place until an erosion and sedimentation control plan has been developed in accordance with Chapter 102, Erosion Control, P.L. 1987. Such a plan is to be maintained on the construction site until all disturbed areas are finally stabilized.
- 491.3 The erosion and sedimentation control plan shall be developed in the form outlined in the Soil Erosion and Sedimentation Control Manual, issued by the Pennsylvania Department of Environmental Protection.
- 491.4 All erosion and sedimentation control plans shall be submitted with the final plan as set forth in Section 324.10 of this Ordinance.
- 491.5 When it has been determined that an earth-moving permit is required, the application for such a permit must be filed with the County Conservation District.
- 491.6 The Lehigh Valley Planning Commission may require the submission of the erosion and sedimentation control plan to the County Conservation District for review and recommendations, whether a permit for earth-moving is required or not.
- 491.7 All earth-moving shall be conducted in accordance with the current federal regulations relative to the NPDES.

492 Natural Feature Preservation

- 492.1 The design and development of all subdivisions and land developments shall preserve, whenever possible, natural features which will aid in providing adequate open space for recreation and conditions generally favorable to the health, safety, and welfare of the residents. Some of these natural features are the natural terrain of the site, woodland areas, large trees, natural watercourses and bodies of water, wetlands, rock outcroppings, and scenic views. More detailed standards concerning the preservation of specific natural features are set forth in the following sections.
- 492.2 Flood Plain Regulation

- 492.21 The flood elevation map shall be based on the municipal flood insurance rate map (FIRM). When not available, the map shall be based on estimated 100-year flood elevations or estimated areas subject to flooding based on best available data.

- 492.22 No new buildings or structures shall be placed within the bounds of the 100-year flood plain except as Section 492.23 provides.
- 492.23 The substantial improvement of an existing building or the redevelopment of a vacant but formerly developed parcel is permissible within the floodway fringe if said development is in accordance with the flood plain provisions of the borough zoning ordinance if one has been enacted or with the borough flood plain ordinance.
- 492.24 When a developer does not intend to develop the plat himself and the LVPC determines that additional controls are required to insure safe development, it may require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.
- 492.25 The finished elevation of proposed streets shall not be more than the one (1) foot below the Regulatory Flood Elevation. The LVPC may require profiles and elevations of streets to determine compliance with the requirements. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.
- 492.26 All sanitary sewer systems, whether public or private, shall be floodproofed up to the Regulatory Flood Elevation.
- 492.27 The installation of sewage disposal facilities requiring soil absorption systems shall be prohibited within designated flood plain areas.
- 492.28 All water systems, whether public or private, shall be flood-proofed up to the Regulatory Flood Elevation.
- 492.29 All other public and private utilities and facilities including gas and electric shall be elevated or flood-proofed up to the Regulatory Flood Elevation.
- 492.3 Lake, Stream and River Frontage Preservation
- 492.31 Lake, stream and river frontage shall be preserved as open space whenever possible. This area may

be credited toward the open space requirement set forth in Section 493.

492.32 Access to the water and maintenance easement area shall be provided at intervals of not more than one-half (0.5) mile. These access points shall not be less than one hundred (100) feet in width.

492.4 Landscaping and Street Trees

492.41 General Conditions

492.411 Street trees and other required plant material shall not be planted until the finished grading of the subdivision or land development has been completed.

492.412 All required planting shall be guaranteed for a period of twelve (12) months from the date of planting and shall be alive and healthy as determined by the Borough at the end of the guaranteed period. Should a disagreement arise as to whether the planting is alive and healthy, a qualified nursery person shall be retained by the Borough at the expense of the developer to make a final determination.

492.413 Where planting is required, it shall be assured by financial security posted with the Borough in an amount equal to the estimated cost of trees and shrubs and planting. Such guarantee shall be released only after passage of the second growing season following planting.

492.414 The developer shall be responsible for plant material provided for a period of twelve (12) months. Any such tree that dies within the time period shall be removed including the stump and replaced by a tree or

shrub, similar in size and species, at the expense of the developer.

492.415 All mechanical and electrical equipment not enclosed in a structure shall be fully and completely screened from view from any point in a manner compatible with the architectural and landscaping style of the remainder of the lot.

492.42 Existing Vegetation

492.421 In cases where natural features existing on the site duplicate or essentially duplicate the requirements of the street tree, or landscaping provisions of this Ordinance, these requirements may be waived.

492.422 All subdivisions and land developments shall be laid out in such manner as to preserve the healthy trees on the site. If trees greater than eight (8) inch in caliper are removed, they shall be replaced by trees of three and one-half (3½) inch minimum caliper which appear on the recommended plant list.

492.423 During the construction of any site, trees and shrubs, as defined herein, shall be protected by fencing to insure that there is no encroachment within the area of their dripline by changing grade, trenching, stockpiling of building materials or topsoil, or the compaction of the soil and roots by any motor vehicle unless the following regulations are met:

492.4231 The area of dripline of any tree or group of trees may be encroached up to a

maximum of one-third (1/3) of the total area of the dripline provided that an equivalent proportion of the canopy is removed by pruning by a trained arborist.

492.4232

The grade of land within the entire area of dripline shall not be raised more than six (6) inches unless tree wells are constructed around each trunk or group of trunks and aeration pipes are extended out to the edge of the dripline.

492.4233

Tree wells are to be constructed of uncemented stone, or any other suitable material. Such walls shall be a minimum of three (3) feet in diameter or one (1) foot in diameter for each inch in caliper measured twelve (12) inches above natural ground level, whichever is greater.

492.4234

Retaining walls are to be constructed around each tree or group of trees immediately after any grade is lowered within the area of the dripline.

492.424

If any plant material is to be moved, it must be done in accordance with the specifications set forth by the

American Hort Association of
Nurserymen.

492.425 All diseased or dead trees shall be promptly removed from the site.

492.43 Detention Basin Plantings

As a general standard, one tree shall be planted per each forty-five (45) lineal feet of the perimeter. It is preferred, however, that this required number of trees be planted in an informal arrangement if possible. Approved trees for the perimeter of detention basins shall include the following:

Acer rubrum - Red Maple
Liquidambar styraciflua - Sweet Gum
Nyssa sylvatica - Black Gum
Salix species – Willow

492.44 Parking Facilities

492.441 Screen planting shall be provided along each perimeter of a parking area. No less than ten (10) percent of a proposed parking area must consist of buffer areas and islands and must be landscaped and *continually maintained*.

492.442 Any area for off-street parking or for display, storage, sale or movement of three (3) or more motor vehicles shall be enclosed, except at entrances or exits, by a compact evergreen hedge, not less than four (4) feet in height.

492.443 Where a planted screen is proposed, it shall incorporate the planting of staggered and overlapping evergreen and deciduous shrubs of such species and size as will produce within two (2) growing seasons (May through September) after planting a screen at least four (4) feet higher than the elevation of the adjacent parking area, and of

such density as will obscure seventy-five (75) percent of the light emitted from automobile headlights on the premises throughout the full course of the year. Where the adjacent land elevation is higher than the parking area elevation, trees and shrubs shall be at least two (2) feet in height, satisfaction of the four (4) foot requirement notwithstanding. These provisions shall not, however, interfere with the maintenance of clear sight lines at intersections. Where such screening is required, it shall be assured by a performance guarantee posted with the governing body in an amount equal to twenty (20) percent of the estimated cost of the plantings. Such guarantee shall be released only after passage of the second growing season following planting.

492.444

Parking areas of a twenty (20) vehicle capacity shall be separated from one another by planting strips not less than ten (10) feet in width.

492.445

All parking areas shall have at least one (1) tree of two and one-half (2½) inch caliper minimum for every five (5) parking spaces in single bays and one (1) tree of 2½ inch caliper minimum for every ten (10) parking spaces in double bays. Trees shall be planted in such a manner to afford maximum protection from the sun for parked vehicles. A minimum of ten (10) percent of any parking lot facility over two thousand (2,000) square feet in gross area shall be devoted to landscaping, inclusive of required trees.

492.446

Plantings shall be able to survive soot and gas fumes. Trees which have low growing branches, gum or

moisture, which may drop on vehicles, blossoms, thorns, seeds, or pods which may clog drainage facilities shall be avoided. The plantings chosen should be of sufficient size to be effective the first year they are planted.

492.447 For recommended plants see Section 492.47.

492.45 Multiple-Family Developments

For all multi-family developments, the following minimum landscaping shall be provided either on-lot or within the general open space in addition to all other required street tree and parking requirements.

Any combination of the following shall be required for each dwelling unit:

Either: one (1) 2" caliper shade tree, or
one (1) 4-5' evergreen tree, or
two (2) flowering trees, or
eight (8) 2-3' shrubs

492.46 Street Trees

492.461 General Requirements

492.4611 Street trees and associated planting shall be required for any subdivision or land development as part of the design and construction of:

492.46111 New streets;

492.46112 New sidewalks or pedestrian ways;

492.46113 Existing streets, sidewalks, pedestrian ways, highways, bicycle or other trails or pathways when they abut or lie within

the subdivision or
land development;
and

492.46114 Access driveways to
residential
developments serving
greater than four (4)
dwelling units.

492.4612 Trees shall be placed in such
a position as to minimize
conflict with overhead
utilities.

492.4613 Plant material shall not at
maturity obstruct the
necessary visibility of traffic
control signs or signals, nor
obstruct visibility at street
intersections or driveway
entrances.

492.4614 Plant material shall be
selected to minimize future
maintenance costs,
including, but not limited to,
considerations of pruning,
tree removal and sidewalk
repair.

492.4615 Plant material shall not
interfere with underground
utilities or storm water
management facilities.

492.4616 Plant material shall be
spaced to permit the healthy
growth of each plant.

492.462 Quantity

Street trees generally shall be at
intervals not to exceed twenty-five
(25) feet along the street right-of-
way as part of a residential or non-
residential subdivision or land
development, with trees alternating

from side-to-side (fifty (50) foot maximum spacing on any one side). An equivalent number may be planted in an informal arrangement.

492.463 Location

492.4631 At intersections, trees shall be located no closer than thirty (30) feet from the intersection of the curbs.

492.4632 Street trees shall be planted on lots rather than within the right-of-way, unless otherwise approved by the Lehigh Valley Planning Commission.

492.4633 Street trees shall not be closer than:

492.46331 Six (6) feet from the edge of any sidewalks or curb;

492.46332 Ten (10) feet from the edge of any uncurbed cartway or one story building; or

492.46333 Fifteen (15) feet from any overhead utility lines or two or more story building;

492.46334 A minimum of one (1) foot off a public street right-of-way or ten (10) feet off a public sewer or water line unless approved by the Lehigh Valley Planning Commission.

492.464 Size

Tree caliper at time of planting, as measured six (6) inches above ground level, shall be no less than two and one-half (2½) inches in both residential and non-residential areas.

492.465 Approved Plant Material

The following plant material is approved for use provided that the specific site is suitable:

492.4651 Large Trees

Acer rebrum - Red Maple
Acer saccharum - Sugar Maple
Fraxinus americana - White Ash
Fraxinus pennsylvanica lanceolata - Green Ash
Gleditsia tricanthos inermis - Thornless Honey Locust
Liquidambar styraciflua - Sweet Gum
Phellodendron amurense - Amur Cork Tree
Plantanus acerifolia - London Plane Tree
Quercus alba - White Oak
Quercus borealis - Red Oak
Quercus coccinea - Scarlet Oak
Tilia-Linden - All species hardy to the area
Zelkova serrata - Japanese Zelkova

492.4652 Small Trees

Acer ginnala - Amur Maple
Cornus florida - Flowering Dogwood
Crataegus phaenopyrum - Washington Hawthorn
Ginkgo biloba - Ginkgo (male only)
Prunus kwanzan - Kwanzan Cherry
Pyrus calleryana bradford - Callery Pear
Sophora japonica - Japanese Pagodatree

**Upon the approval of the LVPC, other species may be utilized.

492.47

The following are plant materials and sizes recommended for landscaping purposes. The LVPC may permit other planting types if they are hardy to the area, are not subject to blight or disease, and are of the same general character and growth habit as those listed below. All planting material shall meet the standards of American Hort Association of Nurserymen.

492.471 Canopy Tree (1½ inch caliper)

Acer ginnala - Amur Maple
Acer rubrum - Red Maple
Acer saccharum - Sugar Maple
Fagus grandifolia - American Beech
Fagus sylvatica - European Beech
Fraxinus americana - White Ash
Fraxinus pennsylvanica lanceolata - Green Ash
Ginkgo biloba - Ginkgo (male only)
Gleditsia triacanthos inermis - Thornless Honey
Locust Liquidambar styraciflua - Sweet Gum
Phellodendron amurense - Amur Cork Tree
Plantanus acerifolia - London Plane Tree
Quercus alba - White Oak
Quercus borealis - Red Oak
Quercus coccinea - Scarlet Oak
Quercus palustris - Pine Oak
Sophora japonica - Japanese Pagodatree
Tilia-Linden - all species hardy to the area
Zelkova serrata - Japanese Zelkova

492.472 Flowering Trees

Amelanchier canadensis - Shade
5-6 feet blow Serviceberry
Cornus florida - Flowering
5-6 feet Dogwood
Cornus kousa - Kousa Dogwood; 5-6 feet
Cornus mas - Cornelian Cherry; 5-6 feet
Crataegus phaenopyrum - Washington Hawthorn;
5-6 feet
Magnolia soulangeana - Saucer Magnolia; 5-6 feet
Malus baccata - Siberian Crab; 114-11½" caliper
Malus floribunda - Japanese Flowering Crab; 114-1½" caliper
Malus hopa - Hopa Red Flowering Crab; 114-1½" caliper

Pyrus calleryana bradford - Callery Pear; 114-1½" caliper

Prunus kwanzan - Kwanzan Cherry; 114-1½" caliper

Prunus yedoensis - Yoshino Cherry; 114-11/2" caliper

492.473 Evergreen (4-5 feet)

Ilex opaca - American Holly

Picea abies - Norway Spruce

Picea omorika - Serbian Spruce

Picea pungens - Colorado Spruce & Blue Spruce

Pinus nigra - Austrian Pine

Pinus strobus - White Pine

Pseudotsuga mensiesii - Douglas Fir

Tsuga canadensis - Canadian Hemlock

492.474 Hedge

Cragaeus intricata - Thicket Hawthorn; 3-4 feet

Forsythia intermedia - Border Forsythia; 4-5 feet

Rhamnus fraxula columnaris - Tallhedge

Buckthorn, 3-4 feet

Syringa chinesis - Chinese Lilac; 3-4 feet

Syringa vulgaris - Common Lilac; 4-5 feet

Euonymus alatus - Winged Euonymus; 3-4 feet

Hedgerow *Crataegus crus-galli* - Cockspur Thorn; 3-4 feet

Crataegus phanopyrum - Washington Hawthorn; 3-4 feet

Elaeagnus angustifolia - Russian Olive; 4-5 feet

Euonymus alatus - Winged Euonymus; 3-4 feet

Viburnum sieboldi - Siebold Viburnum; 4-5 feet

Viburnum tomentosum - Doublefile Viburnum; 4-5 feet

492.476 Evergreen Shrubs

Juniperus virginiana - Upright Juniper; 4-5 feet

Pyracantha laland - Laland Firethorn; 5-6 feet

Taxus capitata - Upright Yew; 2½ -3 feet

Taxus hicksi - Hicks Yew; 22-3 feet

Thuja occidentalis - American Arborvitae; 4-5 feet

492.477 Deciduous Shrubs

Euonymus alatus - Winged Euonymus; 3-4 feet

Hamamelis vernalis - Vernal Witch Hazel; 4-5 feet
Hamamelis virginiana - Common Witch Hazel; 4-5 feet
Ilex verticillata - Winterberry; 4-5 feet
Rhamnus frangula - Glossy Buckthorn; 4-5 feet
Viburnum dentatutum - Arrowwood Viburnum; 4-5 feet
Viburnum lantana - Wayfaring tree Viburnum; 4-5 feet

492.5 Topography

492.51 The natural terrain of the proposed subdivision tract will be retained wherever possible with cut and fill operations being kept to a minimum. Subdivisions and land developments shall minimize the disturbance of steeply sloping areas, that is areas with slopes in excess of fifteen (15) percent. Development shall be directed to the lesser sloping portions of the site to the greatest degree possible.

492.52 Finished slopes on all cuts and fills shall not exceed thirty-three (33) percent.

492.6 Topsoil Protection

492.61 Topsoil shall not be removed from the development site or used as fill. Topsoil shall be removed from the areas of construction and stored separately. The topsoil shall be stabilized to minimize erosion during storage. Upon completion of the construction, topsoil must be uniformly redistributed on the site.

493 Open Space and Recreation Areas

Subject to the provisions and requirements of the Municipalities Planning Code, the open space and recreation needs of subdivisions and land developments shall be met as follows:

493.1 For subdivisions and land developments involving less than sixty (60) lots or dwelling units, cash in lieu of recreation space shall be provided as set forth in Section 493.3.

493.2 For subdivisions and land developments involving sixty (60) or more lots or dwelling units, the recreation needs shall be met as follows:

493.21 Land may be offered for dedication to the municipality, subject to approval by the LVPC. A minimum of seven hundred fifty (750) square feet per lot or dwelling unit shall be provided. The land offered for dedication shall not (1) be subject to flooding, (2) have slopes in excess of fifteen (15) percent, (3) include stormwater management facilities, (4) include wetlands, or (5) include quarries and/or other dangerous features. The LVPC shall consider the offer relative to the following factors:

493.211 The suitability of the size, shape and landform of the tract for appropriate recreational facilities;

493.212 Accessibility for future users;

493.213 Conformity with the Recreation Element of the Comprehensive Plan;

493.214 Availability of nearby recreation facilities for meeting the recreation needs; and

493.215 The ability to provide adequate security.

493.22 Cash in lieu of open space may be provided as set forth in Section 493.3

493.3 Cash in lieu of open space and recreation land dedication shall be provided to and used by the Municipality as follows:

493.31 The cash in lieu shall be five hundred (\$500) dollar per lot or dwelling unit.

493.32 The use of the monies shall be restricted to the purchase of lands for recreation and open space areas, the improvement of said areas, or other capital purchases.

494 Carbonate Geology Area Development

All buildings, structures, impervious surfaces, and utilities shall be so situated, designed and constructed as to minimize the risk of structural damage from existing or future sinkholes.

494.1 Buildings, structures, impervious surfaces, and utilities shall not be located within one hundred (100) feet of the Karst features identified pursuant to Section 316.102 unless (1) a recognized professional with competence in the field demonstrates that a minimal risk of structural damage due to sinkholes will exist, or (2) mitigating measures are taken to minimize the risk of structural damage. These mitigating measures shall be designed by a recognized professional with competence in the field.

494.2 Storm water management facilities, including but not limited to, detention basins, shall not be located within one hundred (100) feet of the karst features identified pursuant to Section 316.102 unless (1) a recognized professional with competence in the field demonstrates that a minimal risk of damage due to sinkholes will exist, or (2) mitigating measures are taken to minimize the risk of structural damage. These mitigating measures shall be designed by a recognized professional with competence in the field.

494.3 Storm water shall not be redirected into a sinkhole.

SECTION V

IMPROVEMENT SPECIFICATIONS

500 General Requirements

501 Physical improvements to the subdivision/land development tract shall be provided, constructed and installed as shown on the Record Plan, in accordance with the requirements of this Ordinance.

502 As a condition to review of a Final Plan by the Lehigh Valley Planning Commission, the developer shall agree with the Municipal Governing Body, public utility or municipal authority as to installations of all improvements shown on the Plan and required by this Ordinance. Before the Record Plan may be endorsed by the Lehigh Valley Planning Commission, the developer shall submit a completed and executed original copy of the Subdivision Improvements Agreement and performance and maintenance guarantees in the amount required by Section 520.

503 All improvements installed by the developer shall be constructed in accordance with the design specifications of the Municipal Governing Body, public utility or municipal authority. In cases where no applicable adopted municipal specifications exist, the required improvements shall be constructed to the specifications set forth in the Northampton County Improvements Specifications Ordinance.

504 Inspection of the installation of those improvements required by Section 510, shall in all cases be the responsibility of the Municipal Governing Body and Municipal Engineer.

510 Required Improvements

511 Improvements shall be provided, constructed and installed by the developer as stated in the Improvements Agreement, shown on the Record Plan, and in accordance with the design standards set forth in Section IV of this Ordinance. The following improvements will be required in all applicable cases:

511.1 Street excavating, grading, subgrade preparation, base course paving and surface course paving installed according to the Northampton County Improvements specifications;

511.2 Concrete curbing of the vertical type, or stabilized shoulder and drainage swale with no curbing installed according to the Northampton County Improvements specifications;

511.3 Concrete sidewalks or interior walkways installed according to the Northampton County Improvements specifications in connection with road construction pursuant to Section 511.1 or when required by Section 402;

511.4 Sanitary sewer system improvements installed according to the specifications of the municipality, public utility, the appropriate government authority and the Pennsylvania Department of Environmental Protection;

511.5 Water supply and distribution system improvements installed according to the specifications of the municipality, public utility, the appropriate governmental authority, and the Pennsylvania Department of Environmental Protection;

511.6 Storm drainage system improvements installed according to the Northampton County Improvements specifications;

511.7 Monuments shall be installed:

511.71 Permanent reference monuments shall be located at each intersection of rights-of-ways of street(s) constructed by the developer, at the beginning and ending of all street

curves, and at exterior corners of the subdivision or land development unless an alternate arrangement is approved that still permits a surveyor to stake out accurately any building lot shown on the Record Plan.

511.72 Monuments shall be made of PennDOT Class "A" concrete, shall be 4 inches x 4 inches square or 4 inches in diameter at the top, and shall taper from 4 inches at the top to 6 inches at the bottom. All monuments shall be a minimum of 30 inches in length and shall be marked with a round metal cap, re-bar or drilled hole. All monuments in developed areas shall be flush with finished grade and in undeveloped areas shall be set 2 inches to 3 inches above existing grade.

511.73 All monuments shall be placed by a Registered Professional Engineer or Surveyor so that the scored point shall coincide exactly with the point of intersection of the line being monumented.

511.74 Monuments shall be set with their top level with the finished grade of the surrounding ground, except:

511.741 Monuments which are placed within the lines of existing or proposed sidewalks shall be so located (preferably beneath the sidewalks) that their tops will not be affected by lateral movement of the sidewalks, and

511.742 Where monuments are located beneath a sidewalk, proper access shall be provided for their use.

511.743 Where sidewalks are existing, a stone point (a four (4) inch square chisel cut in the sidewalk with a drill hole in center) may be substituted for a monument.

511.75 Lot corner markers shall be provided at all lot corners. Lot corner markers shall be permanently located and shall be a #4 (1½") or #5 (5/8") diameter re-bar a minimum length of thirty (30) inches. Lot corner markers shall be located in the ground flush to existing grade.

511.8 Fire hydrants installed according to the specifications of the Northampton County Improvements and the appropriate authority;

- 511.9 Street signs installed according to municipal specifications;
- 511.10 Shade trees shall be of nursery stock quality of a species grown under the same climatic condition as exist in the municipality. The trees shall be of symmetrical growth, free of insect pests and disease, suitable for street use, and durable under the maintenance contemplated.

520 Improvements Guarantee Procedure

- 521 Before the Lehigh Valley Planning Commission approves any Final Plan and as a prerequisite for approval, the developer shall deliver to the Municipal Governing Body, public utility, or municipal authority, a performance guarantee in the amount of one hundred ten (110) percent of the cost of all improvements required by this Ordinance, as determined in accordance with the procedures set forth in the Municipalities Planning Code as amended, in a form and with a surety as determined in accordance with the procedures set forth in the Municipalities Planning Code as amended, guaranteeing the construction and installation of all such improvements before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements. Upon written application signed by both the obligor and surety of the performance guarantee in a form approved by the Solicitor, the Governing Body, public utility, or municipal authority may, at their discretion, extend said period by not more than three (3) additional years. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10) percent for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (110) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure. In the event of default under a performance guarantee, the proceeds of the performance guarantee received by the municipality, public utility, or municipal authority shall be used to construct and install the improvements.
- 522 Before the Lehigh Valley Planning Commission approves any Final Plan and as a prerequisite for approval, the developer shall deliver to the Municipal Governing Body, public utility, or municipal authority, a maintenance guarantee in an amount of not less than fifteen (15) percent of the actual cost of the installation of all improvements required by this ordinance, guaranteeing acceptance of all such improvements by the Municipal Governing Body, public utility, or municipal authority.

530 Approval of Improvements and Release of Performance Guarantee by the Municipal Governing Body, Public Utility or Municipal Authority

- 531 The approval of improvements and release of performance guarantee by the Municipal Governing Body, Public Utility or Municipal Authority, and the

inspection of the improvements shall occur in conformance with the procedures prescribed by the Municipalities Planning Code.

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

SECTION VI

ADMINISTRATION

600 Amendments

- 601 Amendments to the Subdivision and Land Development Ordinance shall become effective only after a public hearing held pursuant to public notice in the manner prescribed for enactment of a subdivision and land development ordinance by the Pennsylvania Municipalities Planning Code. In addition, in case of an amendment other than that prepared by the Lehigh Valley Planning Commission, the County Council shall submit each such amendment to the Lehigh Valley Planning Commission for recommendations at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendment.

610 Appeals

- 611 The decisions of the Lehigh Valley Planning Commission with respect to the approval or disapproval of Subdivision or Land Development Plans may be appealed directly to court in the same manner and within the same time limitations as is provided for zoning appeals in Article X of the Pennsylvania Municipalities Planning Code.

620 Enforcement Remedies

621 Violations and Penalties

For any and every violation of the provisions of this Ordinance, the owner, agent, architect, contractor, engineer, or other person who commits a violation shall be liable on conviction to pay a fine or penalty not to exceed \$500.00 per day per

violation, and all court costs and County legal expenses, which shall be paid to the County of Northampton.

621.1 Such fines and penalties may be collected by suit or summary proceedings brought in the name of Northampton County before any Magistrate.

621.2 Whenever any such person specified above shall have been notified by the Lehigh Valley Planning Commission or by the Northampton County Solicitor, in writing, that there is a violation of this Ordinance, such person shall commence correction of all violations within five (5) days after notice and correct all violations within thirty (30) days of notice. If corrections are not commenced within five (5) days or completed within thirty (30) days, each day that a violation continues shall be considered a separate offense punishable by the like fine.

630 Validity and Conflicts

631 Should any action or provisions of this Ordinance be declared by the courts to be invalid, such decision shall not affect the validity of the Ordinance as a whole, nor the validity of any other section or provision of the Ordinance than the one so declared.

632 Whenever there is a conflict between minimum standards or requirements set forth in this Ordinance and those contained in other municipal ordinances and regulations, or other applicable laws and regulations, the most stringent standard or requirement shall apply.

640 Fees

641 The County Council shall delegate, by resolution, the right of the Lehigh Valley Planning Commission to establish, by resolution, a schedule of fees to be paid by the ~~developer~~ applicant at the time of filing for the Feasibility, Preliminary and Final Plans, and Plans Exempt from Standard Procedures.

642 The applicant shall pay the ~~required subdivision~~ fees charged according to the adopted fee schedule. At the time of the submission, the applicant shall deposit the amount of money specified by the fee schedule with the Lehigh Valley Planning Commission. No application will be accepted for consideration unless accompanied by the required ~~fees, including but not limited any escrow~~ deposit. ~~Charges and expenses~~ Funds will be withdrawn from the account as ~~they~~ expenses are incurred by the Lehigh Valley Planning Commission. If the charges and expenses attributable to the application exceed the amount deposited, the applicant shall be notified so that additional funds as are necessary to meet the charges and expenses are deposited with the LVPC. No plan shall be approved unless all fees are paid in full. Any amounts which were deposited in excess of the charges and expenses recorded shall be returned to the applicant following Commission or staff action on the proposal.

650 Repealer

The Northampton County Subdivision and Land Development Ordinance of 1989 and all amendments thereto are hereby repealed. This Ordinance does not repeal other laws or ordinances except those specifically repealed by this Ordinance.

660 Modifications and Exceptions

The Lehigh Valley Planning Commission and staff may grant a modification to 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 modification will not be contrary to the public interest and that the purpose and intent of this ordinance is met. All requests for modifications shall be in writing and shall accompany and be a part of the application for development. The requests shall state in full, the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.

~~670 Effective Date of Ordinance~~

~~This Ordinance shall become effective _____.~~

This Ordinance shall take effect immediately upon enactment.

680 Disclaimer

Whereas the exact occurrence of sinkholes is not predictable, the administration of these regulations shall create no liability on behalf of Northampton County, the Lehigh Valley Planning Commission reviewer, Lehigh Valley Planning Commission employees, or the Lehigh Valley Planning Commission as to damages which may be associated with sinkhole formation. That is, compliance with these regulations represents no warranty, finding, guarantee, or assurance that sinkhole will not occur on an approved property. Northampton County, its agencies, the Lehigh Valley Planning Commission consultants and employees assume no liability for any financial or other damages which may result from sinkhole activity.

690 Entry

Upon presentation of proper credentials, duly authorized representatives of the municipality or the county may enter at reasonable times upon any property to investigate or ascertain the condition of the subject property in regard to any aspect regulated by this Ordinance.

SECTION VII

DEFINITIONS

700 Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meaning indicated:

- 701 Words in the singular include the plural and those in the plural include the singular.
- 702 Words in the present tense include the future tense.
- 703 The words "person", "developer", "subdivider", and "owner" include a corporation, unincorporated association, a partnership, or other legal entity, as well as an individual.
- 704 The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof".
- 705 The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive.

710 Other terms or words used herein shall be interpreted or defined as follows:

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

BLOCK. Property bounded on one side by a street, and other three sides, by a street, railroad right-of-way, waterway, unsubdivided area, or other definite barrier.

BUILDING, ACCESSORY. A detached subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

BUILDING, PRINCIPAL. A structure enclosed within exterior walls or fire walls; built, erected, and framed of component structural parts; designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind; main structure on a given lot.

BUILDING SETBACK LINE. The line within a property defining the minimum required front yard distance between any building to be erected, and an adjacent right-of-way.

CISTERN. An underground reservoir or tank for storing rainwater.

CLEAR SIGHT TRIANGLE. An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.

COMMON OPEN SPACE. A parcel or parcels of land, an area of water, or a combination of land and water within a development site designed and intended for the use of residents of the development, not including streets, off-street parking area, private yard space, and areas set aside for non-residential and public facilities. Common open space shall be substantially free of structures, but may contain such improvements as are appropriate for recreational use by the residents.

COMPREHENSIVE PLAN. The maps, charts, and textual material adopted by the Lehigh Valley Planning Commission or municipality in accordance with the Pennsylvania Municipalities Planning Code and designated, as a whole and in its several parts, as a Comprehensive Plan for the continuing development of Lehigh and Northampton Counties or the municipality.

COUNTY. The County of Northampton.

COUNTY CONSERVATION DISTRICT. The Northampton County Conservation District.

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

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

DAM. An artificial barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or another fluid or semifluid or a refuse bank, fill or structure for highway, railroad or other purposes which does or may impound water or another fluid or semifluid.

DEP. The Pennsylvania Department of Environmental Protection (formerly the Pennsylvania Department of Environmental Resources).

DESIGN STORM. The magnitude of precipitation from a storm event measured in probability of occurrence (e.g. 50-yr. storm) and duration (e.g. 24-hour), and used in computing storm water management control systems.

DETENTION BASIN. A basin designed to retard storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate.

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

DOUBLE OR REVERSE FRONTAGE LOT. A lot extending between and having frontage on two generally parallel streets with vehicular access from only one street.

DRAINAGE EASEMENT. A right granted by a land owner to a grantee, allowing the use of private land for storm water management purposes.

DRAINAGE PLAN. The documentation of the proposed storm water management controls, if any, to be used for a given development site.

DWELLING UNIT. Any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit.

EASEMENT. A right-of-way granted, but not dedicated, for limited use of private land and for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structures, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

ELECTRONIC SUBMISSION PORTAL. A secure, web-based application operated by the Lehigh Valley Planning Commission that allows for the digital submission, management, and review of subdivision and land development applications.

ENGINEER. A professional engineer licensed as such in the Commonwealth of Pennsylvania.

EROSION. The removal of surface materials by the action of natural elements.

EROSION AND SEDIMENTATION CONTROL PLAN. A plan designed to prevent on-site accelerated erosion and off-site sedimentation through the use of vegetative or mechanical controls. Control measures must be designed to fit the topography, soils, rainfall and land use of the area they are to protect. The plan includes as a minimum: (a) a map or maps describing the topography of the area, the proposed alteration to the area and the specific erosion and sedimentation control measures and facilities; and (b) a narrative report describing the project and giving the purpose and the engineering assumptions and calculations for control measures and facilities.

FLAG LOT. A lot with direct frontage on a public road which does not meet the required lot width at the minimum required front yard setback line, which consists of an access lane with a minimum width of twenty-five (25) feet and a rectangular area, the dimensions of which exceed the minimum lot width requirement as established in the municipal zoning ordinance, if any.

FLOOD, ONE HUNDRED (100) YEAR. The flood having a one (1) percent chance of being equaled or exceeded in any given year.

FLOOD FRINGE. That portion of the flood plain outside the floodway.

FLOOD PLAIN. The area of normally dry land along a natural watercourse which is periodically inundated by water therefrom.

FLOODWAY, REGULATORY. The channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the one hundred (100) year flood. The regulatory floodway is designated on the flood boundary and floodway map of the municipality's flood insurance study prepared by the Federal Emergency Management Agency.

FREEBOARD. The incremental depth in a storm water management structure, provided as a safety factor of design, above that required to convey the design runoff event.

GROUNDWATER RECHARGE. Replenishment of existing natural underground water supplies.

IMPERVIOUS SURFACE. A surface which prevents the percolation of water into the ground.

IMPROVEMENTS. Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

INFILTRATION STRUCTURE. A structure designed to direct runoff into the ground, e.g. french drain, seepage pit or seepage trench.

LAND DEVELOPMENT. Any of the following activities: (1) The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving, (i) a group of two 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 (ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (2) A subdivision of land.

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 having a remaining term of not less than forty (40) years, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this Ordinance.

LEHIGH VALLEY PLANNING COMMISSION (LVPC). The Lehigh Valley. Planning Commission, Pennsylvania.

LOCAL RUNOFF CONVEYANCE FACILITIES. Any natural channel or manmade conveyance system which has the purpose of transporting runoff from the site to the mainstem.

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

LOT AREA. The area contained within the property line of a lot (as shown on the Plan), excluding space within all streets and within all permanent drainage easements, but including the areas of all other easements.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this ordinance.

MAINSTEM (MAIN CHANNEL). Any stream segment or other conveyance used as a reach in the hydrologic model.

MAINTENANCE GUARANTEE. Security in a form in accord with the provisions set forth in the Municipalities Planning Code as amended, which insures the structural integrity of the improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a period not to exceed eighteen (18) months after the acceptance of said improvements by the Municipal Governing Body, public utility, or municipal authority.

MANNING EQUATION (MANNING FORMULA). A method for calculation of velocity of flow (e.g. feet per second) and flow rate (e.g. cubic feet per second) in open channels based upon channel shape, roughness, depth of flow and slope. Open channels may include closed conduits so long as the flow is not under pressure.

MARKER. A metal pipe #4 (1/2") or #5 (5/8") re-bar at least thirty (30) inches in length.

MOBILE HOME PARK. A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MOBILE HOME STAND. That part of an individual lot which has been reserved for the placement of the mobile home, appurtenant structures or additions.

MONUMENT. A tapered concrete monument at least 4 inches by 4 inches square or 4 inches in diameter and at least 30 inches in length and marked with a round metal cap, re-bar or drilled hole.

MUNICIPALITIES PLANNING CODE. The Pennsylvania Municipalities Planning Code, Act 1988-170, as amended.

MUNICIPALITY. The municipality in which the property proposed for subdivision or development is located.

NORTHAMPTON COUNTY IMPROVEMENTS SPECIFICATIONS. The specifications adopted by Northampton County by Ordinance xxx-2003.

NPDES REGULATIONS. National Pollutant Discharge Elimination System Regulations.

NRCS - Natural Resource Conservation Service - U.S. Department of Agriculture. (Formerly the Soil Conservation Service).

NUMBERED TRAFFIC ROUTE. A highway that has been assigned an Interstate, United States, or Pennsylvania route number to aid motorists in their travels.

OFFICIAL MAP. The municipal map adopted by Ordinance showing exact locations of existing and proposed lines for public streets, watercourses and public grounds, including widenings, narrowings, extensions, diminutions, opening or closing of some for the entire municipality.

OFFICIAL PLAN - SEWAGE FACILITIES. A comprehensive plan for the provision of adequate sewage systems adopted by a municipality or municipalities possessing

authority or jurisdiction over the provision of such systems and submitted to and approved by the State Department of Environmental Protection as provided by the Pennsylvania Sewage Facilities Act, and Chapter 71, Rules and Regulations promulgated thereunder.

PAVEMENT WIDTH (ROADWAY). The portion of a street right-of-way, generally paved, intended for vehicular use.

PEAK DISCHARGE. The maximum rate of flow of stream runoff at a given location and time resulting from a specified storm event.

PENN STATE RUNOFF MODEL (PSRM). The computer-based hydrologic modeling technique used in early Act 167 Plans. PSRM was also updated to include water quality modeling capabilities and renamed PSRM-QUAL. The PSRM and PSRM-QUAL calculation methodologies were used as the basis for writing the WATERSHED model.

PERFORMANCE GUARANTEE. Security in a form in accord with the provisions set forth in the Municipalities Planning Code as amended to guarantee that the proper construction of improvements be made by the developer as a condition for the approval of the Plan.

PLAN, FEASIBILITY REVIEW. An initial submission, by the developer, of maps and other materials analyzing the natural features of the site as they relate to its development potential. The proposed concept for development of the tract is included in the submission.

PLAN, PRELIMINARY. A tentative plan, in lesser detail than a Final Plan, showing proposed streets and lot layout and such other information as required by this Ordinance.

PLAN, FINAL. A complete and exact plan prepared for official recording as required by this Ordinance to define property rights, streets and other proposed improvements.

PLAN, RECORD. The copy of the Final Plan bearing the original endorsements of the Lehigh Valley Planning Commission, which is intended to be recorded with the County Recorder of Deeds.

PLANNING MODULE FOR LAND DEVELOPMENT. A document to be prepared by the developer or subdivider, accepted by the municipality, and submitted to the Pennsylvania Department of Environmental Protection to provide proposed development data in order to supplement or revise the municipality's Official Plan for sewage facilities.

RATIONAL METHOD. A method of peak runoff calculation using a standardized runoff coefficient (rational "c"), acreage of tract and rainfall intensity determined by return period and by the time necessary for the entire tract to contribute runoff. The rational formula is stated as follows: $Q=ciA$, where "Q" is the calculated peak flow rate in cubic feet per second, "c" is the dimensionless runoff coefficient (see Attachment C), "i" is the rainfall intensity in inches per hour, and "A" is the area of the tract in acres.

REACH. Any of the natural or man-made runoff conveyance channels used for modeling purposes to connect the subareas and transport flows downstream.

RELEASE RATE. The percentage of the pre-development peak rate of runoff for a development site to which the post-development peak rate of runoff must be controlled to avoid peak flow increases throughout the watershed.

RESUBDIVISION. Any replatting or resubdivision of land, limited to changes in lot lines on approved Final Plans or Recorded Plans as specified in this Ordinance. Other replattings shall be considered as constituting a new subdivision of land. See also Subdivision.

RETURN PERIOD. The average interval in years over which an event of a given magnitude can be expected to recur. For example, the twenty-five (25) year return period rainfall or runoff event would be expected to recur on the average once every twenty-five years.

RIGHT-OF-WAY. The total width of any land reserved or dedicated as a street, sidewalk, or for other public or quasi-public purposes.

RUNOFF. That part of precipitation which flows over land.

SANITARY SEWAGE DISPOSAL, PUBLIC. A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, generally serving a major portion of a municipality or municipalities, and operated by a governmental agency, governmental authority, or public utility company.

SANITARY SEWAGE DISPOSAL, CENTRALIZED. A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, commonly called a "package treatment plant", generally serving a single land development, subdivision, or neighborhood, and operated by a governmental agency, governmental authority, public utility company, or a developer.

SANITARY SEWAGE DISPOSAL, ON-LOT. Any structure designed to treat sanitary sewage within the boundaries of an individual lot.

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

SEEPAGE PIT/SEEPAGE TRENCH. An area of excavated earth filled with loose stone or similar material and into which surface water is directed for infiltration into the ground.

SEWAGE ENFORCEMENT OFFICER. The municipal official who issues and reviews permit applications and conducts investigations and inspections as are necessary to implement Act 537 and the rules and regulations thereunder.

SIGHT DISTANCE. The required length of roadway visible to the driver of a motor vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurements shall be made from a point 3.75 feet above the centerline of the road surface to a point 0.5 feet above the centerline of the road surface. **SLOPE.** The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per one hundred (100) feet of horizontal distance.

SOIL-COVER-COMPLEX METHOD. A method of runoff computation developed by NRCS which is based upon relating soil type and land use/cover to a runoff parameter called a Curve Number.

STAFF. The employee of the Lehigh Valley Planning Commission designated by the Executive Director to administer this Ordinance. For the purpose of this Ordinance, staff shall constitute a "planning agency" within the terms of Section 107-(a) of the Municipalities Planning Code.

STORAGE INDICATION METHOD. A reservoir routing procedure based on solution of the continuity equation (inflow minus outflow equals the change in storage for a given time interval) and based on outflow being a unique function of storage volume.

STORM DRAINAGE PROBLEM AREAS. Areas which lack adequate storm water collection and/or conveyance facilities and which present a hazard to persons or property. These areas are either documented in Attachment B of this ordinance or identified by the municipality or municipal engineer.

STORM SEWER. A system of pipes or other conduits which carries intercepted surface runoff, street water and other wash waters, or drainage, but excludes domestic sewage and industrial wastes.

STORMWATER DETENTION FACILITIES. Basins, ponds, ponding areas, depressions or other structures or features used to temporarily store rainfall and release it at a controlled rate.

STORM DRAINAGE SYSTEMS. All facilities and features, such as pipes, culverts, open channels, ditches, swales, and storm water detention facilities, used to transmit or temporarily store surface water runoff.

STORM WATER MANAGEMENT PLAN. The plan for managing storm water runoff adopted by Northampton County, for each watershed as required by the Act of October 4, 1978, P.L. 864, (Act 167), as amended, and known as the Storm Water Management Act.

STREAM. A watercourse.

STREET. A strip of land, including the entire right-of-way (i.e., not limited to the cartway) intended for use as a means of vehicular and pedestrian circulation to provide access to more than one (1) lot. The word "street" includes street, avenue, boulevard, road,

highway, freeway, parkway, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets are further classified according to the functions they perform:

Arterial Street. A street serving a large volume of comparatively high-speed and long distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.

Collector Street. A street which, in addition to providing access to abutting properties, intercepts local streets to provide a route giving access to community facilities and/or other collector and arterial streets (streets in industrial and commercial subdivisions shall generally be considered collector streets);

Local Street. A street used primarily to provide access to abutting properties;

Cul-de-Sac Street. A local street intersecting another street at one end, and terminating in a vehicular turn-around at the other;

Half (Partial) Street. A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street;

Marginal Access Street. A local street, parallel and adjacent to a major street (but separated from it by a reserve strip) which provides access to abutting properties and control of intersections with the major street;

Alley. A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties. All streets with a right-of-way width of less than thirty (30) feet are alleys.

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

SUBAREA. The smallest unit of watershed breakdown for hydrologic modeling purposes for which the runoff control criteria have been established in each Storm Water Management Plan.

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

Minor Subdivision. A residential subdivision which does not and will not in the future involve more than a total of three (3) lots, including the residue parcel, and does not involve the provision of any new street or easement for access. Such

subdivision applications shall be processed in accordance with the provisions of Section 280.

SUBSTANTIAL IMPROVEMENT. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure before the "start of construction" of the improvement.

SURVEYOR. A licensed surveyor registered by the Commonwealth of Pennsylvania.

SWALE. A low lying stretch of natural or man-made land which gathers or carries surface water runoff.

TESTING ON-LOT SANITARY SEWER SYSTEMS. Soil tests and percolation tests conducted by the Municipal Sewage Enforcement Officer in compliance with Chapter 73 of Pennsylvania Department of Environmental Protection Regulations in order to determine whether a permit may be issued for installation of on-lot sewage disposal systems.

TOPSOIL. Surface soils and subsurface soils which presumably are fertile soils and soil material. Ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.

WATERCOURSE. Any channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

WATERSHED. The computer-based hydrologic modeling technique adapted to the Little Lehigh Creek Watershed for the Act 167 Plan Update. This model was written by Tarsi Software Laboratories and uses the same algorithms found in the Penn State Runoff Quality Model (PSRMQUAL). The model has been calibrated to reflect actual flow values by adjusting key model input parameters.

WATER SUPPLY AND DISTRIBUTION SYSTEM, PUBLIC. A system for supplying and distributing water from a common source to dwellings and other buildings, generally serving a major portion of a municipality or municipalities, and operated by a governmental agency, governmental authority, or a public utility company.

WATER SUPPLY AND DISTRIBUTION SYSTEM, CENTRALIZED. A system for supplying and distributing water from a common source to two or more dwellings and/or other buildings, generally serving a single land development, subdivision, or neighborhood, and operated by a governmental agency, governmental authority, public utility company or a developer.

WATER SUPPLY AND DISTRIBUTION SYSTEM, ON-LOT. A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

SECTION VIII

STANDARD CLAUSES

800 Standard Clauses

- 801 The proper officers and other personnel of Northampton County are hereby authorized and empowered to take all such further action and execute such additional documents as they may deem appropriate to carry out the purpose of this ordinance.
- 802 The County Executive shall distribute copies of this ordinance to the proper offices and other personnel of Northampton County whose further action is required to achieve the purpose of this ordinance.
- 803 Any ordinance or part of an ordinance conflicting with the provisions of this ordinance is hereby repealed insofar as the same affects this ordinance.
- 804 If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications, which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

ENACTED AND ORDAINED this ____ day of _____, 2025.

ATTEST: _____
Clerk to Council

APPROVED this _____ day of _____, 2025.

LAMONT MCCLURE, County Executive

Enacted this _____ day of _____, 2025.