

SUBDIVISION & LAND DEVELOPMENT

ORDINANCE

SPRINGBORO BOROUGH

CRAWFORD COUNTY, PENNSYLVANIA

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ORDINANCE NO. 84

AN ORDINANCE PROVIDING FOR THE REGULATION OF SUBDIVISIONS AND LAND DEVELOPMENTS; WHICH CLASSIFIES SUBDIVISIONS AND LAND DEVELOPMENTS; ESTABLISHES PROCEDURES; SETS SUBMISSION SPECIFICATIONS, DESIGN STANDARDS AND IMPROVEMENTS REQUIREMENTS; ESTABLISHES METHODS TO ASSURE REQUIRED IMPROVEMENTS; AND WHICH PROVIDES FOR THE PENALTY FOR THE VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED by the Borough Council of Springboro Pennsylvania, and it is hereby ordained and enacted as follows:

ARTICLE I. GENERAL PROVISIONS

100 AUTHORITY. Pursuant to, and subject to provisions of the Pennsylvania Municipalities Planning Code, Act 247 of 1968 (P.L. 805) as amended the Borough Council may enact a subdivision and land development ordinance regulating certain plats of land lying within the Borough's boundaries.

101 PURPOSES. These regulations are adopted for the following purposes:

101.1 To protect and provide for the public health, safety and general welfare of the Borough;

101.2 To insure that property boundaries as created through the land subdivision and/or development process are accurately determined, marked on the land and established on a drawing which is available for public inspection.

101.3 To encourage the efficient use of land and orderly, coordinated development throughout the Borough, insuring that road systems are coordinated, that roads, and their appurtenances are built to adequate standards and that necessary easements or rights-of-way are provided for storm water drainage and all utilities.

101.4 To provide, where needed, open space areas in suitable locations to enable the Borough to attain adequate park and recreation grounds.

101.5 To prevent development in flood hazard and unstable soils areas where such development would be vulnerable to the destructive effects of periodic flooding and subsidence.

101.6 To protect, conserve and develop the natural resources of the Borough by preventing pollution of waterways and ponds, by safeguarding the water table and by protecting natural, scenic, historic and archeological sites.

101.7 To assist in guiding the future growth and development of the Borough in accordance with the Borough's comprehensive plan, adopted September 4, 1979.

102 TITLE. These regulations shall be known, cited and referred to as the Subdivision and Land Development Ordinance of Springboro.

103 JURISDICTION.

103.1 The Borough Council shall administer the provisions of this ordinance. Whenever any subdivision of land is proposed in the Borough, before any contract is unconditionally finalized for the sale, transfer or lease, of any part of the land of said subdivision or land development, and before any permit is issued for the erection of a structure in said subdivision or land development, and before the construction of any public improvements (subject to the exception as established in Section 501.1 of this ordinance), the owner of the land or his authorized agent shall apply for and obtain approval of the proposed subdivision or land development from the Borough Council under the requirements established in this ordinance, and the subdivision plat or land development site plan shall be filed in the County Recorder's Office. No subdivision or land development plan shall be filed in the County Recorder's Office until the Borough Council reviews and approves said plan.

103.1 (a) Boundary Disputes. Conveyances executed for the sole purpose of settling bonified property line disputes between adjoining owners shall not be defined as subdivisions and shall be exempted from the jurisdiction of this ordinance. For additional reference see Section 801.50.

103.2 Pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Act 247, applications for subdivisions and land developments shall be forwarded upon receipt by the municipality to the Crawford County Planning Commission for review and report. The Crawford County Planning Commission shall have 45 days in which to make its review and report from the date the application (which should include sufficient plan and narrative information explaining the subdivision) was forwarded to the Crawford County Planning Commission. Borough Council shall not approve subdivision applications until the County Planning Commission's report is received; providing, however, that after 45 days have elapsed since the date the application was received by the County Planning Commission and no review is provided by said Commission, the Council may proceed in its action.

103.3 Where a subdivision of land has been planned and recorded prior to the adoption of the Subdivision and Land Development Ordinance of Springboro such subdivision shall be exempt from said ordinance.

104 CLASSIFICATION OF SUBDIVISIONS AND LAND DEVELOPMENTS. Each proposed subdivision and land development under the jurisdiction of this ordinance shall be classified under one of the following five categories:

104.1 Single-Lot Subdivision. A subdivision involving the creation of a single new lot from a larger parcel of land. In reality there are two lots resulting from the single division of a parcel, the newly created lot and the remainder of the original parcel. The classification of this land division, however, for the purposes of this ordinance shall be considered a single-lot subdivision.

104.2 Minor Subdivision. A subdivision containing five lots or less and where

- (a) the lots front on existing public roads and there is no new road proposed, and
- (b) there are no significant extensions of existing sanitary sewers, storm water sewers, or water system lines, and
- (c) there is no other area reserved or dedicated to the public, and
- (d) there is no construction of other public improvements necessary or contemplated.

104.3 Major Subdivision. A subdivision containing six or more lots or a subdivision requiring either

- (a) a new road,
- (b) an extension of sanitary sewers, storm water sewers, or water system lines, or

- (c) the construction of other public improvements.

All subdivisions not classified as single-lot or minor subdivisions shall be classified as major subdivisions.

104.4 Land Development. A proposed building venture characterized by the fact that the development site, during the period of construction, shall be in a single ownership (unsubdivided) or controlled by a group of owners acting jointly and proposed structures and/or use areas are leased to prospective users, i.e. a mobile home park, an apartment complex, a shopping center. Requirements and standards for land developments are established in Articles VI and VII in this ordinance.

104.5 Cluster Development. A proposed building venture characterized by the fact that the development site, during the period of construction, shall be in a single ownership (unsubdivided) or controlled by a group of owners acting jointly wherein the development plan is characterized by the innovative placement of dwellings without observing the regulations normal to lot by lot development, i.e. bulk, density and use regulations. Requirements and standards for the cluster development are established in Article VII of this ordinance. The cluster development as herein defined shall be considered as special type of land development.

105 ENACTMENT AND EFFECTIVE DATE. This Subdivision and Land Development Ordinance shall take effective five days after its enactment by the Borough Council and shall remain in effect until modified or rescinded by the Borough Council.

106 INTERPRETATION, CONFLICT AND SEPARABILITY.

106.1 In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

106.2 Conflict with Public and Private Provisions.

(a) Public Provisions. These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of this ordinance imposes restrictions different from those imposed by any other provision of this ordinance or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

(b) Private Provisions. These regulations shall not take the place of any easement, covenant or any other private agreement or restrictions, provided that where the provisions of this ordinance are more restrictive the requirements of this ordinance shall govern. If private covenants, restrictions, etc. are more restrictive than the regulations of this ordinance those private restrictions, etc., may be imposed so long as they are not in conflict with any provisions of this ordinance.

106.3 Separability. If any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgement shall have been rendered and shall not affect or impair the validity of the remainder of this ordinance or the application thereof to other persons or circumstances. The Borough Council hereby declares that it would have enacted the remainder of this ordinance even without any such part, provision, or application.

107 AMENDMENTS. For the purpose of procuring the public health, safety, and general welfare, the Borough Council may from time to time amend the provisions of this ordinance. At least one public hearing on all proposed amendments shall be held by the Borough Council in the manner prescribed by law. Appendices attached to this ordinance are not to be considered a part of this ordinance and may be amended from time to time by the Borough Council without amending this ordinance.

108 RESUBDIVISION OF LAND. For any change in the plat of an approved or recorded subdivision, if such change affects any street layout shown on such plat or an area reserved thereon for public use, such change shall be approved by the Borough Council under the same procedure, rules, and regulations as for a subdivision. For any change in the plat of an approved and recorded subdivision wherein the change involves only a lot line(s) or where a land division involves a conveyance that will become part of the grantees existing lands such transaction(s) may be considered and processed as Single Lot or Minor Subdivisions and handled by the Property Survey drawing as set forth in Section 301.

109 VACATION OF PLATS.

109.1 Any plat or part of a plat may be changed and public dedications vacated by the owner at any time before the sale of any lot therein, providing a written instrument, to which a copy of the revised plat shall be attached, is approved by the Borough Council and recorded in the County Recorders Office under the same procedure, rules and regulations as for a major subdivision.

109.2 A plat or part of a plat of a major subdivision or a major resub-division may be changed and public dedications vacated when lots have been sold, providing a written instrument, to which a copy of the revised plat shall be attached, is approved by all the owners judged by the Borough Council to be affected by the vacation and changes, and is approved by the Borough Council and recorded in the County Recorder's Office under the same procedure, rules and regulations as for a subdivision.

110 ALTERATION OF REQUIREMENTS.

110.1 General. Where the Borough Council finds that extraordinary hardships may result from strict compliance with the regulations of this ordinance and/or where the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve alterations to the requirements (variances) of this ordinance so that substantial justice may be done and the public interest secured; provided, however,

that such alterations shall not have the effect of nullifying the intent and purpose of this ordinance; and provided further that the Borough Council shall not approve alterations unless it shall make its findings based upon relevant evidence presented in each specific case that:

- (a) the granting of the alteration will not be detrimental to the public safety, health, or welfare or injurious to other property;
- (b) the conditions upon which the request for an alteration is based are unique to the property for which the alteration is sought and are not applicable generally to other property;
- (c) because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations of this ordinance are carried out;
- (d) the granting of the alteration will afford relief which represents the least modification possible to the requirements of this ordinance; and

110.2 Conditions. In approving alterations the Borough Council may require such conditions as will, in its judgement, secure substantially the objectives, standards, and requirements of this ordinance.

110.3 Procedures. A petition for any alteration shall be submitted in writing by the subdivider at the time when the preliminary plan is filed for consideration by the Borough Council. The petition shall state fully the grounds for the alteration.

111 ENFORCEMENT, VIOLATIONS, AND PENALTIES.

111.1 Enforcement. It shall be the duty of the Borough Council to pursue the enforcement of this ordinance and to bring to the attention of the Borough Solicitor any violations or lack of compliance herewith.

111.1 Penalties. Any person, partnership, or corporation who or which being the owner or agent of any lot tract or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this ordinance and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof, such person or the members of such partnership, or the officers of such corporation, or

the agent of any of them responsible for such violation pay a fine not exceeding one thousand dollars (\$1,000) per lot or parcel or per dwelling within each lot or parcel. All fines collected for such violations shall be paid over to Springboro Borough. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferrer from such penalties or from the remedies herein provided.

ARTICLE II. PROCEDURAL REQUIREMENTS

200 SUBDIVISION APPLICATION INFORMATION. All subdivision plan submissions shall be accompanied by one copy of an information sheet which includes a narrative of facts and explanations relative to the subdivision. See Section 300.

201 SUBDIVISION REVIEW STAGES. There shall be three stages in the subdivision review and approval process: the Sketch Plan Stage, the Preliminary Plan Stage, and the Final Plan Stage.

201.1 The Sketch Plan stage is never mandatory, but it is recommended especially for major subdivisions and land developments. The Preliminary and Final Plan stages are required but may be combined in certain instances as prescribed in the following sections.

201.2 The Single-Lot Subdivision shall combine the Preliminary Plan and Final Plan stage requirements in one submission. See Section 301 for submission specifications.

201.3 The Minor Subdivision shall require Preliminary Plan and Final Plan stage approvals; however, the submission of these two stages may be combined and occur at the same time; and Preliminary and Final Plan stage approvals may be obtained at one time providing all required information is submitted.

201.4 The Major Subdivision shall require separate Preliminary and Final Plan stage approvals. These approvals shall be obtained according to the procedures set forth in Sections 203 and 205 of this Ordinance.

202 SKETCH PLAN STAGE. It is normally desirable for an applicant to schedule a meeting in order to discuss his proposal with the Planning Commission before a substantial amount of design and engineering time is invested in the development. At the Sketch Plan stage meeting the applicant may present a rough plan showing such items as the proposed layout of lots, roads (if any) provisions for required utility systems, and proposals for any public facility sites such as park and recreation areas. Items of information the applicant may provide at the Sketch Plan stage are listed in Section 302. One copy of the Sketch Plan submission, in instances where the applicant utilizes this stage, should be provided to the Planning Commission.

202.1 Though the Sketch Plan stage of the review process is not mandatory, the benefits derived from a meeting with the Planning Commission at this stage are as follows:

- (a) The requirements of this ordinance can be clarified.
- (b) The proposed development can be informally examined relative to road and lot patterns, public facility improvements, utility system requirements and any other pertinent items.
- (c) Relationships to existing conditions and proposed development in the area surrounding the subdivision can be reviewed.

- (d) Other requirements of the Borough and applicable state agencies can be identified and discussed.

203 PRELIMINARY PLAN STAGE.

203.1 The Preliminary Plan submission shall:

- (a) Include 3 copies of an information sheet. (See Section 300 and Appendix IV).
- (b) Include 4 copies of the plat and all plans and additional narrative statements required to explain how the subdivision will be developed as set forth in Section 304.
- (c) Be submitted to the Planning Commission. If the proposed subdivision is expected to be reviewed at the next regular meeting of the Planning Commission it shall be submitted no later than 10 working days, exclusive of weekends and official holidays, prior to said meeting.
- (d) Be accompanied by the payment of fee as is provided for in this ordinance.

203.2 Review by the Springboro Planning Commission. The Springboro Planning Commission shall review all Preliminary Plan applications at its regular meetings called by the Chairman for that purpose and properly advertised according to the Sunshine Law. A decision shall be reached by the Planning Commission within forty-five days following receipt of a completed application. The Planning Commission review process shall be as follows:

- (a) Review recommendations shall be approved by a majority vote of the Commission, provided a quorum is present.
- (b) The review comment, as taken from the Secretary's minutes, shall be presented at the next regularly scheduled Borough Council meeting by a representative of the Commission as appointed by the Chairman.
- (c) The applicant, or his/her representative, if present at the meeting, shall be clearly informed of the details of the Commission's recommendations. If the applicant is not present, or is not represented at the meeting, the Commission shall communicate or mail its recommendations to the applicant within fifteen days of said decision.
- (d) The Secretary shall keep one copy of the application and the Preliminary Plat for the Commission's records.

203.3 Review By Crawford County Planning Commission. The Borough Council, upon receipt of the complete subdivision application (all submission requirements should be included), shall forward one copy of same to the Crawford County Planning Commission for its review and comment. The County Planning Commission shall have 45 days from the date it receives the subdivision application in which to make its comment. The Borough Council shall not give final approval to a subdivision until it receives the County Planning Commission's comment or until the expiration of the said 45 days.

203.4 Borough Council Actions on Preliminary Plan. Following receipt of recommendations from the Borough Planning Commission and the Crawford County Planning Commission, the Borough Council shall review and render its decision on all Preliminary Plans. Borough Council may take one of the following actions:

- (a) Approve the plan.
- (b) Give conditional approval which shall become an approval upon the satisfaction of certain conditions; such as, additional information, corrections, collateral approvals, etc.
- (c) Table action on the Plan until additional information, corrections or changes are made to the plan or application in compliance with the ordinance.
- (d) Disapprove the plan if it finds that the plan does not comply with the requirements of this ordinance or other applicable ordinances or if, in its opinion, the subdivision plan would adversely affect the health, safety, or general welfare of the Borough and serve to nullify the purposes of this ordinance as established in Section 101.

203.5 Time Limitations and Procedural Requirements for Preliminary Plan Approval.

- (a) The Borough Council shall render its decision on the Preliminary Plan application and communicate it to the applicant not later than 90 days following the first meeting at which the completed application was reviewed by the Planning Commission.
- (b) The decision of Council shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than 15 days following the decision.
- (c) Failure of Borough Council to render a decision and communicate it to the applicant within the time and manner herein required shall be deemed an approval of the application as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in the presentation agreed to shall have like effect.

203.6 Effect of Ordinance Change on Plat Approval. No change or amendment in this Ordinance, zoning or any other governing ordinance shall adversely affect the approval process of any subdivision or land development plan application pending either preliminary or final approval. The developer, or applicant, shall be allowed to commence and complete any aspect of his approved development in accordance with the terms of such approval within 3 years from the date of approval. Where preliminary approval is required, the 3 years shall start from the date of preliminary approval.

203.7 Special Importance of On-Lot Sewage System Approval. Nothing more than a conditional approval shall be given at Preliminary Plan stage for subdivisions or land developments where individual sewage systems (on-lot systems) are proposed and the site suitability analysis - as required under regulations promulgated by the Pennsylvania Department of Environmental Resources - has not been completed and approved by the sewage enforcement officer and submitted to the Borough Council.

203.8 Duration of Preliminary Plan Approval. Preliminary Plan approval by the Borough Council or by the subdivision review officer (See Section 204), except where otherwise stated, indicates the general acceptability of the subdivision layout, and all other accompanying proposals. Preliminary Plan approval shall be effective for a maximum of 3 years unless, upon submission by the applicant in writing, an extension of time is requested and subsequently granted. An extension, if granted, shall be for a period of one year. The granting of an extension does not guarantee to the applicant the privilege of abiding by the requirements of governing ordinances existing at the time of original Preliminary Plan approval as provided in Section 203.6 unless such privilege is expressly granted by the Borough Council. The Borough Council in granting an extension of the Preliminary Plan approval shall insist that good cause be given for said extension. In any instance where the Borough Council grants final approval on a portion of a subdivision, the preliminary approval on the remaining portions of the subdivision shall be in effect for a period of three years from the date of this final approval.

203.9 Public Hearings. Before acting on any subdivision or land development application the Borough Council or the Planning Commission may hold public hearings. The cost of such hearing(s), including legal advertisement and taking of the record shall be borne solely by the applicant.

204 DELEGATION OF AUTHORITY. In processing Single-Lot and Minor Subdivision applications the authority to approve or disapprove the applications may be delegated by the Borough Council to a subdivision review officer, which official shall be appointed by Borough Council after it being determined the appointee is qualified to handle this task. The subdivision review officer, should one be appointed, shall report all approval or disapproval actions he makes under this delegation of authority at the next meetings of the Borough Council and the Planning Commission.

204.1 Within 15 working days (providing the Crawford County Planning Commission review has been received) after the acceptance by the subdivision review officer of the complete submission for a Single-Lot Subdivision or a Minor Subdivision - whether it is processed in one or two stages - the subdivision review officer shall take one of the following actions:

- (a) Approve the plan;
- (b) Request additional information, corrections, collateral approvals, and/or changes be submitted as conditions of plan approval; or
- (c) Disapprove the plan if he finds that it does not comply with the requirements of this ordinance or other applicable ordinances or if, in his opinion, the subdivision plan would adversely affect the health, safety or general welfare of the Borough and serve to nullify the purposes of this ordinance as established in Section 101.

If the Crawford County Planning Commission review has not been received, action on the subdivision shall await receipt of same or shall await the elapse of 45 days from the date the County Planning Commission received the subdivision (reference Section 203.2). Once the subdivision review officer is free to act based on the Crawford County Planning Commission's review requirements, he shall take his action no later than 5 days after the County review requirement is met. His decision shall be in writing and shall be communicated to the applicant personally or mailed to him no later than 5 days following the decision. Where the plan is disapproved the defects in the plan shall be specified.

204.2 Where the subdivision review officer requires additional information, corrections or changes or where the officer disapproves the plan for Single-Lot and Minor Subdivisions, the applicant may appeal the officer's decision to the Borough Council. The request for the appeal shall be in writing. Once appealed to the Borough Council all actions on the subdivision shall be decided by the Borough Council.

205 FINAL PLAN STAGE.

205.1 The Final Plan submission shall;

- (a) Include the original subdivision plat or an exact, legible tracing thereof and 4 printed copies of this plat; see Section 305; and
- (b) Include 4 copies of all plans, narrative statements and supporting exhibits as required in Section 305; and
- (c) Be submitted to the Planning Commission, if the proposed subdivision is intended for review at the next regular meeting of the Borough Council no later than 10 working days prior to said meeting, and, if so submitted, it shall be considered by the Planning Commission at said meeting.

205.2 Review by Springboro Planning Commission. The Borough Planning Commission shall review all Final Plans and make recommendations to Borough Council according to the same procedure as outlined for Preliminary Plans in Section 203.2.

205.3 Review by Crawford County Planning Commission. The Crawford County Planning Commission shall review all applications for Final Plan approval as outlined in Section 203.3.

205.4 Borough Council Actions on Final Plan.

- (a) The Borough Council shall review the Final Plan application to assure its conformity with the Preliminary Plan as approved and the provisions of Section 305. In processing and rendering a decision on the Final Plan, the Borough Council may take one of the following actions:

- (1) approve the plan,
 - (2) approve the plan conditional upon specified additions, corrections, collateral approvals, and/or changes to be made or supplied in the plan,
 - (3) table action on the plan until additional information, corrections, collateral approvals, and/or changes are made to the plan, or
 - (4) disapprove the plan if it finds that the plan does not comply with the requirements of this ordinance or other applicable ordinances or if, in its opinion, the major subdivision plan would adversely affect the health, safety, or the general welfare of the Borough and serve to nullify the purposes of this ordinance as established in Section 101. Where the subdivider must make changes to the plan three copies of each corrected or altered exhibit in the plan application shall be submitted to the Borough Council before final approval can be granted.
- (b) Before acting on any subdivision plat the Borough Council may hold a public hearing.
 - (c) The Borough Council shall render its decision on the Final Plan not later than 45 days following the date of the Planning Commission review, providing that all Final Plan submission requirements, as established in Section 305, have been properly completed and submitted as required.
 - (d) The Borough Council's approval of the subdivision plat shall be noted by the signature of the Council President affixed to the approval certificate set forth in Appendix I.1. In instances where the Final Plan is given a conditional approval the subdivision plat shall not be signed until each condition has been satisfactorily met as ascertained by the Borough Council.
 - (e) The action taken by the Borough Council shall be communicated to the applicant in writing no later than ten days subsequent to the meeting; delivered either personally or mailed to the applicant's last known address. Where the application is not approved in terms as filed by the applicant, the defects in the application shall be cited with specific reference to sections of this Ordinance which have not been fulfilled.
 - (f) Failure of the Borough Council to render a decision and communicate it to the applicant within the time stipulated and in the manner required shall be deemed an approval of the Final Plan as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation or communication of decision in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

206 RECORDING OF FINAL PLAT.

- (a) The Final plat and any other documents associated therewith requiring recording shall be recorded in the County Recorder's Office within 90 days after the Borough Council's final approval, otherwise the approval becomes void unless an extension of time is requested of, and granted by the Borough Council. The applicant shall be responsible for recording the plat.
- (b) Within 15 days following recording of the Final plat, it shall be the responsibility of the applicant to provide written proof to the Borough Secretary that such recording has taken place. It is suggested that such proof be in the form of a copy of the plat as certified by the County Recorder's Office, or some other document signed by the Recorder's Office.

207 ASSESSMENT TAX CHANGES. The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements installed on the land indicated within the plat.

208 SUBDIVISION AND LAND DEVELOPMENT APPLICATION FEES. The Borough Council shall establish a nominal schedule of fees in order to defray a portion of the cost of administering this ordinance. The required fee shall accompany the Preliminary Plan submission. Until the applicable fee has been paid no final action shall be taken on a subdivision application.

ARTICLE III. SPECIFICATIONS FOR SUBDIVISION PLANS

300 APPLICATION INFORMATION. All subdivision plan submissions shall be accompanied by an information sheet which includes the following facts and/or explanations relative to the subdivision.

300.1 Name of the subdivision.

300.2 Name, address and telephone number of the property owner and/or his agent if one exists.

300.3 Name, address and telephone number of the licensed land surveyor handling the subdivision and/or the landscape architect or architect if one has been retained for the project.

300.4 Brief description of the location of the proposed subdivision in order that it may be located on a property map of the municipality.

300.5 Number of lots in the subdivision and the gross acreage; the area of any existing public road right-of-way shall not be included in the gross acreage figure.

300.6 Type of development proposed, whether single family or multi-family residential, mobile homes, commercial or industrial buildings, etc.

300.7 General statements on how sanitary waste and storm water will be handled, how potable water will be obtained, how electric power will be obtained, how any other utilities will be provided, any other information pertinent to the review of the subdivision.

300.8 Zoning district applicable to the subdivision.

300.9 Additional facts on the area surrounding the subdivision including but not limited to road and other community facilities, zoning, existing uses of land, and size and condition of the upstream watershed and the characteristic of the downstream area which will receive the storm water runoff; where this information is shown on a sketch plan submission it need not be entered on the information sheet but the sketch plan should be referred to.

301 PROPERTY SURVEY. As established in Section 104.1, Single-Lot Subdivisions shall be processed in one submission to the Borough. The subdivision shall be titled, Property Survey, and the owner's name and address and the borough and county in which the subdivision is located shall be indicated following the title. The survey drawing shall be approved by *a licensed land surveyor and may be drawn in pencil or ink. If drawn in pencil, or however the work is handled, the drawing shall be on an acceptable drafting medium and sufficiently bold so as to be capable of clear and distinct reproducible copies.

301.1 Property Survey Map. The property survey shall include the following information:

* See Subsection 305.1.

- (a) The lengths and bearings of lot's boundary lines. Distances shall be measured at least to the nearest hundredth of a foot. Bearings shall be measured at least to the nearest 20 seconds. The error of field closure for the lot's exterior boundary shall be no greater than one foot in five thousand feet, and all geometrics of the final plat shall be balanced.
- (b) All corner points shall be marked on the ground including all points indicating a change in direction or a change in geometry. The location and nature of the markers shall be indicated on the survey drawing. (See Section 409.3)
- (c) The right-of-way width and designation of existing roads adjacent to the lot. Road right-of-way shall be shown as separate and independent of the subdivided lot.
- (d) The distance(s) and bearing(s) to some described and readily locatable and permanent point outside of the subdivision preferably a nearby road intersection, an original parcel corner point or a County, State or Federal monument. Where said permanent point, outside of the subdivision, may be lost in future years, for example at the intersecting center lines of roads, "ties" to this point shall be determined and recorded on the plat.
- (e) The assessment parcel number of the parcel of land from which the lot has been divided; this number is available in the County Assessor's office.
- (f) The owners' names for all lands adjacent to the lot.
- (g) The location of existing easements, streams, bodies of water and other pertinent features on the lot; easements shall be explained.
- (h) The explanation location, width and dedication of proposed easements.
- (i) Building setback line. The setback line shall be dimensioned.
- (j) A north point; the scale of the drawing shall be noted and shown graphically.
- (k) The area of the lot in square feet and/or acres.
- (l) The following certificates (See Appendix I.):
 - 1. Borough Planning Commission review
 - 2. Crawford County Planning Commission's review,
 - *3. Signed Registered Professional land surveyor's statement,
 - 4. Borough Council approval.
- (m) The following certificates where applicable (See Appendix I and II):
 - 1. Dedication Statement,
 - 2. Utility Easements including drainage easements,
 - 3. Other easements on the site,
 - 4. Covenant statements if any.

- (n) Where an individual sewage system(s) is proposed and the site suitability analysis has not been completed by the sewage enforcement officer and submitted to the Commission, or where, if submitted, the analysis concludes the site is unsuitable for an individual system, Statement 1. in Appendix III shall be entered on the plat.

301.2 Recording. The property survey, once approved by the Borough Council shall be recorded with the new property deed, and, if desired, may be recorded also as a subdivision and entered into the subdivision plat book records in the County Recorder's Office. Proof of such recording shall be forwarded to the Borough Secretary within fifteen days of recording or approval shall be null and void.

302 SKETCH PLAN STAGE. The Sketch Plan submission is not mandatory but where used shall include the following information:

302.1 Sketch Plan Drawing.

- (a) A scaled plan which may be in freehand showing the proposed layout of roads, lots and public facility sites, i.e. park and recreation areas, schools, etc. Rough sketches of the proposed handling of community, opposed to individual, sanitary and water systems as well as storm water management techniques should be provided. Existing conditions on and near the site shall be shown including but not limited to wooded areas, watercourses, easements, rights-of-way and utility systems.
- (b) Topographic information represented by contour lines at an interval of 10 feet or less. U.S. Geological Survey maps may be used as the basis for this information.
- (c) Elevations, cross sections, and perspective drawings to the extent they may be useful in explaining the intent of the proposal.
- (d) North arrow, scale indication and the date of preparation.

302.2 Narrative Statements And/Or Reports. To the extent the application information and the Sketch Plan drawing do not convey adequately the developer's intent a narrative shall be submitted dealing with the elements of the proposal.

303 PRELIMINARY PLAN THE OVERALL GUIDE TO DEVELOPMENT. Although it may be the intention of the subdivider to request Final Plan approval on only a portion of the total area shown on the Preliminary Plan, a Preliminary Plan shall be submitted and approved for the entire area under consideration for development. Construction plans and specifications as required in a later section of this Ordinance need be prepared only for the area intended to be included on the final plat.

304 PRELIMINARY PLAN SUBMISSION REQUIREMENTS. The Preliminary Plan submission shall include the preliminary plat and other support drawings and narrative statements as needed based on the specifications herein listed. The preliminary plat showing the land geometry shall be prepared by a *Registered Professional Land Surveyor at a convenient scale but not at a scale greater than 1 inch to 100 feet and may be prepared in pen or pencil.

* See Subsection 305.1.

The plat and other plan sheets shall be no larger than 36 inches by 42 inches; where more than one sheet is used each sheet shall be suitably numbered and titled; these requirements also shall govern the engineering, construction and various supporting drawings included in the preliminary plan. Design, engineering, construction detail and other necessary studies as are appropriate to the development may be prepared by a qualified landscape architect, Professional Engineer or architect. It should be noted that the preliminary plat also may be used for the final subdivision plat and may be drawn on the drafting medium to be used for the final plat. The submission shall include the following information:

304.1 Proposed name of subdivision, and the borough and county in which it is located.

304.2 The date, scale and north point indication.

304.3 A small, scaled, location map showing the area of the proposed subdivision in relation to surrounding roads and other significant features; this map shall be oriented on the plat in the same direction the subdivision is oriented.

304.4 The street patterns and names of adjacent subdivisions and the location and owners' name of adjacent parcels of unsubdivided land.

304.5 Zoning of the proposed subdivision and adjacent lands in instances where it cannot be provided clearly in the application information sheet.

304.6 Location, width (right-of-way and pavement) and type of construction of all existing roads, public and private, for the land to be subdivided and for all lands within approximately 200 feet of the proposed subdivision. For this same area, all existing easements, sanitary and storm sewers, water lines, railroads, utility rights-of-way, parks, cemeteries, watercourses, drainage ditches, swamps, low areas subject to flooding as identified on municipal flood hazard maps, permanent buildings, bridges and any other information pertinent to the evaluation of the proposed subdivision.

304.7 Plan of the proposed development including the lots, road right-of-ways, easements for water lines, storm and sanitary sewers, drainage ways and all other public utilities where they are separate from road rights-of-ways. Where it is not clear from the scaled drawings the dimensions of elements of the proposed layout shall be given.

304.8 Topographic information showing present contours and proposed finish contours shall be provided for all subdivisions wherein

- (a) road improvements and/or sanitary, storm, or water utility systems are proposed, and/or
- (b) the average area of the lots proposed is 20,000 square feet or less.

Contours shall be at an interval of 5 feet or less and may be based on topographic information as obtainable from U.S. Geological Survey maps; providing, however, that where site planning considerations for roads,

storm water management facilities and sanitary sewer services to serve proposed development are complex because the terrain has a considerable amount of slope and/or lot sizes are small, more detailed topographic information may be required.

304.9 Location and area of property, if any, proposed to be dedicated for public use, or to be reserved by deed covenant for the use of property owners in the subdivision.

304.10 Statement as to what private deed restrictions, if any, are proposed.

304.11 Information relative to the sewerage systems to be used in the subdivision and a summary of progress made in obtaining approvals for handling sewerage based on the requirements adopted and promulgated by the Pennsylvania Department of Environmental Resources. In instances where an existing sewage system is to be used or where sewer lines are to be constructed, general layout plans shall be presented; final plans are not required at this stage.

304.12 Information relative to the water supply systems to be used in the subdivision. In instances where an existing water system is to be used or where a new water system is to be constructed, general layout plans shall be presented; final plans are not required at this stage.

304.13 Storm Water Management. It shall be the objective of this ordinance to manage the quantity, velocity and direction of the resulting storm water runoff in a manner which adequately protects the public health and property and protects against possible injury. The administration of this ordinance shall strive to assure that the maximum rate of storm water runoff is no greater after development than prior to development.

- (a) For major subdivisions involving new roads a plan and descriptions, where appropriate, of the storm water management measures and devices proposed including, but not limited to, open flow channels, swales, detention areas, culverts, underground storm water lines, storm inlets and manholes shall be provided. Storm water runoff calculations for the watershed area above (upstream from) the major subdivision site and for the major subdivision site itself shall be computed based on the design criteria established in Section 402. Finalized calculations and plans are not required at this stage but enough work shall be done so that decisions can be made on the acceptability of the general layout of the major subdivision.
- (b) The information required in Section 303.13 (a) may be required for major subdivisions not involving new roads and minor subdivisions where storm water management considerations are judged by the Borough to be critical in the development proposal.

304.14 Typical road cross sections showing the travel portion of the roadway, shoulder and drainage swale areas as well as the road construction specifications; proposed road profiles which clearly indicate planned road gradients. (Refer to Article IV)

304.15 Any other special proposals which may be necessary to the Borough Council's review including but not limited to reports and/or documents indicating how subdivision improvements and development elements shall be maintained, i.e. homeowners' association organizations.

305 FINAL PLAN SUBMISSION REQUIREMENTS. The Final Plan submission shall be considered as a continuation of the review begun in the Sketch Plan (where used) and Preliminary Plan stages of the process. Proposals submitted in the earlier stages may change through the review process as additional information is gathered and as engineering and other design studies are developed. Drawings and narrative submitted at the Preliminary Plan stage revised and refined as required shall be considered as part of the Final Plan submission. The Final Plan submission at the minimum shall consist of the subdivision plat. It also may include, depending on the complexity of the subdivision,

- (a) engineering and construction drawings and specifications;
- (b) letters, permits and certifications indicating other Borough, State and public or semi-public agencies or organizations have given their review and approval to the subdivision proposals; and
- (c) supporting reports and documents such as a listing of covenants to be recorded with the subdivision plat, and the incorporation papers for a homeowners' association.

The submission specifications at the Final Plan stage are as follows:

305.1 The final plat shall be stamped and signed by a Registered Professional Land Surveyor *(or Professional Engineer prior to February 12, 1982) and drawn at a convenient scale but not greater than 1 inch to 100 feet; it may be drawn in pencil or ink. If drawn in pencil it shall be sufficiently bold so as to be capable of clear and distinct reproducible copies. It shall be drawn on an acceptable drafting medium no larger than 36 inches by 42 inches. Where more than one sheet is used each sheet shall be suitably numbered and titled. The plan shall include the following information:

- (a) The name of the subdivision in prominent letters and the borough and county in which it is located. The name shall not be a duplicate of, or be very similar to, the name of any plat previously developed for the borough.
- (b) The lengths and bearings of the subdivision's exterior boundary lines (which shall be delineated with a bolder line than the interior property lines in the subdivision) and all other property lines surveyed and divided, including those for roads, blocks, lots and public grounds. Where property lines in any tier of lots are parallel, it shall be sufficient to mark the bearings of the outer lines of the tier. Distances shall be measured at least to the nearest hundredth of a foot. Bearings, shall be measured at least to the nearest twenty seconds. The error of field closure for the subdivision's exterior boundary shall be no greater than one foot in five thousand feet, and all geometrics of the final plat shall be balanced.

- (c) All exterior boundary, lot and road right-of-way corner survey points including all points indicating a change in direction or a change in geometry shall be indicated in accordance with Subsection 409.3. The nature of the survey points shall be indicated.
- (d) The exact width and location of the right-of-way of all new roads and the width and location of all new easements; the names of new roads; road names shall not duplicate names already established in the Borough except where they are actually the same street. Road right-of-way shall be shown as separate and independent of the subdivided land. Easements include, but are not limited to, those for storm drainage facilities and all public and semi-public utilities; new easements shall be dedicated and explained.
- (e) The distance(s) and bearing(s) to some described and readily locatable and permanent point outside of the subdivision preferably a nearby road intersection, or original parcel corner point, or a County, State or Federal monument. Where said permanent point, outside of the subdivision, may be lost in future years, for example at the intersecting center lines of roads, "ties" to this point shall be determined and recorded on the plat.
- (f) Building setback lines shall be dimensioned as required by the Zoning Ordinance Borough of Springboro.
- (g) A number or other suitable designation for all lots or parcels within the subdivision boundary.
- (h) Land area figures to the nearest hundredth of an acre or in square feet for the following:
 - 1. The total area within the exterior boundary of the subdivision.
 - 2. The area of each lot exclusive of road right-of-ways.
 - 3. The total area of all lots excluding road right-of-ways.
- (i) The right-of-way width and name of existing roads in or adjacent to the subdivision.
- (j) The assessment parcel number(s) of the parcel(s) of land from which the subdivision was taken. This number is available in the County Assessor's Office.
- (k) The location and width of existing easements; the location of all streams, bodies of water and other pertinent features in the subdivision; all easements shall be defined and explained.
- (l) A north point, and the scale of the plat shall be noted and shown graphically.
- (m) The following certificates: (See Appendix I).

1. Borough Council's Approval statement;
2. Springboro Borough Planning Commission's review statement;
3. Crawford County Planning Commission's review statement;
- *4. Registered Professional Land Surveyor's certification;
5. Owners declaration statement where the plat is recorded separate from the property deed and, if any, the dedication statement.

(n) The following certificates, statements and/or covenants only where applicable: (See Appendix II.)

1. Utility easements including drainage easements.
2. Other required easements.
3. Covenant statements originated and enforced by the subdivider and his clients protecting and/or guiding the use of land in the subdivision. If covenants are recorded in a separate instrument such instrument shall be referenced on the plat.

(o) Where sewage needs are handled by individual systems, one of the following statements shall be entered on the plat; providing, however, for minor subdivisions (ten lots or less) where individual system permits have been issued for each lot and proof thereof is submitted to the Commission no statement needs to be entered on the plat. Statements on the handling of sewage needs are listed in Appendix III.

1. For major subdivisions with five or less lots and minor subdivisions Statement 2 shall be entered on the plat.
2. For major subdivisions (of eleven lots or more) Statement shall be entered on the plat.

305.2 Where road and utility system improvements are proposed, final engineering and construction plans shall be prepared by a qualified Professional Engineer, landscape architect or architect and shall be part of the Final Plan submission. These plans shall be reviewed and approved by the Borough Council; they need not be recorded in the County Recorder's Office but they become part of the public record. These plans shall detail the construction of improvements in the subdivision in the following areas:

(a) Revised Grades. Where a subdivision shall have 40 percent or more of its land area altered or where 40 percent of the development is on slopes 12 percent or greater, a revised contour or grading plan shall be required. The Erosion and Sediment Control plan may require a grading plan also.

(b) Road Construction. Typical road cross sections showing the travel portion of the roadway, shoulder and drainage swale areas as well as the road construction specifications.

(c) Sewage Systems.

1. For subdivisions where development is proposed requiring common or public sewage facilities plans detailing the sewage system/system extensions shall be submitted and the necessary permits shall be approved for issue by the Pennsylvania Department of Environmental Resources (PennDER) and the Northwest

* See Subsection 305.1.

Crawford County Sewer Authority before final approval for subdivision can be given by the Borough Council.

2. For subdivisions with 10 lots or less, where individual sewage systems shall be used, a site suitability analysis shall be obtained from the local municipal sewage enforcement officer and Statement 2 in the Appendix III. shall be entered on the plat.
 3. For subdivisions of 11 lots or more the site suitability analysis shall be completed by the Borough sewage enforcement officer; approved by PennDER; a copy placed in the files of the Borough Council and a letter indicating PennDER's approval shall be in the Borough's file. Also Statement 3. listed in Appendix III. shall be entered on the plat. All of these requirements shall be met in order to obtain final approval.
- (d) Water Supply Systems. For subdivisions where development is proposed requiring common or public water facilities, plans detailing the facility system/system extension shall be submitted and the necessary permits shall be approved for issue by PennDER before final approval for the subdivision can be given by the Borough Council.
- (e) Storm Water Management. For subdivisions involving new roads, as well as for major subdivisions not involving new roads wherein storm water management considerations were judged to be critical (Section 303.13 (b)), finalized calculations and plans as listed in Section 303.13 and subsections shall be required. Where necessary, required permits from PennDER and the Pennsylvania Department of Transportation (PennDOT) shall be approved for issue. The ownership and responsibility for maintenance for all storm water management control devices shall be indicated and necessary easements to such devices properly established.
- (f) Erosion and Sediment Control. The Commonwealth of Pennsylvania's Clean Stream Law, Act 222, is administered by PennDER. This law requires that all earth moving activities have Erosion and Sediment Control Plans. The Crawford Conservation District is the designated review agency for Erosion and Sediment Control plans. All subdivisions involving new roads shall have a Erosion and Sediment Control Plan which has been reviewed and determined to be adequate by the Crawford Conservation District. Any subdivision may be required to have an erosion and sediment control plan at the discretion of the Borough Council.

305.3 Where the subdivider intends to assure that the subdivision improvements will be maintained through a homeowners' association, documents shall be drafted and filed in the County Recorder's Office which provide for the legal creation of such an association which shall have mandatory membership provisions and statements on its structure and responsibilities.

- (a) The Borough Solicitor shall review all documents relating to a homeowners' association wherein maintenance of potential public properties, such as, roads or parks are involved.

ARTICLE IV. DESIGN STANDARDS AND IMPROVEMENTS REQUIREMENTS

400 DESIGN PRINCIPLES. In planning a subdivision the applicant shall be guided by the following principles:

400.1 In planning and executing a subdivision the applicant shall comply with all laws, codes, rules, and ordinances of the Borough, the county and the state and federal governments and all duly constituted agencies thereof.

400.2 In planning and executing a subdivision the applicant shall be guided by the currently approved comprehensive plans of the Borough and the county particularly in regard to the location of roads. Where the subdivision area includes sites of historic, cultural or physiographic value and such sites are listed on the Crawford County Register of Significant Sites, every possible effort shall be made to preserve and maintain the integrity of these sites.

400.3 No land shall be subdivided which is unsuitable for development by reason of flooding, poor drainage, adverse earth or rock formations, or any other condition likely to be harmful to the health, safety or welfare of future residents. Such lands shall remain unsubdivided until such time as the conditions causing the unsuitability are corrected.

401.4 In planning a subdivision the applicant should consider making reasonable allocations of land for necessary community facilities such as park and recreation grounds, school sites and other sites for needed public facilities as proposed in applicable comprehensive plans or as determined necessary through current analyses. Where allocations are made for these facilities provisions shall be made to insure that the land will be accepted and maintained by the Borough, a homeowners association, a school board or some other organization which can assure the Borough Council of its ability to manage the land in keeping with the general welfare of future residents.

400.5 In designing a subdivision proposed lots shall have relationships to surrounding properties such that reasonable future lotting patterns can be developed.

400.6 Proposed roads shall be designed in careful relation to topography, natural drainage, the surrounding road network and the uses designed to be served in the development; they shall be properly integrated with the existing and proposed system of thoroughfares as established in Borough and county comprehensive plans.

400.7 Generally road networks should be designed to run in an east-west direction in order that structures designed for human habitation can be sited with maximum wall exposure to the south to make possible greater use of solar energy.

401 ROAD RELATED DESIGN STANDARDS. In planning a subdivision, the applicant shall observe the following requirements:

401.1 Proposed roads shall be public roads, shall be properly dedicated for public use and shall provide convenient access to all property within the subdivision. There shall be no private roads, except in cluster and land development enterprises where private roads are permitted. Each lot planned for separate ownership in the subdivision shall have the minimum of frontage on a public road as provided in the Zoning Ordinance of Springboro Borough, unless variances are properly obtained.

401.2 Proposed roads except those clearly designed for internal circulation only shall be extended to the boundary lines of the tract to be subdivided unless prevented by topographic or other physical conditions, or unless in the opinion of the Borough Council such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.

401.3 Road Classifications. The applicant shall be responsible to develop the subdivision's road network based upon the classification system established as follows:

- (a) Arterial Roads. These roads provide intermunicipal, inter-county and interstate connections; they serve to link settlement centers, major public facilities, employment and shopping centers and areas of high density population. This category of road includes major arterial and minor arterial highways as established and defined in the Federal Functional Classification System and as set forth and discussed in the Crawford County Comprehensive Plan. Interstate 79 is a major arterial and Route 18 is a minor arterial.
- (b) Collector Roads. These roads link neighborhoods and have continuity within the County's municipalities and often interconnect municipalities. They invariably serve the dual function of handling through traffic movements and of serving as access to adjacent property. Nearly all borough/township roads which have continuity are collector roads. This category of road is set forth and discussed in the Crawford County Comprehensive Plan. Beaver Street is a collector road.
- (c) Local Roads. These roads are primarily for access to adjacent property and have their chief significance in giving a subdivision or a neighborhood form and pattern. Most Borough streets are local roads. They shall be laid out to discourage through traffic.
- (d) Alleys. Alleys may be provided especially in commercial and industrial subdivisions and perhaps in row house (townhouse) developments, in order to facilitate service access to the proposed buildings.

401.4 In Table 1. design standards for collector local roads and alleys are established. Curbed roads may be required where the gross residential density is 4.0 residential lots per acre or greater.

TABLE 1.

DESIGN STANDARDS FOR ROADS

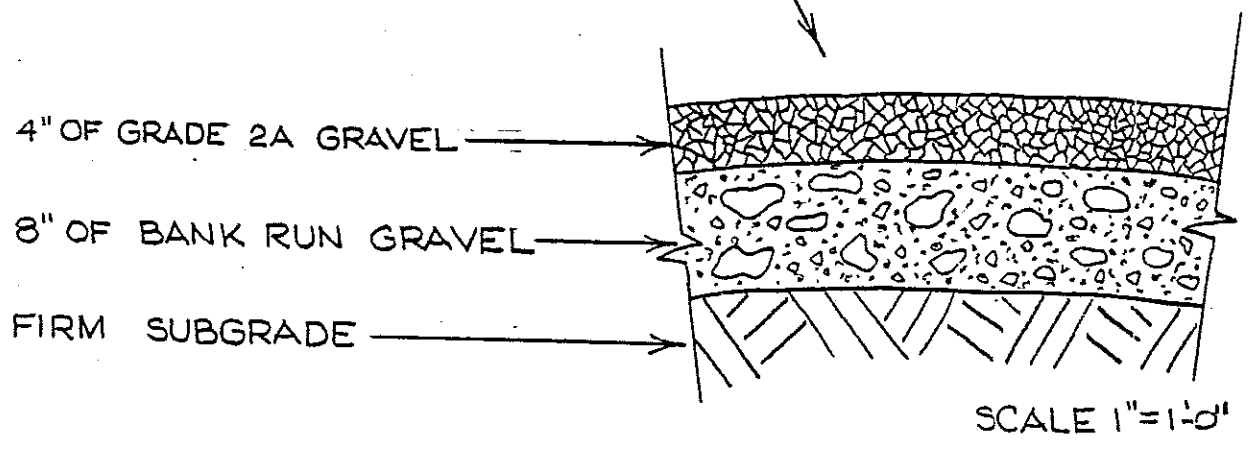
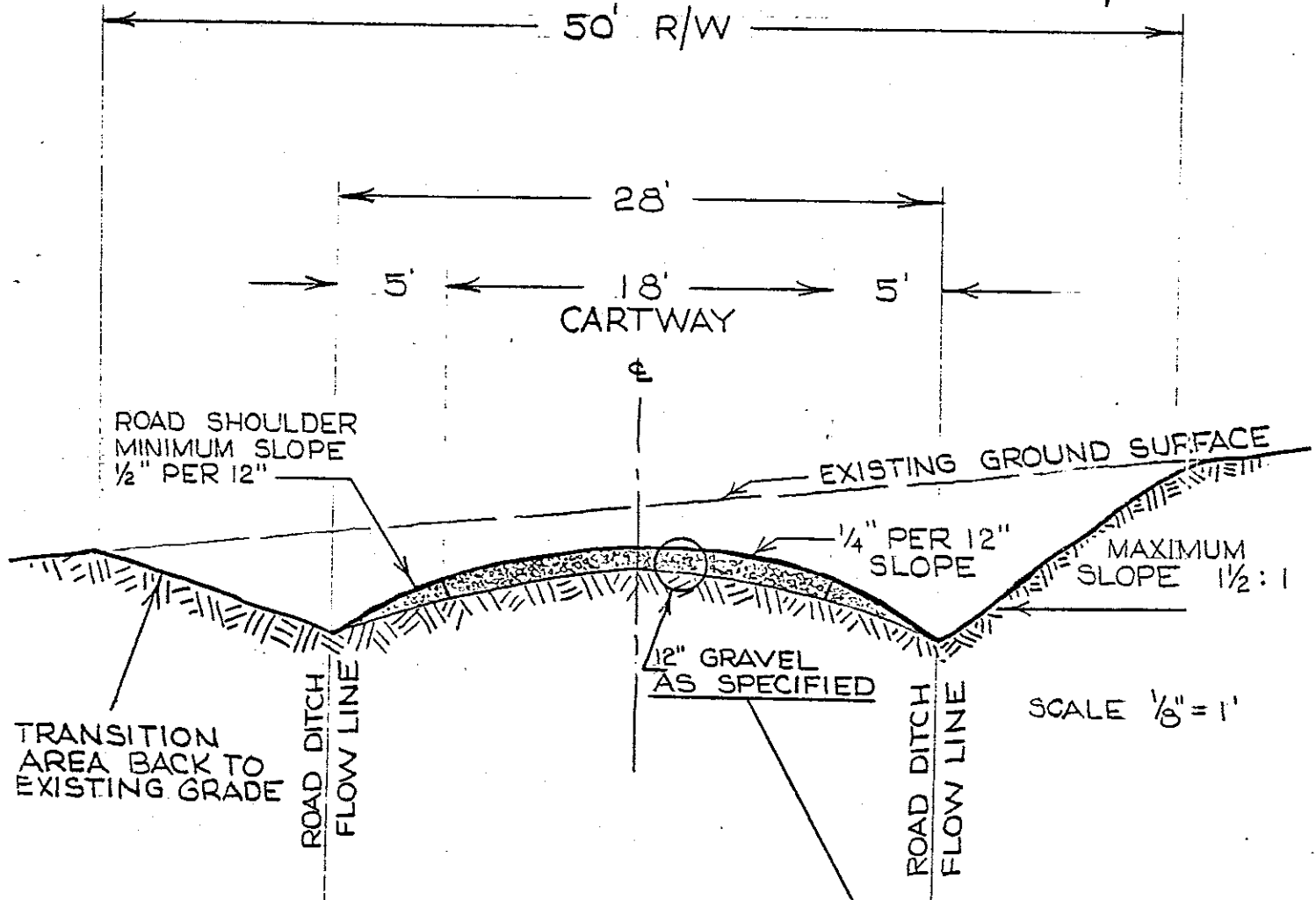
(All figures indicate feet except where noted otherwise.)

	R O A D S		
	Collector	Local	Alley
Minimum Width Right-of-Way ⁽¹⁾	50-60	50	20
Minimum Width Traveled Way or Cartway	18 w/s ⁽²⁾ 36 w/c ⁽³⁾	18 w/s 30 w/c	12
Maximum Grade	10%	12%	10%
Minimum Grade	1%	1%	1%
Minimum Radius of Curve	200	150	-
Minimum Length of Tangents Between Reverse Curves	100	-	-

At all changes in road grades where the algebraic difference in the grades exceeds 1%, vertical curves designed in conformance with sound engineering practice shall be provided to permit the following sight distances: for Local Roads, 150 feet; for Collector and Arterial Roads, 300 feet.

- NOTES:
- (1) Right-of-way widths in excess of the standards designated shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes not in excess of a $1\frac{1}{2}$:1 gradient.
 - (2) w/s indicates with road shoulders, however, the width given does not include the road shoulders.
 - (3) w/c indicates with curb construction. Collector roads utilizing curb construction shall have 60 foot rights-of-way.

ROAD SPECIFICATION FOR LOCAL AND COLLECTOR ROADS (ROAD SHOULDER CONSTRUCTION)



401.5 Access to Minor Arterial Roads. Where a subdivision borders on, or contains, an existing or proposed minor arterial road, the Borough Council may require that access points to the road be limited.

401.6 Cul-de-sac. The minimum right-of-way for the turnaround area, generally circular in shape, shall be 120 feet in diameter. There shall be a 500 foot limitation on the length of cul-de-sac roads. For cul-de-sac type roads the Borough Council may authorize alternative turnaround arrangements other than the circular form providing it is shown the alternatives can accommodate equally safe and convenient turning movements.

401.7 Roads normally should intersect at, or nearly at, right angles. Proposed new intersections along one side of an existing road shall, wherever practicable, coincide with existing intersections on the opposite side of said road. Road jogs with centerline offsets of less than 150 feet should be avoided wherever possible.

401.8 Where curbed road construction is used the minimum curb radius at the intersection of two roads shall be 15 feet.

402 DESIGN CRITERIA FOR STORM WATER MANAGEMENT PLANNING.

402.1 Storm water runoff shall be calculated on the basis of a 24 hour duration rainfall and a 50 year frequency storm.

402.2 The preferred method for calculating storm water runoff shall be the Soil Conservation Service, Soil Cover Complex method found in the Service's Engineering Field Manual or in the publication Urban Hydrology for Small Watersheds, Technical Release No. 55.

403 LOTTING STANDARDS.

403.1 Lotting plans shall be worked out with due regard to the topography and to the necessity for accommodating sewer and water utilities, whether of on-lot construction or otherwise. Each lot shall allow for convenient driveway access from a public road. Lotting arrangements shall be developed with due regard to the overall best use of land; lotting patterns which block opportunities for the reasonable utilization of nearby land shall be avoided.

403.2 Lot lines shall be generally at right angles to the public road. Corner lots shall have adequate width to accommodate building setbacks from two roads.

403.3 Minimum Lot Area and Lot Width. Minimum lot area and lot width shall be as established in the Zoning Ordinance of Springboro Borough. In all instances lot size shall accommodate sewer and water facilities.

403.4 Minimum Building Setback Line. Minimum building setback lines shall be as established in the Zoning Ordinance of Springboro Borough. Building setback lines may be greater than established herein.

403.5. In planning lot patterns excessive depth of lots in relation to width should be avoided. A proportion of 4.0 (length) to 1.0 (width) ratio should be considered maximum.

403.6 Double frontage lots should be avoided except where necessary to overcome specific disadvantages of topography or other conditions such as location adjacent to an arterial highway. Where double frontage lots are platted, the subdivider should handle vehicular access to the lots so that access occurs from local and not arterial roads.

403.7 Subdivisions should contain no useless remnants of land.

404 BLOCK STANDARDS.

404.1 Block lengths in residential areas generally should not exceed 1500 feet.

404.2 Pedestrian crosswalks not less than 5 feet wide may be required through the center of blocks more than 800 feet long where convenient access to schools, playgrounds, shopping facilities or other community facilities can be achieved.

405 EASEMENTS.

405.1 Electric power, telephone and other utility easements, where located on rear or side lot lines, should be centered on the rear or side lot lines and shall be a minimum of 15 feet wide. Where said easements are located along the front lot line adjacent to the public road they shall be a minimum of 10 feet in width.

405.2 Where a subdivision is traversed by a watercourse, easement designations of sufficient width to accommodate the 24 hour duration 50 year frequency storm shall be shown.

405.3 Easements for fencing and/or tree and shrub plantations for purposes of screening may be required between residential lots and commercial or industrial lots and along arterial highway frontages.

405.4 Whenever a road, planned to have continuity beyond the proposed subdivision, is temporarily stubbed or dead-ended awaiting the subdivision of adjacent land, a generally "square-shaped" area a minimum of 10,000 square feet shall be provided on a temporary basis for a vehicular turnaround. A temporary easement may be established on adjacent lots in order to obtain sufficient area for said turnaround. This easement shall terminate when the stubbed road is extended, and a statement to this end shall be entered on the plat.

406 SIDEWALKS. Sidewalks shall be required in all sections of the Borough. They shall be located in the public road right-of-way and shall be a minimum of 4 feet in width and shall be separated from the road curb by a minimum of 4 feet.

407 ROAD SIGNS. All roads shall be provided with road signs by the developer in accordance with current Borough standards.

408 ROADSIDE TREES. The subdivider should consider planting trees in an appropriate location in the public right-of-way. Tree varieties shall be used which are recognized as appropriate for roadside planting and shall be placed no closer than 40 feet, center to center.

409 CONSTRUCTION REQUIREMENTS FOR SUBDIVISION IMPROVEMENTS. The following construction requirements and specifications shall be considered as minimums. Improvements may be built to higher standards and specifications than those set forth in this ordinance providing they are approved by Borough Council.

409.1 Road Specifications. All new roads under the jurisdiction of this Ordinance shall be constructed according to the following standards, unless and until the Borough Council shall by resolution change or revise such standards. The act of changing such standards shall not require formal amendment to this ordinance.

- (a) Layout Standards. From the flow line of one road ditch to the flow line of the ditch on the other side of the road - where ditches are constructed in the right-of-way and there is no fill slope - there shall be a minimum distance of 28 feet. Centered in the right-of-way there shall be a minimum cartway (travel-way) of 18 feet. The cartway shall be crowned with a minimum slope of $\frac{1}{4}$ inch per 1 foot on both sides of the crown. The following five feet on each side of the cartway shall be a transitional area to the flow line of the road drainage ditch and shall be considered as the road shoulder. This shoulder area shall have a minimum slope of $\frac{1}{2}$ inch per 1 foot, but shall be constructed in a manner so as to effect a uniform transition from the edge of the road surface (cartway) construction to the drainage ditch flow line. See the accompanying road specification drawing. The remainder of the right-of-way distance, 10 feet on either side of the drainage ditch flow line shall be handled at a maximum gradient of $1\frac{1}{2}$ to 1, as a transition is made to the edges of the right-of-way.
- (b) Sub-grade Preparation. The sub-grade shall be formed from ditch line to ditch line (28 feet minimum), 12 inches below finished grade and shaped to the road cross section requirements. The sub-grade shall be brought to a firm, thoroughly compacted condition. Any soft or unsuitable material shall be removed and replaced with firm, suitable material.
- (c) Road Surfacing. The cartway of all new roads shall be paved with black top to meet current Borough standards.

409.2 Road Signs. Road signs shall be located on the northeast corner of each intersection and shall indicate the name of the road as established on the subdivision plat. The signs shall be identical to the typical sign construction used in the Borough, and shall be installed according to current Borough standards.

409.3 Survey Monuments and Markers. Survey monuments and markers shall be placed according to the following standards within each subdivision or land development, and shall be recorded on the final plat according to their location and type:

(a) Monuments shall be set at the intersections of all lines forming angles in the boundaries of all major subdivisions and land developments, and at the intersection of all streets.

1. Monuments shall be of concrete, no less than 6" x 6" x 18" with a 3/8" metal dowel in the center at the top.
2. Monuments shall be placed so that they protrude approximately 2" above grade in areas that are not paved, and at grade in paved areas not subject to traffic. On gravel roads or paved areas subject to heavy traffic they shall be 4" to 8" inches below grade and protected by a cast iron frame with access cover, or double monumented.

(b) Markers shall be set at all lot angles and corners, and at the beginning and end of all curves in lot or street lines of all subdivisions or land developments. Curves for corner radii at street intersections need not be marked if the intersection is monumented.

1. Markers shall be ferrous metal rods or pipe, $\frac{1}{2}$ " minimum diameter by 18" minimum length, or may be standard manufactured steel survey markers of similar length.
2. Markers shall be driven into the ground so as to be approximately flush with final grade.

409.4 Curbs. Curbs where constructed may be either the verticle type or the rolled curb and gutter type. They shall be constructed of Portland cement concrete with expansion joints every 20 feet minimum.

409.5 Sidewalks. Sidewalks shall be of concrete construction; they shall be a minimum of four feet wide and four inches thick and shall have a maximum cross slope of 2 percent.

409.6 Sanitary Sewerage Systems. Connections and extensions to the Borough's sewerage system shall be designed and constructed in accordance with the requirements of the Northwest Crawford County Sewer Authority.

409.7 Water Supply and Distribution System. Connections and extensions to the Springboro water system shall be designed and constructed in accordance with the requirements of said system.

409.8 Storm Water Management Control Devices. Storm sewers, where used, drainage channels and swales shall be constructed in accordance with accepted, current engineering practice and shall be sized based upon the design criteria established in this ordinance. The following additional specifications are established:

(a) Drainage culverts, where used, shall be constructed of galvanized or concrete pipe and shall be a minimum of 15 inches in diameter. Headwalls shall be constructed at the ends of culverts, except when a waiver is issued by Borough Council.

- (b) In the design of storm drainage facilities special consideration shall be given to the avoidance of problems which may arise from the concentration of runoff onto adjacent properties. Where storm water will be gathered and concentrated in newly formed swales and waterways within a subdivision or land development and discharged or drained over lands beyond the boundaries of the subdivision or land development, the applicant shall reserve or obtain easements over all lands affected thereby. Where this cannot be done the water shall be diffused so that it does not enter the adjacent property in a concentrated flow pattern where it did not do so in its natural state.

409.9 Bridges. Bridges of primary benefit to the subdivider as determined by the Borough Council shall be constructed at the full expense of the subdivider. The sharing of expenses between the subdivider and the Borough for the construction of bridges of only partial benefit to the subdivider shall be fixed by special agreement between the Borough Council and the subdivider. Depending on the size of a proposed bridge improvement state agencies may be involved in the subdivision approval process.

ARTICLE V. ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

500 ASSURANCE OF IMPROVEMENTS. The final plat of a proposed subdivision or land development shall not be approved by Borough Council until all construction of improvements is completed, or until appropriate assurances for the completion of such improvements have been provided. Assurances may be provided in any one or a combination of the following ways:

500.1 Early Construction. The subdivision improvements including, but not limited to, roads, road signs, storm water management devices and sidewalks, park, recreation and open space may be constructed or partially constructed and accepted by the Borough Council subject to maintenance guarantees as established in Section 502, said construction being accomplished by the subdivider after Preliminary Plan approval and prior to Final Plan approval by the Borough Council.

500.2 Performance Bond. A performance bond may be negotiated by the subdivider for the improvements as listed in Section 500.1 assignable to the Borough Council. The performance bond shall be for 110 percent of the estimated cost of all improvements shown on the final subdivision plan. The performance bond may include provisions for a maintenance bond rider; if not, maintenance guarantees shall be provided as established in Section 502. All bonds shall be with companies licensed to do such business in the Commonwealth of Pennsylvania.

500.3 Collateral. Cash or acceptable collateral, covering the cost of the improvements as listed in Section 500.1, may be placed in a restrictive or escrow account assignable to the Borough Council. Maintenance guarantees as established in Section 502 shall be provided in such escrow account. The amount in escrow shall equal 110 percent of the estimated cost of completing all improvements.

500.4 Letter Of Credit. A lending institution's letter of irrevocable credit may be considered adequate assurance. Such letter shall assure to Borough Council the construction of the improvements as listed in Section 500.1. Maintenance guarantees as established in Section 502 shall be provided in the letter of credit arrangement. The letter of credit shall assure funds equal to 110 percent of the estimated cost of completing said improvements.

500.5 Assurances for Proposed Extensions Of Public Sewerage Systems. Where extensions of public sewerage systems are proposed assurances to the appropriate organizations and officials shall be provided. Assurances may be in the method of any of the above listed or a combination of these methods, or according to the regulations of the Northwestern Crawford County Sewerage Authority.

500.6 Assurance Through Combination Of Methods. In providing the required assurances for improvements a combination, in whatever way, of the methods as set forth in the above sections is permissible.

500.7 Time Limitations for Completion of Improvements. The completion of improvements, as required in Subsection 500.1 shall be guaranteed to the public within one year of the date fixed on the subdivision plat for the completion of such improvements. Said guarantee shall be a part of any performance bond, collateral or letter of credit agreement between the Borough Council and the Subdivider.

500.8 Establishment of Improvements Costs. The cost of the improvements shall be estimated by submission to the Borough Council of a bona fide bid, or bids, from the contractor, or contractors, chosen by the party posting the financial security to complete the improvements or, in the absence of such bona fide bids, the costs shall be established by estimate prepared by the Borough Engineer.

500.9 Time Extension and Cost Estimates. If more than one year from the date of posting the financial security to complete the improvements is required, the amount of financial security may be increased by an additional ten percent for each year beyond the first anniversary date from posting of such security.

501 CONSTRUCTION OF IMPROVEMENTS BEFORE FINAL PLAN APPROVAL.

501.1 When the subdivider elects to begin construction of required improvements before the Borough Council has approved the Final Plan a written statement shall be obtained from the Borough Council indicating the Preliminary Plan including all engineering and construction plans and specifications have been reviewed and approved. In no event shall work on the construction of improvements begin before the Preliminary Plan has been approved by the Borough Council. Where engineering plans in the Preliminary Plan application are not completed in sufficient detail for actual construction and the subdivider intends to construct improvements before Final Plan approval, the subdivider shall complete these more detailed plans in order that the Borough Council can provide a written statement authorizing early construction.

501.2 When construction of improvements is begun based upon Preliminary Plan approval all improvements shall be completed within 12 months from the date of such approval. Should circumstances develop where the work cannot be completed in this time period, upon written request by the subdivider, extensions of time may be granted in writing by the Borough Council, otherwise he shall reobtain Preliminary Plan approval.

502 INSPECTION, COMPLETION AND RELEASE FROM IMPROVEMENTS GUARANTEE.

502.1 Inspection. During the construction of road, water line, sewer line and storm water drainage improvements the subdivider shall be required to notify the appropriate Borough officials at least 24 hours before critical points in the construction process so they may make inspections. In the case of roads the subdivider shall notify the officials before each of the following operations:

- (a) before gravel material is deposited on the compacted road sub-grade, and
- (b) before the top course of gravel or paving material is laid and rolled in place.

In the case of water and sewer lines before backfilling new lines or manholes, and for storm drainage at stages as determined by the Borough Engineer.

502.2 Partial Release From Guarantee. As the work of installing the required improvements proceeds, the party posting the financial security may request the Borough Council to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Borough Council, and the Council shall have forty-five days from receipt of such request within which to allow the Borough Engineer to certify, in writing, to Borough Council that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Council shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer fairly representing the value of the improvements completed. Failure of the Borough Council to act within said forty-five day period, shall be deemed to have been an approval of the release of funds as requested.

502.3 Completion of Improvements and Release From Improvement Bond.

- (a) When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Borough Council, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer as designated by Borough Council. The Council shall within 10 days after receipt of such notice, direct and authorize the Engineer to inspect all such improvements. The Engineer shall, thereupon, file a report, in writing, with the Council, and shall promptly mail a copy of the same report to the developer by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the Engineer of the authorization by the Council; and said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Engineer, said report shall contain in a statement of reasons for such non-approval or rejection.
- (b) The Borough Council shall notify the developer, in writing; by certified or registered mail of their action relating to the Engineer's report.
- (c) If the Council or the Engineer fail to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from any and all liability, pursuant to its performance guaranty bond or other security agreement.

- (d) If any portion of said improvements shall not be approved or shall be rejected by the Council, the developer shall proceed to complete the same and upon, completion, the same procedure of notification, as outlined herein, shall be followed.
- (e) Nothing herein shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Borough Council or Engineer.
- (f) Where herein reference is made to the Engineer, he shall be a duly registered Professional Engineer employed by the Borough or engaged as a consultant thereto. Costs of such engineering inspection services shall be borne entirely by the developer.
- (g) If the Council determines that all or any portion of the improvements are acceptable, they shall grant conditional approval of acceptance to the developer and release any improvement guarantee meant to cover all or that portion of the improvements approved.

502.4 Maintenance Agreement. The Borough Council may, prior to final release at the time of completion and certification by its engineer, require retention of ten percent of the estimated cost of the aforesaid improvements. Where the Borough accepts dedication of all or some of the required improvements following completion, the Council may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen months from the date of acceptance or dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen percent of the actual cost of installation of said improvements.

502.5 Municipal Acceptance. Final acceptance by the Borough Council of any improvements shall act as a public acceptance of said improvements and the ownership and further maintenance of said improvements shall become the responsibility of the Borough. Final acceptance shall also release the developer from any liability related to said improvements.

ARTICLE VI. LAND DEVELOPMENTS AND CLUSTER DEVELOPMENTS

600 JURISDICTION.

600.1 Land Developments. Certain physical developments are classified as land developments in the Pennsylvania Municipalities Planning Code, Act 247, and as such are subject to regulation. Land developments include, but are not limited to, mobile home parks, apartment complexes, industrial parks, and shopping centers. These developments are characterized by the fact that the development site is in a single ownership and the buildings and/or use areas are rented or leased to prospective users. There is no division of land typical of land subdivision actions, although buildings may be sold at the time of development or at some future time through cooperative or condominium arrangements.

600.2 Cluster Developments. The cluster development provides a process which accommodates building proposals not readily adaptable to subdivision and zoning regulations which are geared to the conventional subdivision method of development. Lot size and yard requirements, use restrictions and normal methods for the provision of street, park and utility maintenance may be set aside where the identical ends sought through conventional regulations can be achieved under cluster developments through the superior design of dwellings, site relationships and land parcelization, and through the establishment of special arrangements for community organization and management which fixes additional responsibilities on residents for maintenance of common areas and community services and utilities.

600.3 It shall be unlawful for an applicant to construct a land development or a cluster development as defined herein until

- (a) the Final Plan has been approved by the Borough Council and recorded as established in Section 206 of this ordinance,
- (b) a valid permit from the Pennsylvania Department of Environmental Resources, where applicable, has been approved for issue to the applicant,
- (c) a valid permit has been secured from the Borough Council or from the Pennsylvania Department of Transportation for highway right-of-way occupancy for the purpose of constructing access facilities, and
- (d) a zoning permit has been issued by the Springboro Zoning Officer.

601 PROCEDURES FOR LAND DEVELOPMENTS. In processing a land development, including mobile home parks, the three stage procedure established in this ordinance shall be used: Sketch Plan (not mandatory), Preliminary Plan, and Final Plan stages. Mobile home parks standards and requirements are set forth in Article VII. of this ordinance. The land development shall be processed, and submission requirements shall be, as required for major subdivisions. The Borough Council shall review and approve the land development applications. There is normally no final plat, however, the final site plan shall be recorded in the County Recorder's Office. Submission requirements where

they relate to the drawing of a plat need not be observed unless the land development proposal intends to convey land as in the case of a condominium arrangement.

602 DESIGN AND DEVELOPMENT STANDARDS.

602.1 Vehicular Access. Vehicular access connections to the external existing road network shall be safe; shall have adequate site distances; shall have the capacity to handle projected traffic, and shall have a minimum right-of-way width of 60 feet. Individual apartment buildings of six units or less shall be exempt from the 60 foot right-of-way requirements.

602.2 Internal Circulation. The internal circulation system shall be privately owned and maintained, and shall be designed for the safe and convenient access to all buildings and common facilities. All roads shall be constructed to Borough standards including paving, right-of-way and cartway standards as established in Article IV. of this Ordinance.

602.3 Parking. All parking areas shall meet the space requirements outlined in the Zoning Ordinance Borough of Springboro, and shall be well drained and paved or maintained in a dust free condition.

602.4 Surface Drainage. All surface drainage shall be handled in accordance with standards as set forth in this Ordinance.

602.5 Service Areas. Service areas for land developments shall be planned and constructed such that they are visible from existing or potential residential uses.

602.6 Site Planning. The site plan shall demonstrate that the buildings and vehicular circulation locations and elevations have been chosen with reasonable regard to the natural characteristics of the land.

603 ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS. Insofar as the land development involves the lease or rental of buildings and/or space on the site by the privately controlled single ownership, who is responsible for the site improvements including roads and storm drainage devices, there is no need for Borough acceptance of improvements and the provisions of Article V. of this ordinance shall not be applicable in the processing of the proposal. To the extent that the Borough shall be expected to accept and maintain development improvements the provisions of Article V. of this ordinance shall be complied with.

604 CLUSTER DEVELOPMENTS. Cluster developments are defined as land developments and permitted as conditional uses in the Zoning Ordinance of Springboro. The following sections explain the purpose of these developments, indicate their general nature, establish processing procedures, fix plan requirements and set forth design and improvement standards.

604.1 Purpose. This ordinance provides for cluster developments in order:

- (a) To encourage innovations in residential development and to foster greater variety in the type, design and siting of dwellings;

- (b) To provide a creative alternative to the conventional development which occurs on a lot by lot basis subject to traditional zoning regulations; and
- (c) To provide residents with greater access to common open space and recreation facilities than would be possible under the more conventional land development process.

The cluster development provides a technique and a process which accommodates building proposals not readily adaptable to zoning district regulations which are geared to the conventional subdivision method of development. Lot size and yard requirements, use restrictions and normal methods for the provision of street, park and utility maintenance may be set aside where the identical ends sought through conventional regulations can be achieved under cluster developments through the superior designs of dwellings, site relationships and land parcelization, and through the establishment special arrangements for community organization and management which fixes additional responsibilities on residents for maintenance of common areas and community services and utilities. The provisions of this article are based upon and are intended to be in compliance with the Pennsylvania Municipalities Planning Code Act 247 as amended, specifically Article VII, Planned Residential Development.

604.2 Relationship To Other Articles Of This Ordinance. Because of the special characteristics of cluster developments a different process and different requirements shall govern development. Whenever there is a conflict between the provisions of this article and other articles of this ordinance, the provisions of this article shall prevail.

604.3 General Requirements. The following general requirements shall be met in order to process a cluster development.

- (a) Ownership. Throughout the planning and approval process land to be developed under the provisions of this section shall be in single ownership, or in the case of multiple ownership, satisfactory evidence shall be presented indicating that the development will have a single, responsible administrative organization which can act for the multiple ownership. Upon approval of the development dwellings may be sold in fee simple or through cooperative or condominium arrangements; or the dwellings may be managed as rental properties. In any event a satisfactory structure shall be established by the developer to maintain common areas designated in the development plan and improvements or utilities that are not accepted for public maintenance.
- (b) The tract of land shall be located in a zoning district which permits cluster development.

604.4 Permitted Uses. A cluster development may include all housing types and uses normally ancillary thereto, recreation uses serving the development, and non-residential uses supportive to residences. More specifically the following uses are among those permitted: single family dwellings in detached, semi-detached and attached forms; two-family detached dwellings, seasonal dwellings; multi family dwellings including multi-story apartments and townhouse apartments; prefabricated homes including mobile homes in the

double wide, stacked and expandable forms; churches, schools, non-profit or philanthropic institutions, commercial uses, including offices, if such uses are ancillary and supportive to the residential uses in the cluster development; and facilities necessary for providing the public utilities serving the development.

604.5 Minimum Size And Density Of Development. Cluster developments shall have a minimum gross area of 2 contiguous acres. Using the cluster development technique the applicant may increase the residential density of the development by 20% over what would normally be allowed based upon the bulk regulations established in the applicable zoning district.

604.6 Processing Procedures. Applications shall be processed in 2 steps: (1) preliminary plan review and (2) final review. Prior to submission of the preliminary plan an optional step, the pre-application conference, is encouraged.

- (a) Pre-Application Conference. At the pre-application conference the applicant discusses all aspects of the proposed development, including rough sketches of site and building plans, with members of the Planning Commission and the Borough Council. This conference enables the developer to obtain the views of the Borough officials before more expensive engineering and architectural work is begun. Scheduling a pre-application conference is handled through the Borough Zoning Officer.
- (b) Administrative Responsibilities, The Preliminary Plan. The preliminary plan shall be filed with the Zoning Officer. Within 60 days of the acceptance of the plans as complete by the Zoning Officer: (1) the Planning Commission shall review the application, (2) the Borough Council, after public notice is given, shall hold a public hearing on the application, (3) the application shall be sent to the Crawford County Planning Commission which shall have 45 days in which to review and make recommendations on the proposal as required in the Pennsylvania Municipalities Planning Code. Within 30 days following the public hearing the Borough Council shall notify the applicant by letter of its approval, denial, or approval subject to specific conditions. All pertinent review comments shall be included in this letter.
- (c) Administrative Responsibilities, The Final Plan. Within 6 months of the date of preliminary plan approval, unless the developer requests and is granted a time extension, the developer shall submit the final plan application to the Zoning Officer. After the acceptance of the final application as complete by the Zoning Officer the application shall be provided to the Planning Commission which shall have 30 days in which to review it. Within 45 days the application shall be acted upon by the Borough Council. The Council shall notify the applicant by letter of its action on the proposal.
- (d) Recording of Final Plan. The original plan drawing(s), or reproducible and equally excellent copies thereof, shall be in the hands of the Borough Council before its final action on these plans. Up-

on approval of these plans they shall be recorded in the office of the County Recorder at the applicant's expense.

- (e) Cluster Development Involving Subdivision Plat. Where a subdivision plat is involved in the development it shall be processed as required in the ordinance and shall be given its final approval and recorded concurrent with the final plan as approved for the cluster development.

604.7 Plan Requirements.

- (a) Preliminary Plan Review. The following items of information shall be submitted to the Zoning Officer for preliminary plan review. Additional information may be submitted where appropriate. Plans shall be submitted by an engineer, landscape architect, and/or architect under appropriate seal.

- (1) Information on all pertinent existing conditions.
- (2) General site plan and various detailed plans as appropriate showing all proposed structures, uses, circulation systems, utility systems, and common open space.
- (3) Architectural plans showing the intent of the development for typical buildings.
- (4) Statement of intent regarding ownership and maintenance of required common open space and the development's improvements including its utility systems.
- (5) Schedule of stages of development where applicable.

- (b) Final Plan Review. The following items of information shall be submitted to the Zoning Officer for final review. Additional information may be required where it is deemed essential to the public review. Plans shall be submitted by an engineer, landscape architect, and/or architect under appropriate seal.

- (1) A general site plan legibly prepared on tracing film or equal material at a scale not smaller than one hundred feet to one inch showing boundaries (distances, bearings and monumentation), streets, walks, parking areas, all buildings and uses of lands, and common open space. Certification statements as required by the Borough shall be fixed on the general site plan.
- (2) Engineering plans detailing the construction of the required improvements as listed in Section 604.9.
- (3) All supporting material including information submitted as preliminary review including but not limited to plans, maps, sketches, elevations, cross sections, reports and narrative.
- (4) Evidence of approvals by appropriate public authorities, or agencies where applicable.

- (5) Evidence of the organizational structure of a resident's association where this form of management will be used to maintain common open space and other such private systems.

604.8 Design Standards. The developer should be free to create a more physically integrated, aesthetic and functional living environment using design skills and the latest achievements in building technology.

- (a) Performance Requirements. The development plan shall indicate how adequate privacy, light, air and protection from noise shall be achieved through building design, street layout, screening, plantings and the special siting of buildings.
- (b) Public And Private Streets. Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or a residents' association. Private streets shall meet Borough standards regarding subgrade preparation, base and surfacing construction. Off-street parking areas may be integrated with public street design and construction providing maintenance responsibilities are mutually agreed upon.
- (c) Common Open Space. A minimum of 20% of the net acreage shall be reserved for common open space. Where staged construction is utilized, at no time shall the total area of dedicated open space be less than 20% of the area of the project approved for development.

604.9 Required Improvements. The developer shall make satisfactory provision for the community improvements necessary to the proper functioning of the development. These include, but are not limited to, survey and boundary monuments, streets, street signs, water supply, sewage disposal, storm water runoff structures, and open space improvements. All water supply and sewage disposal facilities shall be planned, designed, and approved in accordance with the requirements of the Pennsylvania Department of Environmental Resources, Northwest Crawford County Sewer Authority and the Borough.

- (a) Common Open Space. Where areas of common open space are proposed for improvements they shall be improved by the developer. Unless the Borough agrees to a public dedication of the open space and to its maintenance, the developer shall formulate an acceptable method for maintaining this land.
- (b) Assurances. Before the final plan is approved by the Borough Council required public improvements (distinguished from private improvements to be maintained by the developer or a residents' association) shall be:
- (1) Licensed under Public Utility Commission regulations and procedures, where applicable, and
 - (2) Constructed and approved as built by the Council, or
 - (3) Insured under a performance bond approved by the Council, or

- (4) Assured through a letter of credit from a lending institution, or
- (5) Covered under some agreement mutually satisfactory to both the developer and the Council, or
- (6) Covered under any combination of the above methods as listed (2) through (5).

604.10 Amendments. Major revisions to the approved final plan, such as changes in land use, streets, major changes in the common open space system, major changes in building locations, shall be considered as amendments to the final plan and shall be processed as set forth in Section 604.6 of this ordinance. All other changes to the approved plan shall be submitted to the Borough Council and, with the Council's concurrence that such changes are minor in nature, shall be filed in the Borough records as normal changes occurring through the "dynamics of living." All changes submitted to the Council should be delineated graphically on plans with accompanying text as needed.

ARTICLE VII. MOBILE HOME PARKS.

700 PURPOSE. It is the purpose of this article to regulate mobile home parks so that mobile home park owners; mobile home park residents and other Borough residents can be assured of a safe and attractive mobile home living environment.

701 JURISDICTION AND COMPLIANCE.

701.1 Jurisdiction. Section 501 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, grants the Borough Council the power to regulate mobile home parks under its subdivision ordinance. Design standards and other standards outlined herein shall relate only to mobile home parks.

701.2 Compliance. Following the effective date of this Ordinance, all new mobile home parks and all expansions or extensions of existing mobile home parks shall be subject to the provisions of this Article. Likewise, existing mobile home parks which have ceased operation for a period of one year shall comply with this Article as if they were a new park upon their reuse or reopening.

701.3 Conflict With Existing Ordinances. Wherein other Borough ordinances in existence prior to the adoption of this Ordinance; such as, zoning, are in conflict with this Article, the applicable provisions of this Article shall prevail.

702 PERMITS REQUIRED. It shall be unlawful for an applicant to establish, construct, or extend a mobile home park unless such applicant obtains a valid permit issued by the Pennsylvania Department of Environmental Resources (PenNDER) and in addition has had the proposed development approved as a conditional use under the provisions of the Zoning Ordinance Springboro Borough.

703 REVIEW AND APPROVAL PROCEDURES.

703.1 Review/Approval Status. Under the jurisdiction of this Ordinance a mobile home park is considered a land development. As such it shall be reviewed by the Borough Planning Commission and approved by Borough Council in accordance with the standards and procedures established in Article VI Land Developments and Cluster Developments in this Ordinance.

703.2 Referral to Crawford County Planning Commission. One complete application shall be submitted to the Crawford County Planning Commission which shall have 45 days to forward its review to the Borough. The Borough shall not make its final decision on the approval of the proposed development until the 45 day review period provided the County Planning Commission has elapsed.

704 MINIMUM AREA REQUIREMENT. The minimum gross area of the site shall be 2 contiguous acres of land.

705 REQUIRED FACILITIES. Each mobile home stand shall be supplied with connections to sanitary, water and electrical systems. Common sewerage and water systems shall be provided subject to PennDER requirements. Each mobile home shall have a toilet, bathtub or shower, heating system, and kitchen in good working order. The development owner shall be responsible for maintaining the site in a clean and sanitary condition. An adequate system of storm water drainage shall be shown on development plans and shall be part of the required facilities.

706 SITE REQUIREMENTS.

706.1 The locations of mobile home areas shall be carefully related to the topography and shall be organized into a well conceived site plan, preserving as much as possible of the natural site.

706.2 Mobile home lots within the park shall have a minimum of 4,800 square feet; double and triple wide mobile home lots shall have a minimum of 6,000 square feet. Lots and areas shall be directly accessible to the internal street system. There shall be provided on each mobile home lot a patio area of at least 100 square feet with a least dimension of 10 feet. Driveways, parking spaces and patios shall be constructed with a permanent, stable, dust-free surface adequate for use during all seasons.

706.3 There shall be provided on all lots one off-street parking space which shall contain a minimum of 200 square feet with a least dimension of 10 feet. There shall be a minimum of 1½ parking spaces for each mobile home stand in a mobile home park.

706.4 Stands shall be constructed of an appropriate material, properly graded, placed, compacted and drained so as to be durable and provide an adequate frost free foundation for the support of the anticipated loads. Mobile homes shall be either permanently fastened to a foundation slab or footings or tied down to secure against uplift, sliding or overturning. A gradient on the stands shall occur in only one direction perpendicular to an edge, and shall be a maximum of 4%.

706.5 There shall be a minimum distance of 20 feet between each mobile home, including accessory structures attached thereto, and any portion of any other structure in the development. There shall be a minimum distance of 15 feet between each mobile home and the boundary of the nearest abutting internal street or common area. There shall be a minimum distance of 50 feet between each mobile home and the development's boundary lines.

706.6 Walks shall be planned and constructed so as to provide safe and convenient access throughout the development connecting individual stands to common areas, to all facilities, and to each other. Connecting walks shall be at least 3 feet wide and walks on individual lots shall be a minimum of 1½ feet wide. Walks shall provide an all-weather walking surface, and be reasonably free from mud, dust, and standing water.

706.7 A common area shall be provided to serve the residents of the development. A minimum of 10% of the gross acreage shall be established and developed as a common area.

706.8 Adequate storage facilities conveniently located to lots in the mobile home park shall be provided for storage of often used outdoor equipment, furniture and tools and such other material that is used only infrequently and which cannot be conveniently stored in the typical mobile home.

707 ACCESS AND INTERNAL ROAD SYSTEM.

707.1 The minimum width of the portion of the site used for vehicular access from exterior roads shall be 60 feet.

707.2 The development's internal street system shall be privately owned and maintained and shall be designed for safe and convenient access to all lots and common facilities. Streets shall be paved to meet current Borough standards and shall be a minimum width of 14 feet for one-way streets and 18 feet for two-way streets; where on-street parking is permitted 8 feet of road surface shall be added to each side of the street on which on-street parking is permitted. Road surface widths as required herein do not include the road cross-section devoted to storm water drainage, which shall be constructed in accordance with the storm drainage provisions of this Ordinance.

708 SKIRTING ON MOBILE HOMES. All mobile homes shall be covered or skirted around the entire base of the unit in such a manner that continuous facades exist from the ground upwards. The material forming this enclosure shall be compatible with the remainder of the unit and provide sufficient ventilation to inhibit decay and deterioration of the structure.

709 VISUAL RELATION TO SURROUNDING AREA. Either partial or full screening may be required at the boundaries of the development depending on the nature of the site and its relation to the uses in the surrounding area. Such screening may consist of walls, fences, plantings or terrain features, or any combination of these devices. If open fencing, such as chain link fence is used, it should be installed within plantings so as not to be easily visible from inside or outside of the development.

710 USES OTHER THAN RESIDENTIAL. No commercial uses considered as auxiliary to the developments shall be permitted. Service uses such as laundry and dry cleaning rooms and vending machines handling commonly needed supplies, however, shall be permitted as well as management offices.

ARTICLE VIII. DEFINITIONS

800 USAGE.

800.1 Words used in the present tense shall include the future; words used in the singular number shall include the plural number, and the plural the singular.

800.2 The word "shall" is mandatory and not discretionary.

800.3 The words "may" and "should" are permissive.

800.4 The term "person" includes a corporation, a partnership and an incorporated association of persons.

801 WORDS AND TERMS DEFINED.

801.1 Applicant. A land owner or developer including his heirs, successors and assigns who seeks authorization under the provisions of this ordinance to engage in an activity governed in whole or in part by this ordinance. An applicant may be a person, partnership, business, corporation, or an association of persons. The term is also used interchangeably with the term subdivider.

801.2 Basement. A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

801.3 Bench Mark. A point of known elevation and location in or near the subdivision and tied in with established marks in the vicinity that are maintained by the United States Coast and Geodetic Survey.

801.4 Block. A tract of land bounded by roads, or by a combination of roads, public parks, cemeteries, railroad rights-of-way, bulkhead lines or shore lines of waterways or corporate boundary lines.

801.5 Bond. Any form of security including a cash deposit, surety bond, collateral, property or instrument of credit.

801.6 Borough. The Borough of Springboro, Crawford County, Pennsylvania.

801.7 Borough Council. The Borough Council of Springboro Borough also referred to as the Borough or as the Council.

801.8 Building. Any structure constructed for the support, shelter or enclosure of persons, animals, chattels, or moveable property of any kind.

801.9 Building Setback Line. A line established generally parallel with and measured from, the lot line coterminus with the street right-of-way; no structure may be located above ground between the street right-of-way and this line except as may be provided under the provisions of this ordinance. This line is also referred to as a building line.

801.10 Cartway. That portion of the road right-of-way surfaced and used for vehicular travel. Cartway width is from one edge of surfacing to the other edge of the surfacing.

801.11 Cluster Development. A building venture to be developed by a single owner or a group of owners acting jointly involving a number of dwelling units, and in some instances uses ancillary thereto, and planned as an entity, allowing development and regulation as one complex land use unit rather than a group of individual buildings located on separate lots where lot size bulk, yard and density requirements normally govern development.

801.12 Comprehensive Plan. The Comprehensive Plan Springboro Borough dated June, 1979 and adopted by the Borough Council on September 4, 1979 showing the general location and extent of present and proposed land uses and physical facilities including housing, industrial and commercial uses, major streets, parks, schools, and other community facilities. The plan establishes the goals, objectives, and policies of the Borough.

801.13 County Planning. The Crawford County Planning Commission.

801.14 Covenant. An agreement or restriction placed on a parcel of land by a previous owner and usually found in the deed.

801.15 Crosswalk. A public right-of-way through a block providing pedestrian access to adjacent roads or areas.

801.16 Cul-de-sac. A local road having one open end and being permanently terminated by a vehicular turnaround.

801.17 D.E.R.. The Pennsylvania Department of Environmental Resources.

801.18 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; also referred to as a subdivider and applicant in this ordinance.

801.19 Development. An existing or planned land subdivision, land development, or cluster development whereon raw land is improved for uses; such as, residential, commercial or industrial.

801.20 Dwelling Unit, or Unit. One or more rooms in a dwelling which are used as living quarters for occupancy by one family, and which unit contains permanently installed bathroom and kitchen facilities reserved for the occupants of such rooms.

801.21 Easement. A right granted by a property owner for the use of a portion of the owner's land by the general public, a corporation, or a certain person or persons for a specific purpose or purposes.

801.22 Engineer. A Professional Engineer who is licensed as such in the Commonwealth of Pennsylvania.

801.23 Engineer, Borough. A Professional Engineer or engineering firm selected and designated by Borough Council as the Borough Engineer.

801.24 FHB Map. A map prepared by the U.S. Department of Housing and Urban Development, Federal Insurance Administration dated effective April, 1975 and adopted by the Borough Council as the Official Flood Hazard Boundary Map.

801.25 Governing Body. The Borough Council of Springboro Borough.

801.26 Gross Land Area Or Gross Acreage. The entire area of the subdivision including lots and roads, measured to the right-of-way on any bounding roads or adjacent property lines.

801.27 Gross Residential Density. A unit of measure indicating the number of dwelling units per gross area of land. Where a density figure is given, the allowable number of dwelling units is determined by multiplying the density figure by the gross acreage.

801.28 Improvements. Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including but not limited to grading, paving, storm sewer lines and drains, changes to existing watercourses, roads and road signs, monuments, water supply facilities and sewage disposal facilities.

801.29 Land Development. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving

- (a) a group of two or more buildings, or
- (b) The division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; or a subdivision of land as defined in this ordinance.

801.30 Landowner. The legal or beneficial owner(s) of land including the holder of an option or contract to purchase, a lessee if he is authorized under the lease to exercise the rights of the landowner, or other persons having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this ordinance.

801.31 Lot. A tract, parcel, plat, or piece of land intended as a unit, now existing or for the transfer of ownership or development whether immediate or future. Tracts of land for agricultural purposes, in parcels of more than ten acres, not involving any new road or easement of access, shall be exempted and not considered a lot under this ordinance.

801.32 Lot, Double Frontage. A lot with opposite ends both abutting on public roads.

801.33 Marker. Usually a metal rod driven into the ground indicating a point established by a land surveyor or engineer and marking the geometry of property boundary lines.

801.34 Mobile Home. A transportable single family dwelling, which exceeds either 8 feet in width and/or 32 feet in length, intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at the site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

801.35 Mobile Home Lot. A parcel of land in a mobile home park, improved with the necessary utility connections and other facilities necessary for the erections thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

801.36 Mobile Home Park. A parcel of land under single ownership which has been improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots. Mobile home parks shall also be considered land developments under this ordinance.

801.37 Mobile Home Stand. That part of an individual mobile home lot which has been reserved for the placement of the mobile home.

801.38 Monument. A buried survey point on the land of known location, and preferably located by coordinates, which is established by an engineer or land surveyor, and used to locate property lines, building lines, etc. Monuments shall be constructed of concrete with dimensions no less than 6" x 6" x 18" having a 3/8" metal dowel in the center and exposed at the top.

801.39 Owner. Any persons, group of persons, firm or corporation or any other legal entity having legal title to or sufficient proprietary interest in land sought to be subdivided or developed under this ordinance.

801.40 Planning Commission. The Springboro Borough Planning Commission also referred to as the Commission or the Planning Commission.

801.41 Plat. A plan, map or drawing on which the subdivider's plan for the subdivision of land or land development is represented and which he submits for approval and intends to record.

801.42 Right-of-way. A strip of land taken or dedicated for use as a public way. In addition to the roadway surface, it normally incorporates curbs, lawn strips, sidewalks, and drainage facilities.

801.43 Road. An area which primarily serves or is intended to serve as a vehicular and pedestrian access to abutting lands or to other roads. The word "road" refers to the entire right-of-way or easement, whether public or private, and not just the surfaced roadway or paving. Included also are all streets, alleys and highways within the Borough.

801.44 Road, Marginal Access. A local road which is parallel and adjacent to a highway and which provides access to abutting properties while separating them from the highway, protecting local traffic from the fast moving, through moving traffic on the highway.

801.45 Road, Private. Any road which is under the jurisdiction of an individual, corporation, or trustee, or any road which is privately owned or established.

801.46 Road, Public. Any road which is dedicated for public use or which shall be dedicated for public use.

801.47 Sight Distance. The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurement shall be made from a point 4.5 feet above the centerline of the road surface to a point in the distance 0.5 feet above the centerline of the road surface.

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

801.49 Subdivider. The owner or his agent with written authority and having detailed knowledge of the proposed subdivision or land development; also referred to as applicant and developer in this Ordinance.

801.50 Subdivision. The division or redivision of a lot, tract, or parcel of land, by any means, into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development; provided, however, that,

- (a) the division of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access, and
- (b) conveyances executed for the sole purpose of settling bonified property line disputes between adjoining owners,

shall not be considered subdivisions as defined herein.

801.51 Subdivision, Minor. A subdivision containing five lots or less and where

- (a) the lots front on existing public roads and there is no new road proposed, and
- (b) there are no significant extensions of existing sanitary sewers, storm water sewers, or water system lines and
- (c) there is no other area reserved or dedicated to the public, and
- (d) there is no construction of other public improvements necessary or contemplated.

801.52 Subdivision, Major. A subdivision containing six or more lots or a subdivision requiring either

- (a) a new road,
- (b) an extension of sanitary sewers, storm water system lines, or
- (c) the construction of other public improvements.

All subdivisions not classified as single-lot or minor subdivisions shall be classified as major subdivisions.

801.53 Survey, Property. An accurate drawing of an actual field survey approved by a Professional Land Surveyor depicting existing or proposed property boundaries. Wherein such a "property survey" is made for the subdivision of only one lot it shall be termed as such and processed under Section 301 of this Ordinance.

801.54 Surveyor. A Professional Land Surveyor registered as such by the Commonwealth of Pennsylvania.

801.55 Zoning Ordinance. The Zoning Ordinance Borough of Springboro, Crawford County, Pennsylvania effective September 7, 1980, and any amendments thereto.

ORDAINED AND ENACTED THIS 1st day of Sept., 1981

SPRINGBORO BOROUGH COUNCIL

Ross S. Graham
Ross S. Graham, President

Frank J. Minnick
Frank J. Minnick, Mayor

ATTEST:

Alice Silva
Alice Silva, Secretary

CERTIFICATION

I hereby certify that the above and foregoing is a true and correct copy of an ordinance duly enacted by the Springboro Borough Council, Crawford County, Pennsylvania, at its meeting held on the 1st day of September, 1981 at which time a quorum was present.

Alice Silva

APPENDICES

APPENDIX I. CERTIFICATES. The following certificates shall be placed on all plats and/or site plans. The language of the certificates need not be exactly as shown hereunder but it shall convey in a reasonable way the same information and/or assurances.

- 1. Approval Statement for Springboro Borough Council:

THIS PLAT WAS GIVEN FINAL APPROVAL BY THE SPRINGBORO BOROUGH COUNCIL ON _____
(date)

(signature of authorized approving official)

- 2. Review Statement for Springboro Planning Commission:

REVIEWED BY THE SPRINGBORO BOROUGH PLANNING COMMISSION ON _____
(date)

(signature of authorized official)

- 3. Review Statement for Crawford County Planning Commission:

REVIEWED BY THE CRAWFORD COUNTY PLANNING COMMISSION ON _____
(date)

THE SIGNATURE HEREON DOES NOT ESTABLISH APPROVAL OR DIS- APPROVAL OF THIS SUBDIVISION, BUT INDICATES THE COMMISSION HAS MADE REVIEW COMMENTS WHICH HAVE BEEN PROVIDED TO THE LOCAL MUNICIPALITY AND THE SUBDIVIDER AND WHICH ARE PART OF THE PUBLIC RECORD.

SIGNATURE OF AUTHORIZED OFFICIAL

4. Professional Land Surveyor's Statement:

I, _____, hereby certify that I am a land surveyor currently registered in the State of Pennsylvania; that this plat correctly represents a survey completed by me, that all monuments shown hereon actually exist, and that their location and material are accurately shown.

(date)

(signature)

(seal)

5. Owners Declaration

We (I) hereby certify that we (I) own the property plotted hereon and that this plat is made for the purpose of subdividing the property. Building setback lines are established on this plat between which lines and the property lines of the road(s) there shall be erected no building.

(date)

(signature)

(signature)

(signature)

State of Pennsylvania
Crawford County

Sworn to and subscribed before me, a notary public this _____ day of _____.
My commission expires _____.

NOTARY PUBLIC

6. Owners Dedication Statement:

All roads (park areas, if applicable) shown on this plat and not heretofore dedicated are hereby dedicated to the public. Building setback lines are established on this plat between which lines and the property lines of the road(s) there shall be erected no building.

_____ (date)

_____ (signature)

_____ (signature)

_____ (signature)

State of Pennsylvania
County of Crawford

Sworn to and subscribed before me, a
notary public this _____ day of _____.
My commission expires _____.

NOTARY PUBLIC

APPENDIX II. EASEMENTS. Depending on the nature of the subdivision or land development the following easements may be required on the plan and/or site plans. The language of these easements need not be exactly as shown hereunder but it shall convey in a reasonable way the same information and/or assurances.

1. Utility Easement

An easement is hereby granted to all public utility companies, and their respective successors and assigns, to install, place and maintain sewers, water mains, gas main, conduits, cables, poles and wires, either overhead or underground with all necessary braces, guys, anchors, and other appliances in, upon, along and over the strips of land designated on the plat and marked UTILITY EASEMENT, for the purpose of serving the public in general with sewer, water, gas, electric and telephone service, together with the right to enter upon the said easements for public utilities at all

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times for any and all of the purposes aforesaid and to trim and keep trimmed any trees, shrubs, or saplings that interfere with any such utility equipment. No permanent buildings shall be placed on said easement.

2. Drainage Easement

An easement is hereby granted to (Springboro and/or the Homeowners' Association) for the purpose of maintaining a drainage waterway upon the land designated on the plat as DRAINAGE EASEMENT. No structures or plantings shall be placed or maintained in this easement which will interfere with the intended drainage functions of this easement nor with necessary and normal maintenance and/or drainage installation operations if such be required.

APPENDIX III. STATEMENTS ON THE HANDLING OF SEWAGE NEEDS.

Where individual systems (on-lot systems) shall be necessary to handle sewage needs one of the following statements may be required to be placed on the plat.

1. Sewage needs on this lot require an individual system, the permit for which is not guaranteed through the approval of this plat and which must be issued by the Borough before building can legally proceed.
2. Sewage needs on each of these lots require an individual system, the permits for which are not guaranteed through the approval of this plat and which must be issued by the Borough before building can legally proceed.
3. Individual systems shall be necessary to handle sewage needs in this subdivision. Soils in this subdivision have been examined by Borough officials and have been found generally suitable for individual systems; however a buyer shall know that building activity cannot legally proceed on any lot prior to the issuance, by the Borough, of an individual sewage system permit for said lot.

APPENDIX IV. SUBDIVISION AND/OR LAND DEVELOPMENT APPLICATION FORM.

The following information shall be supplied the Borough Council in the form of a written application.

- * Name of subdivision and/or land development _____
- * Name of subdivider _____

- Address _____ Telephone _____
- * Name of subdivider's agent _____
- Address _____ Telephone _____
- * Location of major subdivision _____
- * Type of development _____
(residential, commercial, etc.)
- * Approximate number of lots _____ Gross acreage _____
- * General statements on the handling of:
 - Sewage _____
 - Potable water _____
 - Storm drainage _____

 - Electricity _____
 - Other utilities _____
- * Zoning _____
- * Facts about surrounding area _____
- * Provision of park and recreation space _____
- * Intended timing of development _____
- * Other necessary supporting documents shall be a part of this application and shall be attached hereto.
- * The applicant understands and agrees that this application will not be processed until all applicable fees are paid in full, and all necessary permits have been granted.

Date _____

(Applicant's Signature)