

**BOROUGH OF ABBOTTSTOWN**

**SUBDIVISION**

**AND**

**LAND DEVELOPMENT ORDINANCE**

ADOPTED  
February 20, 2014



**THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF ABBOTTSTOWN BOROUGH**

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**ORDINANCE #2014-02**

**THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF  
ABBOTTSTOWN BOROUGH**

**AN ORDINANCE ESTABLISHING SUBDIVISION AND LAND DEVELOPMENT REGULATIONS FOR ABBOTTSTOWN BOROUGH, ADAMS COUNTY, PENNSYLVANIA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE V OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247 OF 1968, AS REENACTED AND AMENDED.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ABBOTTSTOWN,** in the County of Adams and the Commonwealth of Pennsylvania, as follows:

**ARTICLE I: GENERAL PROVISIONS**

**Section 100: Short title.**

This ordinance shall be known and may be cited as "The Subdivision and Land Development Ordinance of Abbottstown Borough."

**Section 101: Purpose.**

This ordinance is established to regulate and control the subdivision and development of land within Abbottstown Borough so as to provide sites suitable for human habitation, commercial and industrial operations, and other uses for which land may be developed, thereby creating conditions favorable to the health, safety, morals and welfare of the community.

**Section 102: Scope.**

From and after the effective date of this Ordinance, any subdivision or land development shall be in conformity with this Ordinance and all standards and specifications adopted as a part of such Ordinance. Applicants are hereby notified that submissions prepared in accordance with this Ordinance shall also be subject to the Abbottstown Borough Zoning Ordinance, the Abbottstown Borough Construction and Materials Specifications Ordinance, the Abbottstown Borough Stormwater Management Ordinance, and the Pennsylvania Uniform Construction Code, or its replacement.

**Section 103: Interpretation.**

In interpreting and applying the provisions of this Ordinance, they shall be held to be minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. When provisions of this Ordinance and all standards and specifications adopted under it impose greater restrictions than those of any statute, other Ordinance or regulations, the provisions of this Ordinance and its standards and specifications shall be controlling unless specified to the contrary. The illustrations in this Ordinance are not a part of the Ordinance, but are included herein for purposes of explanation and clarification only.

**Section 104: Plan Approving Authority.**

All subdivision and land development plans shall be subject to approval, modification or rejection by the Borough Council; in the event such a plan is disapproved the reasons therefore shall be set forth in writing and given to the applicant. Prior to action by the Borough Council all subdivision and land development plans shall be referred to the Borough Planning Commission for its review and recommendations.

**Section 105: Review of Plans.**

Subdivision and land development plans shall be reviewed by the Borough Planning Commission at its first regular meeting following the date of submittals providing that such plans are submitted at least 10 business days prior to the meeting. Meetings of the Planning Commission at which plans are reviewed shall be open to the public.

**Section 106: Approval of Plans; Hearing.**

Approval of preliminary plans, if applicable, by the Borough Council shall be considered approval of the arrangement and dimensions of streets, lots and other features shown on the plans and may be made conditionally on specified changes to be incorporated in the plans. The Borough's approval of the final plans shall be given only after the requirements and conditions indicated on or in connection with the preliminary plans, if applicable, have been met; and said approval shall constitute final Borough approval for the purpose of recording the plans in the office of the County Recorder of Deeds. Before acting on any plan, the Borough Council may arrange for a public hearing thereon after giving such notice as it may deem necessary and desirable in each case.

**Section 107: Fees.**

Now, therefore, it is hereby ordained and established that the Borough Council of Abbottstown, Adams County, Pennsylvania, hereby transfers the setting and establishment of all review and inspection fees imposed pursuant to this Chapter to resolution(s) set and established by Abbottstown Borough Council on an annual basis that will establish all required review and inspection fees in connection with the application and approval process of all subdivisions and land developments within Abbottstown Borough, Adams County, Pennsylvania.

**ARTICLE II: DEFINITIONS****Section 200: Interpretation.**

A. For the purpose of this Ordinance, the words and terms used herein shall be interpreted as follows:

1. Words used in the present tense include the future.
2. The singular includes the plural.
3. The word "person" includes a corporation, partnership, association, or other legal entity, as well as an individual.
4. The word "lot" includes the word "plot" or "parcel".
5. The term "shall" is mandatory.
6. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be occupied".
7. The word "Commission" and the words "Planning Commission" shall mean the Abbottstown Borough Planning Commission.
8. The word "Borough Council" shall mean the Abbottstown Borough Council.

B. Any word or term not defined here in but defined in the Abbottstown Borough Zoning Ordinance, Abbottstown Borough Construction and Material Specification Ordinance, or Abbottstown Borough Stormwater Management Ordinance shall be used with the meaning defined in those ordinances.

C. Any word or term not defined per Section 200.B or otherwise herein shall be used with a meaning of standard usage.

D. Unless a contrary intention clearly appears, the following words and phrases shall have, for the purpose of this Ordinance, the meanings given in the following clauses:

**Section 201: Definitions.**

**ACCESSORY STRUCTURE** – A structure detached from, subordinate to, and on the same lot with the principle structure, and used for purposes customarily incidental thereto. Accessory structures shall include car ports, private garages, gazebos, pet houses, utility or storage buildings, and swimming polls, as defined herein.

**ALLEY** – See definition for “Street, Alley/ Service Street”.

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

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

**AS BUILT DRAWING** – A plan prepared and certified by a registered engineer or surveyor illustrating the physical location, dimensions and topographic features of improvements in relation to property boundaries, other features and improvements and the specifications of an approved development plan. As-built drawings shall be prepared at a scale of not less than one inch equals fifty feet.

**AVERAGE DAILY TRAFFIC (ADT)** - The total volume during a given time period (in whole days), greater than one day and less than one year, divided by the number of days in that time period.

**BERM** - A linear earth mound with a maximum slope of three to one (3:1) with a grass cover or a maximum slope of two to one (2:1) when shrubbery or ground cover is used.

**BLOCK** - An area bounded by three (3) or more streets.

**BOROUGH COUNCIL** – The Borough Council of the Borough of Abbottstown, Adams County.

**BOROUGH ENGINEER** - A registered professional engineer designated by the Borough Council to perform the duties of engineer as herein specified.

**BUILDING** - A combination of materials to form a permanent structure having walls and a roof, including, but not limited to, all mobile homes and trailers.

**CALIPER** - The diameter of the main trunk of a tree measured at twelve inches (12”) above the ground surface.

**CARTWAY** - The paved portion of a street right-of-way intended for vehicular use.

**CERTIFICATE OF REGISTRATION** – The written approval as issued by the Department of Environmental Protection, authorizing a person to operate and maintain a mobile home park.

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

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

**COUNTY** – The County of Adams, Pennsylvania.

**CROSSWALK** – A crosswalk shall be defined as:



- a. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway, and in the absence of a sidewalk on one side of the roadway, the part of a roadway included within the extension of the lateral lines of the sidewalk at right angles to the center line; or
- b. Any portion of a roadway at an intersection or elsewhere distinctly indicated as a pedestrian crossing by pavement marking lines on the surface, which might be supplemented by contrasting pavement texture, style, or color.

**CUL-DE-SAC** - A street intersecting another street at one (1) end and terminating in a vehicular turnaround at the other end. The length of such street shall be measured from the edge of cartway from the intersecting street, along the center line of the cul-de-sac street, to the opposite end of the turnaround.

**DENSITY** – The proportionate amount of land allocated for each primary use exclusive of public rights-of-way and streets.

**DESIGN STANDARDS** - Regulations, as stated in Article V, imposing standards in the layout by which a subdivision or land development is governed.

**DEVELOPER** – Any landowner, agent of such landowner, or tenant with the permission of such landowner, or one authorized and empowered by a landowner, who makes or causes to be made a subdivision of land or a land development or a resubdivision.

**DRIVEWAY** – The vehicular entrance and exit for land use.

**DWELLING** – Any building which is designed for human living quarters, but not including hotels, boarding houses, tourist cabins, motels, and other accommodations used for transient occupancy.

**DWELLING UNIT** – An independent housekeeping unit consisting of living quarters of one or more rooms with cooking, sleeping, and sanitary facilities, arranged for use by one or more individuals.

**EASEMENT** – The right of a person, governmental agency, or public entity to use public or private land owned by another for a specific purpose.

**ENGINEER** - A professional engineer registered by the Commonwealth of Pennsylvania.

**FLOODPLAIN** – Any land area susceptible to inundation by water from any natural source or delineated by applicable FEMA maps and studies as being a special flood hazard area.

**FLOODPLAIN SOILS** - Soils in areas subject to periodic flooding and listed in the Soil Survey of Adams County, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service, May 1967, as may be amended or updated, as being on the floodplain or subject to flooding. "Floodplain soils" include, but are not limited to:

- |                 |                 |
|-----------------|-----------------|
| 1. Bowmansville | 6. Melvin       |
| 2. Croton       | 7. Rohrersville |
| 3. Dunning      | 8. Watchung     |
| 4. Guthrie      | 9. Wehadkee     |
| 5. Lamington    | 10. Worsham     |

**IMPERVIOUS SURFACE (IMPERVIOUS AREA)** - A surface that prevents the infiltration of water into the ground. Impervious surfaces and areas include but are not limited to roofs, additional indoor living spaces, patios and decks, garages, storage sheds and similar structures, streets, driveways, access drives, parking areas, and sidewalks. Any areas designed to be covered by loose surfacing materials such as gravel, stone and/or crushed stone, and intended for storage of and/or travel by vehicles, or pedestrians shall be considered impervious; however, a credit may be given for pervious surface that are designed and maintained as such. The credit shall be developed on a case by case basis. Surfaces or areas designed, constructed and maintained to permit infiltration may be considered pervious in terms of stormwater management; however, this definition is not iterative throughout all definitions as determined by the Subdivision and Land Development and Zoning ordinances. (eg. Impervious coverage (as allowed per zoning ordinances) must include the pervious surfaces such as porous concrete or pavers in the impervious area calculation.)

**LAND DEVELOPMENT** - Any of the following activities:

1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
  - a. a group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or
  - b. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
2. A subdivision of land.
3. Development in accordance with Section 503(1.1) of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

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

**LANDSCAPE ARCHITECT** - A professional landscape architect registered by the Commonwealth of Pennsylvania.

**LANDSCAPING PLAN** – A Plan prepared to demonstrate the additions of trees, plants, and other natural and decorative features to the land, as may be required by this Ordinance.

**LANDSCAPING** – The area within the boundaries of a given lot that consists of planting materials, including, but not limited to, trees, shrubs, ground covers, grass, flowers, decorative rock, bark, mulch, and other similar materials. At least 50 percent of the landscaping area must be covered by live plant material at the time of plant maturity.

**LEVEL OF SERVICE** - As described in the Highway Capacity Manual, Special Report 209 (Washington, D.C.: Transportation Research Board, National Research Council, 1985, as may be amended from time to time), the quality of traffic movement on a particular street or through a particular intersection.

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

**LOT AREA** – The area contained within the property lines of a lot, excluding any street or utility right-of-way or driveway easement providing access to an adjoining property, or officially designated floodplain located on the lot.

**LOT, CORNER** - A lot abutting on, and at the intersection of, two (2) or more streets.

**LOT DEPTH** – The horizontal distance measured between the street right-of-way line and the closest rear property line measured perpendicular along straight street rights-of-way and measured radially along curved street rights-of-way. On corner and reverse frontage lots, the depth shall be measured from the street right-of-way of the street of address to the directly opposite property line.

**LOT, DOUBLE FRONTAGE** – See Lot, Through.

**LOT FRONTAGE** – The length of the front lot line measured at the street right-of-way line.

**LOT, INTERIOR** - Any lot which is not a corner lot.

**LOT, THROUGH** - An interior lot having frontage on two (2) parallel or approximately parallel streets. The lot shall not be considered a Through Lot if the street the lot fronts is an Alley/Service Street, as defined in this Ordinance.

**LOT WIDTH** - The horizontal distance between side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line. On corner lots, lot width shall be measured between the right-of-way line for the non-address street and the directly opposite property line along the minimum building setback line, and at the street right-of way line along the street of address.

**LOT LINE, FRONT** – That lot line that is described as the front property line in the deed of said property unless otherwise specified in this Ordinance. In the absence of a deed described front property line, said line shall be the centerline of the street right-of-way.

**LOT LINE, REAR** – That lot line which is parallel to and most distant from the front lot line of the lot. In the case of an irregular, triangular or gore shaped lot, a line 10 feet in length, entirely within the lot, parallel to, and at the maximum distance from, the front lot line shall be considered the “rear lot line”.

**LOT LINE, SIDE** – Any lot line other than a front or rear lot line.

**LOT LINES** – The lines bounding a lot.

**MAJOR INTERSECTION** - Any intersection of one (1) or more collector or arterial streets.

**MARKER** - A metal pipe or pin of at least one inch (1") diameter and at least twenty-four inches (24") in length.

**MOBILEHOME** - A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. Any unit that can be moved under its own power and without assistance from another vehicle shall not qualify as a mobilehome.

**MOBILEHOME LOT** - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

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

**MOBILEHOME PARK PERMIT** - A written approval as issued by the Borough Council, authorizing a person to operate and maintain a mobile home park under the provisions of this Ordinance.

**MODIFICATION** – The waiver or alteration of a requirement of this Ordinance as may be approved by the Borough Council following written request from an applicant.

**MONUMENT** - A stone or concrete monument with a flat top of at least four inches (4") square; scored with an "X" to mark the reference point; at least thirty inches (30") in length; the bottom sides of which are at least two inches (2") greater than the top to minimize movements caused by frost.

**OPEN SPACE** – Any parcel or area of land or water, or a combination of land and water, within a development site that is free of non-recreation related improvements and impervious surfaces. Open space may or may not be designed or intended for the use and enjoyment of, and direct access by, residents of the development and shall not include areas devoted to buildings, structures, driveways, access drives, parking lots, street rights-of-way, and areas set aside for public facilities. Open space may include both active and passive recreation activities.

1. **OPEN SPACE, ACTIVE** - Land which is set aside for use as active recreational areas, such as playfields, playgrounds, skating rinks, swimming pools, tennis courts, and areas for water management (storm, waste, potable supply).
2. **OPEN SPACE, PASSIVE** - Land used for passive recreation, agriculture, resource protection, amenity, or buffers and protected from future development by the provisions of this Ordinance to insure that it remains as open space.

**PEAK HOUR TRAFFIC** - The highest number of vehicles found or expected to be found during the a.m. or p.m. hours, passing over a section of street in sixty (60) consecutive minutes.

**PLAN, MAJOR SUBDIVISION** – Any nonresidential subdivision, and any residential subdivision plan proposing the creation of more than (5) residential lots or dwelling units, or any residential subdivision which requires the construction, installation or extension of new public improvements, including but not limited to streets, sewer and/or water lines, stormwater management facilities or other similar infrastructure, regardless of intended ownership of those facilities.

**PLAN, MAJOR LAND DEVELOPMENT** – A land development involving the construction of twenty-thousand (20,000) square feet or more of building coverage, or any land development which requires the construction, installation or extension of new public improvements, including but not limited to streets, sewer and/or water lines, stormwater management facilities or other similar infrastructure, regardless of intended ownership of those facilities.

**PLAN, MINOR SUBDIVISION** – A residential subdivision plan proposing the creation of five (5) or fewer residential lots or dwelling units and which does not require the construction, installation or extension of new public improvements, including but not limited to streets, sewer and/or water lines, stormwater management facilities or other similar infrastructure.

**PLAN, MINOR LAND DEVELOPMENT** – A land development involving the construction of five thousand (5,000) square feet or more and less than twenty-thousand (20,000) square feet of building coverage or parking lot expansions, and which does not require the construction, installation or extension of new public improvements, including but not limited to streets, sewer and/or water lines, stormwater management facilities or other similar infrastructure.

**PLAN, RECORD** - A copy of the final plan which contains the original required endorsements of the Borough and which is intended to be recorded with the Adams County Recorder of Deeds.

**PLAN, SKETCH** - An informal plan, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development.

**PLANNING MODULE** - An application required by the Pennsylvania Sewage Facilities Act, Section 5 (a) and (d); and Section 71.15 (b) and (c) of the Pennsylvania Department of Environmental Protection, Title 25: Rules and Regulations, Chapter 71, Administration of the Sewage Facilities Program, as amended.

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

**RECREATION AREA** - An area provided for public or common recreational pursuits pursuant to this Ordinance and the Borough's Zoning Ordinance.

**RESUBDIVISION** - Any replatting or new division of land. Replatting shall be considered as constituting a new subdivision of land. See definition of "subdivision".

**REVIEW** - An examination of a plan to determine compliance with this Ordinance, the Zoning Ordinance and other pertinent requirements.

**RIGHT-OF-WAY** – A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipelines, water lines, sanitary sewer lines, storm sewer lines and other similar uses to allow the right of one person to pass over the property of another.

1. **EXISTING RIGHT-OF-WAY** - The legal right-of-way as established by the Commonwealth, or other appropriate governing authority, and currently in existence.
2. **ULTIMATE RIGHT-OF-WAY** - The right-of-way as shown on the Street Classification Map, as appropriate to provide adequate width for future street improvements.

**SECRETARY** - The Secretary of the Abbottstown Borough Council.

**SERVICE STREET** – See definition for “Street, Alley / Service Street”.

**SETBACK LINE** - A line, generally parallel with and measured from the adjoining road or street right-of-way or property line, defining the limits of a yard in which no building or structure may be located.

**SEWER** - A public or private sanitary sewer system.

1. **PUBLIC SEWER SYSTEM** - Any system, including capped sewers, approved by the Pennsylvania Department of Environmental Protection and Abbottstown Borough, which collects sewage and/or industrial wastes of a liquid nature from two (2) or more lots and treats and/or disposes such sewage and/or industrial wastes at an approved sewage disposal system.

**SIGHT DISTANCE** - The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. All sight distance measurements shall be done in accordance with the latest edition of Penn DOT Design Manual Part 2, Highway Design (Publication 13).

**SITE** - A parcel or contiguous parcels of land intended to have one (1) or more buildings or intended to be subdivided into two (2) or more lots.

**SITE AREA, GROSS** - All land area within the site as defined in the deed. Area shall be determined from an actual site survey rather than from a deed description.

**SITE AREA, NET** - The remainder of the gross site area after subtracting all lands within the existing roads or their ultimate rights-of-way and all lands without development opportunities due to restrictions such as drainage easements, restrictive covenants and conservation easements.

**SOLICITOR** - The Abbottstown Borough Solicitor.

**STEEP SLOPES** - Areas where the slope exceeds fifteen percent (15%) which, because of this slope, are subject to high rates of stormwater runoff and, therefore, erosion.

**STORMWATER MANAGEMENT SITE PLAN** –A plan prepared by the developer or his representative indicating how stormwater runoff will be managed at the development site in accordance with the Abbottstown Borough Stormwater Management Ordinance.

**STREET** – An existing or platted way dedicated for the use of the general public, graded and paved or to be graded and paved, in order that the general public has the right to pass and to use it at all times, for the purposes of travel, transportation or parking to which it is adopted, devoted, and not otherwise restricted. Streets are further defined and classified as follows:

1. **ARTERIAL** - Major regional highways, with full or partial access control, designed for a large volume of through traffic.
2. **COLLECTOR** - Streets designed to provide access between Residential Subcollector streets and Arterial street. Access is controlled by limiting curb cuts and providing marginal access areas.
3. **RESIDENTIAL SUBCOLLECTOR** - Streets providing connection between local residential streets and collector street. An average daily traffic (ADT) count of up to one thousand (1,000) trips is expected.
4. **LOCAL RESIDENTIAL** - Streets used primarily to provide access to more heavily traveled streets for abutting properties in internally developed areas. An average daily traffic (ADT) count of up to five hundred (500) trips is expected.
5. **RESIDENTIAL CUL-DE-SAC** – A local residential street with only one vehicular traffic outlet. An average daily traffic (ADT) count of up to two hundred fifty (250) trips is expected.
6. **ALLEY/SERVICE STREET** – A minor way, whether or not legally dedicated, intended and used primarily for vehicular access to the rear or side of properties which abut on a street, and not intended for the purpose of through vehicular traffic, And be determined as such

based on the dimensions of Article V, Section 501.C for Right of Way and Cartway no matter the naming convention used and frontage of structures shall be prohibited.

**STREET CLASSIFICATION MAP** - A map contained in the Zoning Ordinance which serves to categorize existing borough streets.

**STREET RIGHT-OF-WAY LINE** – A line defining the edge of a street right-of-way and separating the street from abutting property or lots, commonly known as the “right-of-way line”.

**STUDY AREA** - An area extending one-half (1/2) mile along a street adjacent to the site, in both directions from all proposed or existing access points; or to and including a major intersection with a collector or arterial, whichever area is greater.

**SUBDIVIDER** - Any individual, co-partnership or corporation (or agent authorized thereby) which undertakes the development or subdivision of land, as defined by this Ordinance, as the owner (or agent authorized thereby) of the land being developed or subdivided.

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

**SURVEYOR** - A surveyor registered by the Commonwealth of Pennsylvania.

**SWALE** - A low-lying stretch of land which gathers and/or carries surface water runoff.

**TRACT** - One (1) large lot or two (2) or more contiguous lots which are held in single and separate ownership.

**TRAFFIC IMPACT STUDY** – An analysis prepared to assess the traffic impact of a proposed land development, including recommendations to mitigate said impact.

**TRIP GENERATION RATES** - The total count of trips expected to and from a particular land use.

**WATER SUPPLY, CENTRAL** - Any municipal water supply system, or any system for the supply and distribution of water to more than one (1) user unit (dwelling, business, institution, or combination thereof).

**WATER SUPPLY FEASIBILITY REPORT** – A study prepared to assess the impact of a proposed development project on public or groundwater supplies in the area affected by the proposed development and further, to determine what mitigation measures may be necessary to address such impacts.

**WETLANDS** – Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support,



a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

**ZONING OFFICER** - The municipal official duly appointed by the Borough Council of the Borough of Abbottstown to administer and enforce the Zoning Ordinance of the Borough of Abbottstown.

**ZONING ORDINANCE** - The Zoning Ordinance of Abbottstown Borough, as amended.



**ARTICLE III: MODIFICATIONS****Section 300: Modifications**

A. The Borough Council, upon recommendation by the Planning Commission, may grant a modification of requirements of one (1) or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.

B. All requests for modifications shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved, and the minimum modification necessary.

C. In considering a request for modification to one (1) or more provisions of this Ordinance, the requested modification shall meet the following provisions, as applicable to individual requests:

1. Promotes greater health, safety, and welfare of the citizens of the Borough.
2. Assists in the orderly and efficient integration of land developments within the Borough.
3. Ensures conformance of subdivision and/or land development plans with the Eastern Adams County Joint Comprehensive Plan, public improvement plans, and other adopted plans and regulations.
4. Ensures the provision of adequate public facilities including streets, walkways, street lighting, water supply, storm and sanitary sewage facilities, recreation sites, open spaces, and other necessities and amenities to the general welfare of Borough residents.
5. Protects the environmental resources of the Borough.
6. Provides equitable procedures for the processing of all subdivision and/or land development plans.
7. Ensures coordination of inter-municipal public improvement plans and programs.
8. Promotes flexibility and ingenuity in the layout and design of subdivisions and/or land development plans.

D. In granting any modification, the Borough Council shall record its action and the grounds for granting any modification in its minutes. The Borough Council shall transmit a copy of its action and any conditions of approval of any modification to the applicant.

E. Whenever a request for a modification is denied, the Borough Council shall record its action and the grounds for such denial in its minutes. The Borough Council shall transmit a copy of its action and the grounds for such denial of any modification to the applicant.

**ARTICLE IV: PLAN REQUIREMENTS AND PROCEDURES**

**Section 400: General**

Whenever any subdivision of land or land development is proposed to be made, and before any contract for the sale of, or any offer to sell any lots in such subdivision or any part thereof is made, and before any permit for the erection of a structure in such proposed subdivision or land development shall be granted, the developer shall apply in writing for approval of such proposed subdivision or land development in accordance with the requirements of this Article.

**Section 401: Plan Classifications**

The specifications and plan requirements for subdivision and land development plan applications shall be determined by the Plan Classification, as follows:

A. Major Subdivision Plans and Major Land Development Plans shall be a subdivision plan of more than five (5) residential lots or dwelling units or land development plan of twenty-thousand (20,000) square feet or more of building coverage or parking lot expansion that involves the construction, installation or extension of new public improvements, including but not limited to streets, sewer and/or water lines, and stormwater management facilities, regardless of intended ownership of those facilities. These Plans shall be prepared in accordance with the table below.

B. Minor Subdivision Plans and Minor Land Development Plans shall be a subdivision of five (5) or fewer residential lots or dwelling units or land development plan of five thousand (5,000) square feet or more and less than twenty-thousand (20,000) square feet of building coverage or parking lot expansion that does not involve the construction, installation or extension of new public improvements, including but not limited to streets, sewer and/or water lines, and stormwater management facilities, regardless of intended ownership of those facilities. These plans shall be prepared in accordance with the table below.

<b>Plan Classification Approval Stage</b>			
<b>Plan</b>	<b>Section(s)</b>	<b>Type of Submission</b>	
		<b>All Minor Plans</b>	<b>All Major Plans</b>
Sketch	402	Encouraged	Encouraged
Major Preliminary	403 & 404	N/A	Required
Major Final	405 & 406	N/A	Required
Minor Final	407 & 408	Required	N/A

**Section 402: Optional Sketch Plans**

A. Prior to the filing of an application for review and approval of a subdivision or land development, whether major or minor, the developer is encouraged to submit an optional Sketch Plan for the purposes of classification and preliminary discussion relating to the requirements of this Ordinance, and any other Ordinance or regulation of the Borough, the County, or the State.

B. The applicant shall file with the Borough six (6) copies of the proposed Sketch Plan. Upon the Borough's receipt of the proposed Sketch Plan, Borough staff shall include the proposed Sketch Plan on the agenda of the next available Planning Commission meeting. The Subdivision and/or Land Development Plan shall be submitted at least twenty (20) calendar days prior to Planning Commission's regular meeting to be considered at said meeting. Otherwise, the Sketch Plan will be added to the Planning Commission agenda of Planning Commission meeting of the next following month.

C. If submitted, the Sketch Plan shall be based on an accurate base map at a scale (preferably not less than one [1] inch equals two hundred [200] feet) to enable the entire tract to be shown on one sheet, and should provide the following information:

1. The proposed project name or identifying title.
2. A north arrow, a graphic scale and a written scale.
3. Location of that portion to be subdivided or developed in relation to the entire tract, and the distance to the nearest street intersection.
4. Existing structures and other significant physical features within the portion of the site to be subdivided, and within two hundred (200) feet thereof. Topographic conditions should be shown with contours indicated at intervals of not more than ten (10) feet.
5. Name of the owner of the subject property and of adjoining properties as disclosed by the most recent property ownership records, as maintained by the Adams County Register and Recorders Office.
6. Tax map sheet and parcel numbers of the subject property and of adjoining properties.
7. A statement on the Plan identifying the Zoning Ordinance requirements for the subject property and surrounding land. Additionally, the lot size and/or density, lot coverage, building coverage, and yard requirements of the Zoning Ordinance shall be identified for the subject property.
8. A statement on the Plan identifying, with applicable date of decision, any waivers, variances, special exceptions, conditional uses, and existing nonconforming structures/uses.
9. A statement demonstrating proof of availability of infrastructure systems including, but not necessarily limited to, sewer lines, water lines, electric service, and cable service.

10. Proposed pattern of lots (including lot width and depth), street layout, building layout, recreation areas, systems of drainage, and sewerage and water supply.

11. Existing restrictions on the use of land including easements, covenants, or zoning district boundaries.

D. Although a formal action of either the Planning Commission or the Borough Council is not required for an Optional Sketch Plan submission, the Planning Commission may determine whether the Sketch Plan meets the purposes of this Ordinance and the Abbottstown Borough Zoning Ordinance, and may make specific recommendations in writing that may be incorporated by the applicant in the formal submissions required by Sections 403, 405, and / or 407.

### **Section 403: Major Subdivision or Land Development Preliminary Plan – Submission Requirements**

A. Preliminary Plans for Major Subdivisions and/or Major Land Developments shall include the following information:

1. Name of the proposed subdivision or land development.
2. Name of the Borough and County where the project is located.
3. Name, address, and telephone number of the developer.
4. Name, address, telephone number, license number, and seal of the professional engineer or registered surveyor who prepared the plans.
5. Date or origin of the plans and the date of each subsequent revision.
6. True or magnetic north point.
7. Graphic scale and written scale.
8. Certification by the professional engineer or surveyor that the topography shown on the Plan resulted from an actual survey of the subject property. The certification shall include the date of such survey.
9. A key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1,000) feet. The key map shall show the relation of the property to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within one thousand (1,000) feet of any part of the property. The key maps shall include a title, scale, and true or magnetic north point.
10. The total tract boundary lines of the area being subdivided showing distances to hundredth of a foot and bearings to one second. These boundaries shall be determined by accurate field survey performed in accordance with the "Minimum Angle, Distance, and

Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA / ACSM Land Title Surveys.” In addition, the following shall be required:

- a. In cases where a large portion of the parent tract remains in excess of ten (10) acres, and the property description contained in the current deed of record has an error of less than 1:5,000, the remainder boundary can be shown as a deed plotting.
- b. All property corners shall be shown and labeled as to what monument was found or set.
- c. The total area of the property being subdivided shall be listed, and a licensed Professional Land Surveyor shall certify the boundary.

11. A plot drawn to scale of one (1) inch equals no more than fifty (50) feet showing the entire existing boundary and the location of the lots being subdivided from said tract. For parcels of twenty (20) acres or more, the scale shall be one (1) inch equals no more than one-hundred (100) feet.

12. Boundaries of adjacent properties and recorded name and deed reference, including those properties that may lie on the opposite side of the street from the subject property. When adjacent properties are part of a recorded plat, only the lot number and subdivision name are required to be shown. The deed book and page number for the property being subdivided or developed shall also be provided.

13. Contour lines, at a minimum vertical interval of two (2) feet for land with an average natural slope of ten percent (10%) or less, and at a minimum vertical interval of five (5) feet for more steeply sloping land. Contour intervals of one (1) foot are required for utility and drainage plans.

14. Location and elevation of the bench mark(s) to which contour elevations refer; elevations shall be based on North American Vertical Datum of 1988 (NAVD 1988).

15. The name, number, cartway width, and right-of-way width of all proposed and existing public streets and the name and location of all roads within the property.

16. A certificate of ownership, acknowledgement of the plan, and offer of dedication (where applicable) shall be signed by the owner(s), and shall be notarized.

17. Location of existing streets and alleys adjoining the tract including the name, number, cartway width, right-of-way width, and location of sidewalks, if applicable.

18. The location (and elevation, if established) of all existing and proposed street monuments.

19. Location of existing and proposed rights-of-way and easements.

20. Lot numbers, and a statement of the total number of lots and parcels.



21. Lot lines and lot areas, with dimensions.
22. The building setback lines and dimensions for each lot, including the remnant portion of the original parcel.
23. A statement of the intended use of all lots including reference to applicable zoning districts. Such statement shall reference restrictions of any type which exist or which will exist as covenants in the deed for the lots contained in the subdivision. Such statement shall also reference any variance or special exception approval as may have been provided by the Abbottstown Borough Zoning Hearing Board or any conditional use approval as may have been provided by the Abbottstown Borough Council, and the dates of such approval(s). A summary table of the number of structures and/or dwelling units shall be submitted.
24. The location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
25. The location of existing structures and any other significant man-made or natural features within or near the property proposed for subdivision or land development.
26. The location, size, invert elevation, and profiles of all existing and proposed sanitary sewers, and location of all manholes.
27. Location, size, invert elevation, and profiles of all existing and proposed storm sewers (and other drainage facilities), with the size and material indicated, and any proposed connections with existing facilities.
28. Location, size, invert elevation, and profiles of all existing and proposed water lines, valves, hydrants, and fire alarm boxes.
29. Plans, profiles, and cross-sections showing the proposed location and type of streets, sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers, and storm sewers, and the size and type thereof, the character, width, and depth of pavements and sub-base, the location of manholes, basins, and underground conduits. Profile plans shall maintain a ratio of 1:10 vertical to horizontal.
30. Location of existing drainage structures, whether natural or man-made.
31. Parks, playgrounds, and other areas to be dedicated or reserved for public use, including any conditions governing such use.
32. Where the development lies partially or completely within any flood-prone area, or where the development borders on any flood-prone area, the preliminary plan shall include detailed information giving the location and elevation of proposed roads, public utilities, and building sites. All such maps shall identify accurately the boundaries of the flood-prone area.

33. All plans shall contain a note regarding the status of wetlands on the site. Where deemed necessary by the Planning Commission or Borough Council, an analysis of wetland conditions affected by the subject development must be performed. Such analysis shall be prepared by a recognized professional with expertise in this field and shall delineate the field determined boundaries of any existing wetland areas. All such delineations shall identify accurately the boundaries of the wetland and the boundaries of hydric soils on the parcel. A note shall be added to the plan stating that Abbottstown Borough or its employees or agents assume no responsibility with regard to wetlands analyses and delineations.

34. No lot or plan which requires access to a highway under jurisdiction of the Pennsylvania Department of Transportation shall be approved unless the plan contains a notice that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the State Highway Law, before driveway access to a state highway is permitted. The plan shall be marked to indicate that access to the state highway shall be only as authorized by a Highway Occupancy Permit.

B. Supplementary Data Requirements: Preliminary Plans for Major Subdivisions and/or Major Land Developments shall include the following data and information where applicable and where determined by the Planning Commission and/or Borough Council to be necessary:

1. A planning module for land development as required by the Pennsylvania Department of Environmental Protection (DEP). For projects involving proposed public sewer extensions or central sewer facilities, the planning module, when deemed necessary, shall be submitted to the appropriate Municipal Authority for review. The Preliminary Plan will not be approved until the planning module has been approved by DEP.
2. A plan for the control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act. The Preliminary Plan shall not be approved until a copy of the adequacy letter from the Adams County Conservation District has been obtained.
3. Designs, including cross sections, of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of DEP and the Pennsylvania Department of Transportation. Where facilities will be offered for dedication, the Borough Engineer shall also review and approve the design.
4. Profiles along the centerline of the cartway (pavement) or along the top of the curb for both sides of each proposed street shown on the Preliminary Plan. Such profiles shall show natural and finished grades and utilities which exist or are proposed to be located beneath the roadway surface.
5. A letter documenting a water supply commitment from a public utility agency authorized by the Pennsylvania Public Utilities Commission (PUC) to operate within the Borough shall be deemed sufficient to meet the requirements of this section.

6. A Stormwater Management Site Plan, with applicable calculations, including design of storm sewers, drainage facilities, or other features in accordance with this Ordinance and the Abbottstown Borough Stormwater Management Ordinance.
7. Where the Preliminary Plan covers only a part of the entire land holdings of the applicant, a sketch of the future street system of the un-subdivided or undeveloped portion of the parcel shall be provided. Such sketch shall include the entire parcel, drawn at a scale of not less than four hundred (400) feet to the inch. The sketch shall show the proposed layout and streets, and shall indicate the probable future street system including probable lot layout and drainage layout of the entire parcel.
8. Where the parcel includes an electric transmission line, a gas pipeline, a petroleum (or petroleum products) pipeline, or line of a similar nature, the plan submission shall include a letter from the owner or lessee of such right-of-way stating any conditions regarding the use of the land within the right-of-way and the minimum building setback from the right-of-way. This requirement may be satisfied by the submission of the recorded right-of-way agreement.
9. A traffic impact study, when required in accordance with Section 518 of this Ordinance and/or any other applicable Borough ordinance.
10. The design of sanitary sewer systems including profiles. Approval of the Preliminary Plan will not be granted until an approval letter from the Abbottstown-Paradise Joint Sewer Authority is received.
11. A land grading plan in accordance with the Section 513 and any other applicable requirements of this Ordinance.
12. A listing of underground utilities and contact information in accordance with Acts 287, 172, and 38 (the Pennsylvania One Call System), as amended.
13. Location and general layout of any proposed recreational facilities.
14. An offer of dedication shall be shown on the Plan identifying which improvements are intended to be dedicated to the Abbottstown-Paradise Joint Sewer Authority.
15. Whenever a development Plan proposes to discharge storm water runoff to an adjacent property not within a natural watercourse or in a manner which exceeds the capability of a natural water course, a letter shall be obtained from the affected property owner(s) stating their approval of the proposal after their review of the required Stormwater Management Site Plan. If deemed necessary by the Borough, a formal easement and agreement may be required from the affected property owner(s).
16. A Landscaping Plan in accordance with Section 511 and any other requirements of this Ordinance and/or any other applicable Borough ordinances.

17. Plans for traffic control devices, as may be required. Such submission shall include necessary engineering studies to justify such devices.

18. Plans for postal delivery, including locations of proposed mail boxes and any supporting infrastructure.

#### **Section 404: Major Subdivision or Land Development Preliminary Plan – Procedures**

A. The applicant shall file with the Borough five (5) full-size copies (minimum 18" x 24") of the proposed Subdivision and/or Land Development Plan, and any other required data and maps, required by Section 403. The applicant shall also file with the Borough two (2) 11" x 17" copies and one (1) electronic copy of the proposed Subdivision and/or Land Development Plan in a format agreed to by the Borough. Upon the Borough's receipt of the proposed Subdivision and/or Land Development Plan, Borough staff shall include the proposed Subdivision and/or Land Development on the agenda of the next available Planning Commission meeting. The Subdivision and/or Land Development Plan shall be submitted at least twenty (20) calendar days prior to Planning Commission's regular meeting to be considered at said meeting. Otherwise, the Subdivision and/or Land Development Plan will be added to the Planning Commission agenda of Planning Commission meeting of the next following month.

B. The Applicant shall submit copies of the proposed Subdivision and/or Land Development Plan to the Borough Engineer, and the Borough Code Enforcement and/or Zoning Officer for review. The applicant shall also submit copies of the proposed Subdivision and/or Land Development to the Adams County Conservation District, the Adams County Office of Planning and Development, the Abbottstown-Paradise Joint Sewer Authority, and other public agencies where applicable.

C. The Planning Commission shall make a recommendation regarding the Subdivision and/or Land Development Plan to the Borough Council. The Planning Commission shall be authorized to table consideration of any application until reports from the County and other review agencies are received.

D. The recommendation of the Planning Commission shall be in writing and shall be communicated to the Borough Council and to the applicant either personally or in writing not later than fifteen (15) days following the decision. The Planning Commission shall take the reports of the various review agencies into account when preparing its recommendations.

E. Where the Planning Commission recommends approval with conditions or disapproval of the proposed Subdivision and/or Land Development Plan, the recommendation shall be accompanied by a description of the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

F. The Borough Council, upon recommendation of the Planning Commission, shall act on the Preliminary Plan and communicate its decision to the applicant not later than ninety (90) days following the date of the regularly scheduled Planning Commission meeting at which initial consideration was given, or after the final order of the court remanding an application. The

Borough Council shall not approve such application until the county report is received or until the expiration of thirty (30) days from the date the application was forwarded to the county. In the event that the regularly scheduled Planning Commission meeting at which initial consideration of the application is provided occurs more than thirty (30) days following the date of submission to the Borough, or the final order of the court, the said ninety (90) day period shall be measured from the thirtieth day following the date of submission to the Borough. The decision shall be communicated to the applicant either personally or in writing not later than fifteen (15) days following the decision.

G. Before acting on any proposed Subdivision and/or Land Development Plan, the Borough Council may hold a public hearing pursuant to public notice.

H. Where the Borough Council approves with conditions or disapproves the proposed Subdivision and/or Land Development Plan, the decision shall be accompanied by a description of the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

I. Failure of the Borough Council to render a decision and communicate its decision to the applicant within the said ninety (90) day review period shall be deemed an approval of the application in terms as presented unless the applicant has granted an extension of time which the Borough Council has acted upon. Failure of the Borough Council to render a decision within the limits of such time extension shall have like effect.

In cases where the applicant grants an extension of time, the time extension shall be in writing and submitted as such time that the Planning Commission and Borough Council can review and act upon such at a regularly scheduled meeting prior to the end of the ninety (90) day review period. Applicants are encouraged to grant time extension at thirty (30), forty-five (45), sixty (60), or ninety (90) days as may be necessary to complete the review and decision making process.

J. Approval of the Preliminary Plan constitutes approval of the proposed Subdivision and/or Land Development Plan with respect to the general design, appropriate dimensions, and other planned features. Preliminary approval binds the applicant to the scheme of the Plan as approved. Where a Final Plan is submitted which contains substantial variation from an approved or conditionally approved Preliminary Plan, said Final Plan shall be treated as a new Preliminary Plan, and subject to the submission and review requirements of Section 403 and 404 respectively.

K. Preliminary approval shall expire five (5) years from the day when Preliminary Plan approval was granted.

L. When a Preliminary plan application has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the Zoning, Subdivision and Land Development, or other governing ordinances or plans shall be applied to adversely affect the right of the applicant to commence and to complete any aspect of the

approved development in accordance with the terms of such approval within five (5) years from such approval.

#### **Section 405: Major Subdivision or Land Development Final Plan – Submission Requirements**

A. Final Plans for Major Subdivisions and/or Major Land Developments shall include the following information:

1. Name of the proposed subdivision or land development.
2. Name of the Borough and County where the project is located.
3. Name, address, and telephone number of the developer.
4. Name, address, telephone number, license number, and seal of the professional engineer or registered surveyor who prepared the plans.
5. Date or origin of the plans and the date of each subsequent revision.
6. True or magnetic north point.
7. Graphic scale and written scale.
8. Certification by the professional engineer or surveyor that the topography shown on the Plan resulted from an actual survey of the subject property. The certification shall include the date of such survey.
9. A key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1,000) feet. The key map shall show the relation of the property to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within one thousand (1,000) feet of any part of the property. The key maps shall include a title, scale, and true or magnetic north point.
10. The total tract boundary lines of the area being subdivided showing distances to hundredth of a foot and bearings to one second. These boundaries shall be determined by accurate field survey performed in accordance with the "Minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA / ACSM Land Title Surveys." In addition, the following shall be required:
  - a. In cases where a large portion of the parent tract remains in excess of ten (10) acres, and the property description contained in the current deed of record has an error of less than 1:5,000, the remainder boundary can be shown as a deed plotting.
  - b. All property corners shall be shown and labeled as to what monument was found or set.
  - c. The total area of the property being subdivided shall be listed, and a licensed Professional Land Surveyor shall certify the boundary.

11. A plot drawn to scale of one (1) inch equals no more than fifty (50) feet showing the entire existing boundary and the location of the lots being subdivided from said tract. For parcels of twenty (20) acres or more, the scale shall be one (1) inch equals no more than one-hundred (100) feet.
12. Boundaries of adjacent properties and recorded name and deed reference, including those properties that may lie on the opposite side of the street from the subject property. When adjacent properties are part of a recorded plat, only the lot number and subdivision name are required to be shown. The deed book and page number for the property being subdivided or developed shall also be provided.
13. Contour lines, at a minimum vertical interval of two (2) feet for land with an average natural slope of ten percent (10%) or less, and at a minimum vertical interval of five (5) feet for more steeply sloping land. Contour intervals of one (1) foot are required for utility and drainage plans.
14. Location and elevation of the bench mark(s) to which contour elevations refer; elevations shall be based on North American Vertical Datum of 1988 (NAVD 1988).
15. The name, number, cartway width, and right-of-way width of all proposed and existing public streets and the name and location of all roads within the property.
16. The following data for the cartway edges (curb lines) and right-of-way lines of all proposed streets, and for the right-of-way lines of all proposed streets within the property:
  - a. The length (in feet and hundredths of a foot) of all straight lines and of the radius and the arc (or cord) of all curved lines (including lot lines).
  - b. The width (in feet) of the cartway, right-of-way, and, if required, of the ultimate right-of-way, and (in degrees, minutes, and quarters of a minute) of the delta angle of all curved lines, including curved lot lines.
  - c. All straight lot lines, defined (in feet and hundredths of a foot) by distances and (in degrees, minutes, and seconds) either by magnetic bearings or by angles of deflection from other lot and streets lines.
17. Location of existing streets and alleys adjoining the tract including the name, number, cartway width, right-of-way width, and location of sidewalks, if applicable.
18. The location (and elevation, if established) of all existing and proposed street monuments.
19. Location of existing and proposed rights-of-way and easements.
20. Lot numbers, and a statement of the total number of lots and parcels.
21. Lot lines and lot areas, with dimensions.

22. The building setback lines and dimensions for each lot, including the remnant portion of the original parcel.
23. A statement of the intended use of all lots including reference to applicable zoning districts. Such statement shall reference restrictions of any type which exist or which will exist as covenants in the deed for the lots contained in the subdivision. Such statement shall also reference any variance or special exception approval as may have been provided by the Abbottstown Borough Zoning Hearing Board or any conditional use approval as may have been provided by the Abbottstown Borough Council, and the dates of such approval(s). A summary table of the number of structures and/or dwelling units shall be submitted.
24. The location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
25. The location of existing structures and any other significant man-made or natural features within or near the property proposed for subdivision or land development.
26. The location, size, invert elevation, and profiles of all existing and proposed sanitary sewers, and location of all manholes.
27. Location, size, invert elevation, and profiles of all existing and proposed storm sewers (and other drainage facilities), with the size and material indicated, and any proposed connections with existing facilities.
28. Location, size, invert elevation, and profiles of all existing and proposed water lines, valves, hydrants, and fire alarm boxes.
29. Location of existing drainage structures, whether natural or man-made.
30. Plans, profiles, and cross-sections showing the proposed location and type of streets, sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers, and storm sewers, and the size and type thereof, the character, width, and depth of pavements and sub-base, the location of manholes, basins, and underground conduits. Profile plans shall maintain a ratio of 1:10 vertical to horizontal.
31. Parks, playgrounds, and other areas to be dedicated or reserved for public use, including any conditions governing such use.
32. Where the development lies partially or completely within any flood-prone area, or where the development borders on any flood-prone area, the final plan shall include detailed information giving the location and elevation of proposed roads, public utilities, and building sites. All such maps shall identify accurately the boundaries of the flood-prone area.



33. All plans shall contain a note regarding the status of wetlands on the site. Where deemed necessary by the Planning Commission or Borough Council, an analysis of wetland conditions affected by the subject development must be performed. Such analysis shall be prepared by a recognized professional with expertise in this field and shall delineate the field determined boundaries of any existing wetland areas. All such delineations shall identify accurately the boundaries of the wetland and the boundaries of hydric soils on the parcel. A note shall be added to the plan stating that Abbottstown Borough or its employees or agents assume no responsibility with regard to wetlands analyses and delineations.

34. No lot or plan which requires access to a highway under jurisdiction of the Pennsylvania Department of Transportation shall be approved unless the plan contains a notice that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the State Highway Law, before driveway access to a state highway is permitted. The subdivision or land development plan shall include the permit number, and the design and location of the access authorized by said permit.

B. Supplementary Data Requirements: Final Plans for Major Subdivisions and/or Major Land Developments shall include the following data and information where applicable and where determined by the Planning Commission and/or Borough Council to be necessary:

1. Final profiles along the centerline of the cartway (pavement) or along the top of the curb for both sides of each proposed street shown on the Final Plan. Such profiles shall show natural and finished grades and utilities which exist or are proposed to be located beneath the roadway surface.
2. An agreement that the applicant will install all underground utilities before paving streets or constructing sidewalks. Such agreement shall be noted on the Plan.
3. Copies of permits and/or approved plans for sewer, water, stormwater, transportation, and erosion and sedimentation control facilities, as may be required by the Borough or by other controlling governments or agencies. Any improvements required in the context of these permits and/or approvals shall be shown on the Final Plan submission.
4. Where the Borough required the submission of traffic impact studies, water or sewer feasibility reports, or other information, analyses, or plans in the context of the Preliminary Plan submission, the Final Plan shall include any design changes or improvements required by the Borough as a result of the Borough's review of these studies, reports, information, analyses, or plans.
5. A final phasing schedule for the proposed sequence of the development. The phasing schedule shall indicate the order in which construction activities will occur. In the case where development is projected over a number of years, each section except for the last section shall contain a minimum of twenty-five percent (25%) of the total number of lots, dwelling units, or buildings as depicted in the Final Plan, unless a lesser percentage is approved by the Borough Council.

6. Any other certificate, affidavit, endorsement, dedication, etc., that may be required by the Planning Commission or Borough Council.
7. Where required by the Borough Council, Subdivision and Land Development Agreements shall be executed. A Subdivision and Land Development Agreement is required where there will be dedication of improvements to the Borough or under the circumstances where deemed to be necessary for the implementation of plan approval. Details and provisions of such agreement shall be as recommended by the Borough Solicitor and Borough Engineer.

#### **Section 406: Major Subdivision or Land Development Final Plan – Procedures**

- A. The applicant shall file with the Borough five (5) full-size copies (minimum 18" x 24") and two (2) polyester film (mylar) copies (18" x 24") of the proposed Subdivision and/or Land Development Plan, and any other required data and maps, required by Section 405. The applicant shall also file with the Borough two (2) 11" x 17" copies and one (1) electronic copy of the proposed Subdivision and/or Land Development Plan in a format agreed to by the Borough. Upon the Borough's receipt of the proposed Subdivision and/or Land Development Plan, Borough staff shall include the proposed Subdivision and/or Land Development on the agenda of the next available Planning Commission meeting. The Subdivision and/or Land Development Plan shall be submitted at least twenty (20) calendar days prior to Planning Commission's regular meeting to be considered at said meeting. Otherwise, the Subdivision and/or Land Development Plan will be added to the Planning Commission agenda of Planning Commission meeting of the next following month. The Borough Engineer and / or Borough Council shall decide which sheets of the Final Plan to record.
- B. The Applicant shall submit copies of the proposed Subdivision and/or Land Development Plan to the Borough Engineer, and the Borough Code Enforcement and/or Zoning Officer for review. The applicant shall also submit copies of the proposed Subdivision and/or Land Development to the Adams County Conservation District, the Adams County Office of Planning and Development, the Municipal Authority, and other public agencies where applicable.
- C. The Planning Commission shall make a recommendation regarding the Subdivision and/or Land Development Plan to the Borough Council. The Planning Commission shall be authorized to table consideration of any application until reports from the county and other review agencies are received.
- D. The recommendation of the Planning Commission shall be in writing and shall be communicated to the Borough Council and to the applicant either personally or in writing not later than fifteen (15) days following the decision. The Planning Commission shall take the reports of the various review agencies into account when preparing its recommendations.

E. Where the Planning Commission recommends approval with conditions or disapproval of the proposed Subdivision and/or Land Development Plan, the recommendation shall be accompanied by a description of the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

F. The Borough Council, upon recommendation of the Planning Commission, shall act on the Final Plan and communicate its decision to the applicant not later than ninety (90) days following the date of the next regularly scheduled Planning Commission meeting at which initial consideration was given, or after the final order of the court remanding an application. The Borough Council shall not approve such application until the county report is received or until the expiration of thirty (30) days from the date the application was forwarded to the county. In the event that the regularly scheduled Planning Commission meeting at which initial consideration of the application is provided occurs more than thirty (30) days following the date of submission to the Borough, or the final order of the court, the said ninety (90) day period shall be measured from the thirtieth day following the date of submission to the Borough. The decision shall be communicated to the applicant either personally or in writing not later than fifteen (15) days following the decision.

G. Before acting on any proposed Subdivision and/or Land Development Plan, the Borough Council may hold a public hearing pursuant to public notice.

H. Where the Borough Council approves with conditions or disapproves the proposed Subdivision and/or Land Development Plan, the decision shall be accompanied by a description of the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

I. Failure of the Borough Council to render a decision and communicate its decision to the applicant within the said ninety (90) day review period shall be deemed an approval of the application in terms as presented unless the applicant has granted an extension of time which the Borough Council has acted upon. Failure of the Borough Council to render a decision with the limits of such time extension shall have like effect.

In cases where the applicant grants an extension of time, the time extension shall be in writing and submitted as such time that the Planning Commission and Borough Council can review and act upon such at a regularly scheduled meeting prior to the end of the ninety (90) day review period. Applicants are encouraged to grant time extension at thirty (30), forty-five (45), sixty (60), or ninety (90) days as may be necessary to complete the review and decision making process.

L. When a Final plan application has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the Zoning, Subdivision and Land Development, or other governing ordinances or plans shall be applied to adversely affect the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval.

**Section 407: Minor Subdivision or Land Development Final Plan – Submission Requirements**

A. Final Plans for Minor Subdivisions and/or Minor Land Developments shall be prepared in accordance with the following specifications:

1. Name of the proposed subdivision or land development.
2. Name of the Borough and County where the project is located.
3. Name, address, and telephone number of the developer.
4. Name, address, telephone number, license number, and seal of the professional engineer or registered surveyor who prepared the plans.
5. Date or origin of the plans and the date of each subsequent revision.
6. True or magnetic north point.
7. Graphic scale written scale.
8. Reference to the technique and resource used to depict the topography on the Plan.
9. A key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1,000) feet. The key map shall show the relation of the property to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within one thousand (1,000) feet of any part of the property. The key map shall include a title, scale, and true or magnetic north point.
10. The total tract boundary lines of the area being subdivided showing distances to hundredth of a foot and bearings to one second. These boundaries shall be determined by accurate field survey performed in accordance with the "Minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA / ACSM Land Title Surveys." In addition, the following shall be required:
  - a. In cases where a large portion of the parent tract remains in excess of ten (10) acres, and the property description contained in the current deed of record has an error of less than 1:5,000, the remainder boundary can be shown as a deed plotting.
  - b. All property corners shall be shown and labeled as to what monument was found or set.
  - c. The total area of the property being subdivided shall be listed, and a licensed Professional Land Surveyor shall certify the boundary.
11. A plot drawn to scale of one (1) inch equals no more than fifty (50) feet showing the entire existing boundary and the location of the lots being subdivided from said tract. For parcels of twenty (20) acres or more, the scale shall be one (1) inch equals no more than one-hundred (100) feet.

12. Boundaries of adjacent properties and recorded name and deed reference, including those properties that may lie on the opposite side of the street from the subject property. When adjacent properties are part of a recorded plat, only the lot number and subdivision name are required to be shown. The deed book and page number for the property being developed shall also be provided.
13. Contour lines at vertical intervals of no more than ten (10) feet.
14. Location and elevation of the bench mark(s) to which contour elevations refer; elevations shall be based on North American Vertical Datum of 1988 (NAVD 1988).
15. Location of existing streets and alleys adjoining the tract including the name, number, cartway width, right-of-way width, and location of sidewalks, if applicable.
16. The location (and elevation, if established) of all existing street monuments.
17. A certificate of ownership, acknowledgement of the plan, and offer of dedication (where applicable) shall be signed by the owner(s), and shall be notarized.
18. Location of existing and proposed rights-of-way and easements.
19. Lot numbers, and a statement of the total number of lots and parcels.
20. Lot lines and lot areas, with dimensions.
21. The building setback lines and dimensions for each lot, including the remnant portion of the original parcel.
22. A statement of the intended use of all lots including reference to applicable zoning districts. Such statement shall reference restrictions of any type which exist or which will exist as covenants in the deed for the lots contained in the subdivision. Such statement shall also reference any variance or special exception approval as may have been provided by the Abbottstown Borough Zoning Hearing Board or any conditional use approval as may have been provided by the Abbottstown Borough Council, and the dates of such approval(s).
23. The location and size of existing utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
24. The location of existing structures and any other significant man-made or natural features within or near the property proposed for subdivision or land development.
25. Location of existing drainage structures, whether natural or man-made, including marshes, streams, ponds, swales, or similar features.
26. Where the development lies partially or completely within any flood-prone area, or where the development borders on any flood-prone area, the preliminary plan shall include

detailed information giving the location and elevation of proposed roads, public utilities, and building sites. All such maps shall identify accurately the boundaries of the flood-prone area.

27. All plans shall contain a note regarding the status of wetlands on the site. Where deemed necessary by the Planning Commission or Borough Council, an analysis of wetland conditions affected by the subject development must be performed. Such analysis shall be prepared by a recognized professional with expertise in this field and shall delineate the field determined boundaries of any existing wetland areas. All such delineations shall identify accurately the boundaries of the wetland and the boundaries of hydric soils on the parcel. A note shall be added to the plan stating that Abbottstown Borough or its employees or agents assume no responsibility with regard to wetlands analyses and delineations.

28. No lot or plan which requires access to a highway under jurisdiction of the Pennsylvania Department of Transportation shall be approved unless the plan contains a notice that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the State Highway Law, before driveway access to a state highway is permitted. The subdivision or land development plan shall include the permit number, and the design and location of the access authorized by said permit.

B. Supplementary Data Requirements: Final Plans for Minor Subdivisions and/or Minor Land Developments shall include the following data and information where applicable and where determined by the Planning Commission and/or Borough Council to be necessary:

1. A planning module for land development as required by the Pennsylvania Department of Environmental Protection (DEP). For projects involving proposed public sewer extensions or central sewer facilities, the planning module, when deemed necessary, shall be submitted to the appropriate Municipal Authority for review. The Final Plan will not be approved until the planning module has been approved by DEP.

2. A plan for the control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act. The Final Plan shall not be approved until a copy of the adequacy letter from the Adams County Conservation District has been obtained.

3. A Stormwater Management Site Plan, with applicable calculations, including design of storm sewers, drainage facilities, or other features in accordance with this Ordinance and the Abbottstown Borough Stormwater Management Ordinance.

4. Where the parcel includes an electric transmission line, a gas pipeline, a petroleum (or petroleum products) pipeline, or line of a similar nature, the plan submission shall include a letter from the owner or lessee of such right-of-way stating any conditions regarding the use of the land within the right-of-way and the minimum building setback from the right-of-way. This requirement may be satisfied by the submission of the recorded right-of-way agreement.

5. A land grading plan in accordance with Section 513 and any other applicable requirements of this Ordinance.
6. A listing of underground utilities and contact information in accordance with Acts 287, 172, and 38 (the Pennsylvania One Call System), as amended.
7. Whenever a development Plan proposes to discharge storm water runoff to an adjacent property not within a natural watercourse or in a manner which exceeds the capability of a natural water course, a letter shall be obtained from the affected property owner(s) stating their approval of the proposal after their review of the required Stormwater Management Plan. If deemed necessary by the Borough, a formal easement and agreement may be required from the affected property owner(s).
8. A Landscaping Plan in accordance with Section 511 and any other requirements of this Ordinance and/or any other applicable Borough ordinances.
9. Plans for postal delivery, including locations of proposed mail boxes and any supporting infrastructure.

#### **Section 408: Minor Subdivision or Land Development Final Plan – Procedures**

- A. The applicant shall file with the Borough five (5) full-size copies (minimum 18" x 24") and two (2) polyester film (mylar) copies (18" x 24") of the proposed Subdivision and/or Land Development Plan, and any other required data and maps, required by Section 407. The applicant shall also file with the Borough two (2) 11" x 17" copies and one (1) electronic copy of the proposed Subdivision and/or Land Development Plan in a format agreed to by the Borough. Upon the Borough's receipt of the proposed Subdivision and/or Land Development Plan, the Borough staff shall include the proposed Subdivision and/or Land Development on the agenda of the next available Planning Commission meeting. The Subdivision and/or Land Development Plan shall be submitted at least twenty (20) calendar days prior to Planning Commission's regular meeting to be considered at said meeting. Otherwise, the Subdivision and/or Land Development Plan will be added to the Planning Commission agenda of Planning Commission meeting of the next following month. The Borough Engineer and / or Borough Council shall decide which sheets of the Final Plan to record.
- B. The Applicant shall submit copies of the proposed Subdivision and/or Land Development Plan to the Borough Engineer, and the Borough Code Enforcement and/or Zoning Officer for review. The applicant shall also submit copies of the proposed Subdivision and/or Land Development to the Adams County Conservation District, the Adams County Office of Planning and Development, the Pennsylvania Department of Environmental Protection, the Municipal Authority, and other public agencies when applicable.
- C. The Planning Commission shall make a recommendation regarding the Subdivision and/or Land Development Plan to the Borough Council. The Planning Commission shall be authorized to table consideration of any application until reports from the county and other review agencies are received.

D. The recommendation of the Planning Commission shall be in writing and shall be communicated to the Borough Council and to the applicant either personally or in writing not later than fifteen (15) days following the decision. The Planning Commission shall take the reports of the various review agencies into account when preparing its recommendations.

E. Where the Planning Commission recommends approval with conditions or disapproval of the proposed Subdivision and/or Land Development Plan, the recommendation shall be accompanied by a description of the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

F. The Borough Council, upon recommendation of the Planning Commission, shall act on the Final Plan and communicate its decision to the applicant not later than ninety (90) days following the date of the next regularly scheduled Planning Commission meeting at which initial consideration was given, or after the final order of the court remanding an application. The Borough Council shall not approve such application until the county report is received or until the expiration of thirty (30) days from the date the application was forwarded to the county. In the event that the regularly scheduled Planning Commission meeting at which initial consideration of the application is provided occurs more than thirty (30) days following the date of submission to the Borough, or the final order of the court, the said ninety (90) day period shall be measured from the thirtieth day following the date of submission to the Borough. The decision shall be communicated to the applicant either personally or in writing not later than fifteen (15) days following the decision.

G. Before acting on any proposed Subdivision and/or Land Development Plan, the Borough Council may hold a public hearing pursuant to public notice.

H. Where the Borough Council approves with conditions or disapproves the proposed Subdivision and/or Land Development Plan, the decision shall be accompanied by a description of the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

I. Failure of the Borough Council to render a decision and communicate its decision to the applicant within the said ninety (90) day review period shall be deemed an approval of the application in terms as presented unless the applicant has granted an extension of time which the Borough Council has acted upon. Failure of the Borough Council to render a decision with the limits of such time extension shall have like effect.

In cases where the applicant grants an extension of time, the time extension shall be in writing and submitted as such time that the Planning Commission and Borough Council can review and act upon such at a regularly scheduled meeting prior to the end of the ninety (90) day review period. Applicants are encouraged to grant time extension at thirty (30), forty-five (45), sixty (60), or ninety (90) days as may be necessary to complete the review and decision making process.

L. When a Final plan application has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the Zoning, Subdivision



and Land Development, or other governing ordinances or plans shall be applied to adversely affect the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval.

#### **Section 409: Required Improvements**

Before the Borough Council grants final approval of a Major or Minor Final Subdivision or Major or Minor Final Land Development Plan, the applicant shall demonstrate compliance with the following requirements and procedures, as may be applicable to a specific plan submission:

A. No plan shall be finally approved unless the streets shown on the plan are improved to a mud-free or otherwise permanently passable condition, or improved as may be required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, required landscaping, water mains, sanitary sewers, storm sewers, and other improvements as may be required by this Ordinance have been installed in accordance with this Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plan, including improvements or fees required pursuant to Section 409.I. below, the applicant shall provide for the deposit with the municipality financial security in an amount sufficient to cover the costs of such improvements of common amenities including, but not limited to, roads, stormwater detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required. The applicant shall not be required to provide financial security for the costs of any improvement for which financial security is required by and provided to the Pennsylvania Department of Transportation in connection with the issuance of a highway occupancy permit pursuant to Section 420 of the act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law."

B. When requested by the developer, in order to facilitate financing, the Borough Council shall furnish the applicant with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the governing body. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the applicant.

C. Without limitation as to other types of financial security which the Borough Council may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this section.

D. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security,

provided said bonding company or lending institution is authorized to conduct such business in the Commonwealth.

E. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.

F. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten percent (110%) of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the Borough may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90<sup>th</sup>) day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Borough may require the applicant to post additional security in order to assure that the financial security equal one hundred ten percent (110%). Any additional security shall be posted by the applicant in accordance with this subsection.

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

H. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten percent (10%) for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten percent (110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure.

I. In the case where development is projected over a period of years, the Borough may authorize submission of final plans by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

J. As the work of installing the required improvements proceeds, the party posting the financial security may request the Borough 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 Borough Council shall have forty-five (45) days from receipt of such request within which to allow the Borough Engineer to certify, in writing, to the Borough Council that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification, the Borough Council shall authorize release by the bonding company or lending institution of an amount as estimated by the municipal engineer fairly representing the value of the improvements completed or, if the Borough Council fails to act within said forty-five (45) day period, the Borough Council shall be deemed to have approved the release of funds as requested. The Borough Council may, prior to release at the time of completion and certification by its engineer, require retention of ten percent (10%) of the estimated cost of the aforesaid improvements.

K. Where the Borough Council accepts dedication of all or some of the required improvements following completion, the Borough 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 plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen percent (15%) of the actual cost of installation of said improvements.

L. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Borough, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.

M. If financial security has been provided in lieu of the completion of improvements required as condition for the final approval of a plan as set forth in this section, the Borough shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted on the final plan upon actual completion of the improvements depicted upon the final plan. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following the improvement of the streets providing access to and from existing public road to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plan, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings. Any ordinance or statute inconsistent herewith is hereby expressly repealed.

N. Release from Improvement Bond: When the applicant has completed all of the necessary and appropriate improvements, the following conditions and procedures shall be followed:

1. The applicant 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. The Borough Council shall, within ten (10) days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall, thereupon, file a report, in writing, with the Borough Council, and shall promptly mail a copy of the same to the applicant by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Borough Engineer of the aforesaid authorization from the Borough Council. 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 Borough Engineer, said report shall contain a statement of reasons for such non-approval or rejection.
2. The Borough Council shall notify the developer within fifteen (15) days of the Borough Engineer's report, in writing by certified or registered mail of the action of said Borough Council with relation thereto.
3. If the Borough Council or the Borough Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the applicant shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
4. In any portion of the said improvements shall not be approved or shall be rejected by the Borough Council, the applicant shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
5. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Borough Council or the Borough Engineer.
6. Where herein reference is made to the Borough Engineer, he shall be a duly registered professional engineer employed by the Borough or engaged as a consultant thereto.
7. The applicant shall reimburse the Borough for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Borough Engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the Borough Engineer or consultant to the municipalities when fees are not reimbursed or otherwise imposed on applicants.
  - a. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the Borough that such expenses are disputed as unreasonable or unnecessary, in which case the Borough shall not delay or

disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.

b. If, within twenty (20) days from the date of billing, the Borough and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and Borough shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.

c. The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.

d. In the event that the Borough and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which Abbottstown Borough is located (or if at the time there is no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the Borough Engineer nor any professional engineer who has been retained by, or performed services for, the Borough or the applicant within the preceding five (5) years.

e. The fee for the appointed engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one thousand dollars (\$1,000) or more, the Borough shall pay the fee of the professional engineer, but otherwise the municipality and the applicant shall each pay one-half (½) of the fee of the appointed professional engineer.

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

#### **Section 410: Filing of Approved Subdivision Plat**

A. Prior to recording the approved final plan, the applicant shall submit a minimum of two (2) polyester film (mylar) copies and two (2) paper copies of said plan to the Borough Secretary in order to obtain the seals and signatures of Borough officials. One signed copy of each shall be retained by the Borough for its records.

B. Copies of the approved final plan shall, within ninety (90) days of the date of approval, or ninety (90) days after the date of delivery of an approved plan signed by the governing body, following completion of conditions imposed for such approval, whichever is later, be recorded by the applicant in the office of the Recorder of Deeds of Adams County. The applicant shall notify the Borough Council in writing of the date of such recording and the plan book and page wherein such subdivision or land development is recorded. If the plan is not recorded within the ninety (90) day period, the approval shall lapse and become void.

C. Effect of recording.

1. After a subdivision or land development has been duly recorded, the streets, parks and other public improvements shown thereon shall be considered to be a part of the map of the Borough.

2. Streets, parks and other public improvements shown on a subdivision or land development to be recorded, may be offered for dedication to the Borough by formal notation thereof on the plan, or the owner may note on the plan that such improvements have not been offered for dedication to the Borough.

3. Every street, park or other improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private street, park or improvement until such time as the same has been offered for dedication to the Borough and accepted, by resolution, and recorded in the office of the clerk of the Court of Common Pleas of Adams County, or until it has been condemned for use as a public street, park or improvement.

D. Recorded plan. All plans recorded shall contain the information specified in this Ordinance.

#### **Section 411: Resubmission of Plans**

A. Whenever any revision to a submitted Subdivision and/or Land Development Plan is made that involves a change to building placement , building size, or a change to lot lines, the developer shall complete sets of the plan to the Adams County Office of Planning and Development. Whenever any revision to a submitted Subdivision and/or Land Development Plan is made that involves a change to building placement , building size, a change to lot lines, or any other design change that will require a determination of zoning compliance, the developer shall complete sets of the plan to the Borough Zoning Officer. These shall be in addition to any plan sets required by this Article.

B. A resubmission of a Subdivision and/or Land Development Plan shall be submitted at least ten (10) business days prior to Planning Commission's regular meeting to be considered at said meeting.

#### **Section 412: As-Built Plans**

A. Upon completion of all required improvements, and prior to final observation of improvements, the developer shall submit an As-Built Plan, according to the specifications indicated in Section 412.B, showing the actual location, dimension and elevation of all existing improvements. The As-Built Plan submission shall also include, when necessary, a revised deed for all lands that are fully improved and offered for dedication. The As-Built Plans shall include a note that specifically identifies all deviations from previously approved drawings. The applicant's engineer shall certify that the construction of all facilities was completed in accordance with the As-Built Plan. Four (4) full size copies of the plan shall be submitted to the Borough.

B. As-Built Plans shall be prepared by an engineer or land surveyor registered in the Commonwealth of Pennsylvania to perform such duties. Land Surveyors shall prepare meets and bounds descriptions. Registered professionals with appropriate expertise shall prepare designs that entail their expertise. The As-Built Plan shall, at a minimum, show the following.

1. Monuments and markers.
2. The location of the cartway and curb, for both sides of each street.
3. Sanitary sewer main, manholes, rim and invert elevations and culverts.
4. Storm sewers, inlets, rim and invert elevations, laterals and stormwater management facilities.
5. Water mains, services lines, valves, and fire hydrants.
6. Streetlights.
7. Landscaping and screen planting.
8. Berms.
9. Permanent sedimentation, erosion control and stormwater management structures with as-built storage volume and outlet elevations and as-built elevations for all detention/retention basins or other storage structures.
10. All easements and rights-of-way.
11. All buried utilities, gas, electric, cable, water, sewer, etc.
12. Benchmark location, description, elevation and datum to which elevation is referenced.





**ARTICLE V: DESIGN REQUIREMENTS**

Applications for subdivision and/or land development shall be guided by the standards set forth hereinafter. It is intended that these standards be considered minimum requirements and may be modified as necessary to protect the health, safety, and welfare of the public. All subdivision and/or land development plans submitted for approval under this Ordinance shall incorporate these standards.

**Section 500: General Provisions:**

The following requirements and guiding principles for subdivisions and land developments shall be observed with respect to the factors affecting the suitability of the site for such development:

- A. Any subdivision and / or land development plan shall be coordinated with existing development patterns in the surrounding area such that the entire area may be developed harmoniously.
- B. Land proposed for subdivision or land development shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees, or other vegetative cover unless provisions for minimizing erosion and sedimentation are provided as required by the erosion control regulations of the Pennsylvania Department of Environmental Protection and the Adams County Conservation District.
- C. In a subdivision and / or land development where the average slope exceeds fifteen percent (15%), the Borough may require modifications of the requirements of this Article, as may be recommended by the Borough Engineer or the Adams County Conservation District, to the requirements contained herein.
- D. In all subdivision and / or land developments, every precaution shall be taken to preserve natural and historic features deemed worthy of preservation by the Borough. Examples of such features include, but are not necessarily limited to, large trees, significant wooded areas, and historic areas and structures. To ensure the preservation and protection of such features, the Borough Council may require the following additional information to be submitted.
  - 1. A grading plan showing the existing and proposed ground elevations relative to the features.
  - 2. The accurate location of the features to be protected.
  - 3. A written explanation of the precautions to be taken by the developer to protect such features.
- E. Any plans for the alteration of a watercourse shall be incorporated into the subdivision and / or land development plan and shall be subject to approval by the Borough and / or, where necessary, the United States Army Corps of Engineers and / or the Pennsylvania Department of Environmental Protection, as may be appropriate.

F. Land subject to hazards of life, health, or property as may arise from fire, floods, disease, excessive noise, odor, or considered uninhabitable for other reasons may not be developed unless the hazards have been removed or the plans provide adequate safeguards against said hazards.

### **Section 501: Streets**

All streets proposed to be constructed within the Borough shall conform to the following design requirements:

#### **A. General Standards**

1. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites. Finished elevation of proposed streets shall not be below the regulatory flood elevation.
2. Residential streets shall be so laid out as to discourage through traffic and to encourage attractive and functional development. Proposed streets shall be planned with regard to the existing street system, topographical conditions, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future extension of the street system. Proposed streets shall be designed in a manner that promotes street connectivity between development sites.
3. When a development abuts or contains an existing or proposed Arterial or Collector street, as herein defined, the Borough may require an Alley/Service street, reverse frontage, or other treatment which will provide protection for abutting properties, reduction of the number of intersections, and separation of local from through traffic.
4. No street shall terminate into a dead end. Any dead end street providing access to adjoining property, or created because of authorized staged construction, shall be provided with an all-weather turnaround in accordance with applicable requirements of this Ordinance. The use of such turnaround shall be guaranteed to the public until such time as the street is continued.
5. The construction of new cul-de-sac streets shall be prohibited within the Borough.
6. New private streets for residential subdivisions and land developments are prohibited within the Borough. Private streets may be considered for non-residential developments solely at the discretion of the Borough Council or its designee. In approving private streets or rights-of-way, the Borough may attach additional standards and / or conditions relating to design and / or construction. The use of private streets will not be permitted as a means to circumvent the specifications required for public streets. If permitted, new private streets shall comply with the following requirements:
  - a. Private streets, in the event that they are permitted, shall strictly comply with all Borough design and construction standards.

b. The developer shall be required to submit for approval, and record with the approved Final Plan, an agreement outlining the responsibilities for perpetual maintenance of such private streets. The agreement shall release the Borough of any liability regarding maintenance and acceptance of dedication. In addition, the Borough shall reserve the right to require improvement bonding, surety, and inspection in accordance with applicable procedures of this Ordinance.

7. The proposed street system shall extend existing or recorded streets at the same width. However, no street may be extended at less than the required minimum width.

8. The Borough shall reserve the right to require alternative design standards relative to cartway, horizontal curves, sight distance, and intersections design where it is deemed to be necessary to eliminate a potential safety hazard or to implement design goals as may be envisioned in this or other Abbottstown Borough ordinances. Such alternative design standards shall be approved by the Borough Engineer and be consistent with PennDOT and AASHTO standards.

9. The Borough shall reserve the right to limit access to developments to a single access or multiple accesses, as may be required, in response to safety considerations.

10. All streets shall be constructed in accordance with the most recent version of the Abbottstown Borough Construction and Materials Specifications for Land Development.

#### B. Street Service and Design Criteria

The Abbottstown Borough roadway network is deemed to include the following roadway classifications. The following service and design criteria shall apply to the specific roadway and street classifications:

##### 1. Arterial Streets:

a. Arterial streets are designed to carry heavy volumes of traffic at high velocities. Arterial streets are designed to contain a minimum of intersections, thus allowing traffic to flow with considerable continuity.

b. Arterial streets include those roadways intended to accommodate through traffic within the Borough.

##### 2. Collector Streets:

a. Collector streets are also designed to carry heavy volumes of traffic at relatively high velocities, although not the volumes or velocities attained on arterial streets.

b. Collector streets are designed to move traffic from local neighborhoods to the higher volume arterial streets.

##### 3. Residential Subcollector Streets:

- a. A Residential Subcollector street provides the primary circulation route within either residential or nonresidential developments. Residential Subcollector streets provide the connection between the local components of the development to the collector and arterial street system.
- b. A Residential Subcollector street carries neighborhood traffic, and provides limited lot frontage.
- c. Residential Subcollector streets should be designed to have no residential lots directly fronting on them.
- d. Residential Subcollector streets shall be laid out to discourage through traffic unless linkage between streets outside the subdivision is determined by the Borough to be desirable.

#### 4. Local Residential Streets:

- a. A local residential street is a frontage street which provides access to abutting properties and which conducts traffic from residential or nonresidential developments to Residential Subcollector streets or directly to Collector streets.
- b. Each local residential street shall be designed so that no section of it will convey a traffic volume greater than 250 ADT.
- c. Local residential streets shall be designed to exclude all external through traffic which has neither origin nor destination on the Local Residential street or its tributary Alleys/Service Streets.

#### 5. Alleys/Service Streets

- a. Alleys/Service streets may be used in higher density residential, commercial, or mixed use area to provide direct access to the rear of individual properties, specifically for purposes of providing off-street parking. The Borough may require the use of Alleys/Service streets to minimize the number of driveway and other intersections with the overall street network.
- b. The width of Alleys/Service streets shall be eighteen (18') feet.
- c. Parking shall be prohibited on all Alleys/Service streets within the Borough.

### C. Street Width

1. Minimum street right-of-way and cartway widths shall be as follows:

<b>STREET TYPE</b>	<b>RIGHT-OF-WAY WIDTH PARKING ON ONE SIDE OF STREET</b>	<b>CARTWAY WIDTH PARKING ON ONE SIDE OF STREET</b>	<b>RIGHT-OF-WAY WIDTH PARKING ON BOTH SIDES OF STREET</b>	<b>CARTWAY WIDTH PARKING ON BOTH SIDES OF STREET</b>
Arterial	As determined by the Borough after consultation with Penn DOT			
Collector	50 feet	30 feet	60 feet	36 feet
Residential Subcollector	50 feet	30 feet	60 feet	36 feet
Local Residential	50 feet	30 feet	60 feet	36 feet
Alley/Service Street	22 feet	See Section 501.B.5		

2. Residential developments with a development density of less than eight (8) dwelling units per acre shall be designed in accordance with the Cartway with Parking on One Side of Street standards. Residential developments with a development density of eight (8) dwelling units per acre or greater shall be designed in accordance with the Cartway with Parking on Both Sides of Street standards.

3. Provision for additional street width (right-of-way, cartway, or both) may be required when determined to be necessary by the Borough Council in specific cases for:

- a. Public safety and convenience.
- b. Traffic in commercial and industrial areas and in areas of high density development, particularly where the proposed commercial or industrial development is anticipated to involve higher volumes of large vehicle traffic.
- c. Widening of existing streets where the width or alignment does not meet the requirements of the preceding paragraphs.
- d. Where topographic conditions require excessive cuts and fills.

4. Streets within residential developments shall be designed in accordance with the Residential Subcollector, Local Residential, and Residential Cul-de-Sac standards. Streets within nonresidential developments shall be designed in accordance with the Collector street standards.

D. Street Grade:

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

STREET TYPE	MINIMUM GRADE	MAXIMUM GRADE
Arterial	As determined by the Borough Council after consultation with PennDOT	
Collector	1.0%	10.0%
Residential Subcollector, Local Residential, Residential Cul-de-sacs, and Alleys/Service Street	1.0%	10.0%

2. Vertical curves shall be used in changes of grade exceeding one percent (1%). The minimum lengths (in feet) of vertical curves shall be according to AASHTO *A Policy on Geometric Design of Highways and Streets*. Vertical streets shall be consistent with the proposed posted speed limit. The development plan must identify the designated design speed for each street. The designated design speed is subject to Borough approval. The posted speed limit shall not exceed the design speed limit.

3. With permission of the Borough, maximum grades for subcollector streets, local streets, cul-de-sacs, and alleys may, under special topographic conditions, exceed the maximum grades established above for distances of less than one hundred (100) feet provided the grade does not in any case exceed twelve percent (12%).

4. All streets shall be designed to provide for the discharge of surface water from the cartway. The slope of the crown on a street shall not be less than one-fourth (1/4) of an inch per foot and not more than one-half (1/2) of an inch per foot. Adequate facilities shall be provided at low points along streets and other points necessary to intercept runoff.

E. Horizontal Curves

1. Where connecting street lines deflect from each other at any point by more than ten (10) degrees, the line shall be connected with a true, circular curve. The minimum radius of the centerline for the curve shall be as follows:

STREET TYPE	MINIMUM RADIUS
Arterial	500 feet
Collector	300 feet
Residential Subcollector	100 feet
Local Residential, Residential Cul-de-Sacs, and Alleys/Service street	50 feet

2. Straight portions of the street shall be tangent to the beginning or end of the curve. Except for Residential Subcollector streets, Local Residential streets, and Alleys/Service Streets, there must be a tangent of at least one hundred (100) feet between reverse curves.

F. Street Sight Distance

1. All intersections shall be designed to comply with the minimum sight distance requirements, as described in Pennsylvania Department of Transportation Design Manual Part 2, Highway Design, and AASHTO A Policy on Geometric Design of Highways and Streets.

2. At all intersections involving Arterial and Collector Streets, there shall be provided and maintained at all intersections a clear triangle with a line of sight between points one hundred (100) feet from the intersection of the street centerlines. At all other intersections, there shall be provided and maintained a clear triangle with a line of sight between point seventy-five (75) feet from the intersection of the street centerlines, unless a higher distance is deemed necessary by the Borough for public safety. No building or other obstruction that would obscure the vision of a motorist shall be permitted within these areas.

G. Intersections: All street intersections shall be design in accordance with the following requirements:

1. No intersection shall involve the junction of more than two (2) streets.

2. Within one hundred (100) feet of an intersection, streets shall intersect at right angles. The Borough may, under special circumstances where an angle of less than ninety (90) degrees will not create a traffic hazard, permit an intersection of less than ninety (90) degrees. In no instance, however, shall streets intersect at an angle of less than seventy-five (75) degrees.

3. Intersections shall be approached on all sides by leveling areas. Where the grades exceed seven percent (7%), such leveling areas shall have a minimum length of one hundred (100) feet (measured from the intersection of the centerlines) within which no grade shall exceed a maximum of four percent (4%).

4. All streets intersecting a state road (US, PA, or SR) shall be subject to the approval of the Pennsylvania Department of Transportation. The developer shall furnish evidence of such approval in the form of a PennDOT Highway Occupancy Permit or other written form. The Borough shall be afforded the opportunity to provide comments and recommendations regarding any Highway Occupancy Permit application prior to its submission to PennDOT.

5. Design of curb or edge of pavements shall take into account such factors as types of turning vehicles, likely speeds of traffic, angle of turn, etc., but in no instance shall the radius of the curb or edge of the pavement be less than the following:

<b>INTERSECTION</b>	<b>WITH</b>	<b>CURB RADIUS</b>
Collector Street	Collector Street	25 feet
Collector Street	Residential Subcollector Street, Local Residential Street, or Residential Cul-de-sac	15 feet
Residential Subcollector Street	Residential Subcollector Street	10 feet
Residential Subcollector Street	Local Residential Street or Cul-de Sac	5 feet
Local Residential Street	Local Residential Street or Residential Cul-de-sac	5 feet
Alley/Service Street	Collector Street, Residential Subcollector Street, Local Residential Street, or Residential Cul-de-sac	5 feet

6. Collector and Residential Subcollector streets shall not intersect Arterial streets on the same side at less than four hundred (400) foot intervals and shall be in alignment with any existing or proposed streets intersecting from the opposite side. If two (2) roads or streets that intersect another from opposite sides cannot be aligned, then a distance of at least one hundred fifty (150) feet shall be provided between the two intersecting street centerlines. Local Residential Streets and Residential Cul-de-sacs shall not intersect Arterial streets.

H. Partial and Half-Streets: The dedication of half-streets at the perimeter of new developments is prohibited, except to complete existing half-streets.

I. Names of Streets: Names of new roads or streets shall not duplicate or approximate existing street names by the use of suffixes such as "lane," "court," or "avenue." In approving the names, consideration shall be given to existing or platted road or street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing street.

J. Reserve Strips: Controlling access to streets by reserve strips is prohibited except where their control is definitely placed in Borough control as approved by the Borough. A reserve strip is a parcel of ground in separate ownership separating a street from other adjacent properties or from another street.

K. Street Construction Requirements: Streets shall be surfaced to the grades and dimensions shown on plans, street profiles, and street cross sections as submitted by the developer and approved by the Borough. Unless otherwise required by the Borough, all streets



shall be constructed in accordance with applicable specifications of the Abbottstown Borough Construction and Materials Specifications Ordinance. Before paving the street surface, the developer shall install the required utilities and provide, where necessary, adequate stormwater drainage for such streets, as acceptable to the Borough and in conformance with the overall stormwater management plan for the site as required by this Ordinance.

### **Section 502: Lots**

#### **A. General Standards**

1. The size, shape, and orientation of lots shall be appropriate for the type of development contemplated. Insofar as practical, side lot lines shall intersect straight street lines at right angles and radial to curved street lines.
2. Lot lines shall follow municipal boundaries.
3. The depth of residential lots shall not be less than one (1) nor more than two and one-half (2 ½) times their width.
4. Where the lots in a subdivision are of such a size that resubdivision is possible, or where a portion of the tract is not intended to be developed, suitable access to these areas shall be provided.
5. Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, and other improvements required by this and other Borough ordinances.
6. If, after subdividing, remnants of land remain, they shall either be incorporated into existing or proposed lots, or legally dedicated to either the Borough or to another entity for public, community, or open space use, as deemed appropriate by the Borough.
7. No lots shall be created in any manner whatsoever which does not meet the minimum requirements of this or other Borough ordinances.

#### **B. Lot Frontage**

1. All lots shall front upon a dedicated public street (existing or proposed), or upon a private street designed and constructed in accordance with applicable requirements of this Ordinance. Under no circumstances, however, shall a lot be permitted to front on an alley.
2. Double or reverse frontage lots shall be avoided except where required by the Borough to provide separation of residential development from major streets, to control access to major streets, or to overcome specific disadvantages of topography, orientation, or location. The Borough reserves the right to require double or reverse frontage lots in the interest of enhancing public safety, or in the interest of maintaining the grid street and alley network within the core of the Borough.

3. All reverse frontage lots shall have a planting screen easement which runs parallel to the accepted rear lot line. The planting screen easement shall be twenty (20) feet in width. There shall be no right of access across the planting screen easement. Plantings shall be provided within the planting screen easement in accordance with the landscaping requirements of this or other Borough ordinances.

C. Lot Dimensions, Area, and Building Setbacks: Lot dimensions, area, and building setback requirements shall not be less than specified by the Abbottstown Borough Zoning Ordinance.

D. Unique Lots

1. Panhandle Lots: Panhandle lots, or lots having a narrow strip of property for the sole purpose of providing access to a public street from a lot which would not otherwise front on a public street, are prohibited.

2. Corner Lots: Corner lots shall be designed in manner that conforms to applicable Abbottstown Borough Zoning Ordinance requirements addressing corner lots. Specifically, any corner lot shall be of sufficient size to meet front setback requirements along both streets, and rear yard requirements along all other property boundaries, while still maintaining a usable building envelope.

3. Wedge-shaped Lots: Wedge-shaped lots along street curves or at the end of cul-de-sac streets are permitted in accordance with the following requirements:

a. The width of the arc measured at the front right-of-way line shall be no less than seventy percent (70%) of the lot width measured at the minimum required front building setback line.

b. The width of the arc measured at the front right-of-way line shall be no greater than one hundred twenty-five percent (125%) of the lot width measured at the minimum front building setback line.

E. Additions to Existing Lots

1. The parcel to be added must be contiguous to the existing lot and shall not be sold separately. The applicant shall also prepare a single deed with a single meets and bounds description that combines the existing lot and lot addition for the resulting parcel.

### **Section 503: Blocks**

A. General Requirements: The length, width, and shape of block shall be subject to the following minimum general requirements:

1. Blocks shall provide adequate sites for the uses proposed by the subdivision and/or land development plan.

2. Blocks shall be related to the topography of the site.

3. Design or blocks shall be subject to any other applicable Abbottstown Borough code or ordinance.

4. Design of blocks shall take into account accepted requirements and standards for safe and convenient vehicular and pedestrian circulation. This standard includes, but is not necessarily limited to, the minimization of street or driveway intersections with major streets.

**B. Block Length**

1. Blocks shall have a maximum length of five hundred (500) feet and a minimum length of two hundred (200) feet.

2. The Borough Council, at its discretion, may permit or require an increase in maximum block length or a decrease in minimum block length if such adjustments are warranted given unique topographic conditions, unique surface water drainage conditions, or the need to conform to existing lot and block patterns in unique settings including but not limited to the grid street network that currently exists within the center of the Borough.

3. If block lengths exceed five hundred (500) feet, special consideration shall be given to fire and emergency vehicle access.

**C. Residential Block Depth:** Blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except under the following conditions:

1. Where the Borough Council requires reverse frontage lots along a major street.
2. Where the design of two (2) tiers of lots is prevented by the size, topographical conditions, or other unique conditions of the property.

**D. Non-residential Blocks:** Blocks in non-residential developments may vary from the elements of design detailed above if required by the nature of the use. In all cases, adequate provision shall be made for off-street parking for employees and/or customers, loading areas, and traffic circulation.

**Section 504: Access Driveways**

**A. Individual Residential Lot:** Access to any street from an individual residential lot shall be designed in accordance with the following requirements:

1. Within ten (10) feet of a street right-of-way line, the access drive may not exceed twenty (20) feet in width.

2. Individual residential lots are limited to one (1) access driveway unless circumstances demonstrate, at the discretion of the Borough Council, that a second access driveway is justified.

3. Individual residential lot access driveways shall not cross a street right-of-way line within:

- a. Two (2) feet of any side property line, except where a common access drive for two (2) or more dwellings is permitted by the Borough.
- b. Fifty (50) feet of the right-of-way line of an intersecting street when the intersecting street is an Arterial street.
- c. Forty (40) feet of the right-of-way line of an intersecting street when the intersecting street is a Collector street.
- d. Thirty five (35) feet of the right-of-way line of an intersecting street when the intersecting street is a Residential Subcollector.
- e. Twenty five (25) feet of the right-of-way line of an intersecting street when the intersecting street is a Local Residential street or Residential Cul-de-Sac.
- f. Fifteen (15) feet of a fire hydrant.
- g. Where an individual residential lot has frontage on two streets, the access driveway shall connect to the street with the lower service level, as designated by the Borough.
- h. Where an individual residential lot includes rear or side access from an alley, the driveway shall only be permitted to access the lot from the alley.

B. Multi-family Residential and Non-residential Lots: Access to any public street from a multi-family residential lot or a non-residential lot shall be designed in accordance with the following requirements:

1. All access driveways to any street shall be located at least two hundred (200) feet from the intersection of any two street right-of-way lines, and shall be designed in a manner conducive to safe ingress and egress.
2. Where a lot has frontage on two streets, the access driveway shall connect to the street with the lower service level, as designated by the Borough.
3. A maximum of one (1) access driveway from a property to a street shall be permitted for every two hundred (200) feet of road frontage provided, however, that the maximum number of access driveways from a property to a street shall be four (4)
4. No access driveway design shall be approved which is likely to create a traffic hazard with the potential to endanger public safety. The Borough may require safety improvements in the interest of public safety. Such improvements may include, but are not necessarily limited to, traffic control devices, acceleration or deceleration lanes, turning lanes, traffic and lane markings, and signs. The developer shall be responsible for the design and construction of such traffic control devices and shall also, where applicable,

obtain PennDOT approval, following review and recommendation to PennDOT by the Borough, for such measures.

C. Within residential or non-residential developments where new streets are proposed, access to individual lots and uses shall be from streets internal to the development. Access to such lots and uses from existing public roads shall not be permitted.

#### **Section 505: Curbs**

A. Curbs shall be provided along all streets.

B. Along arterial and collector roads, curbs shall be the vertical type and constructed in accordance with Borough specifications. Along residential subcollector, local, and cul-de-sac streets, and alleys, curbs may be the slant type, and shall be constructed in accordance with the Abbottstown Borough Construction and Materials Specifications for Land Development.

C. Curb Construction Requirements: Where required, curbs shall be constructed in accordance with the Abbottstown Borough Construction and Materials Specifications Ordinance.

D. Curbs shall be continuous past the face of driveway and shall be depressed for either slant or vertical curb.

#### **Section 506: Sidewalks and Pedestrian Paths**

A. Sidewalks and pedestrian paths shall minimize pedestrian-vehicular conflict and shall be provided along both sides of all streets. A network of pedestrian and bicycle paths shall be installed to provide pedestrian and bicycle access between uses that are not directly connected by the sidewalk system.

B. The minimum width of all sidewalks and pedestrian paths shall be four (4) feet except where required to provide passing spaces in accordance with ADA regulations. There shall be a minimum three (3) foot wide planting strip between the outside edge of the curb and the sidewalk. Where street trees are provided between the curb and sidewalk, a minimum five (5) foot wide planting strip shall be provided between the outside edge of the curb and the sidewalk

C. Sidewalks and public paths shall be installed for convenience and access to all dwelling units from streets, driveways, parking areas or garages and located within a public right-of-way, a public easement or a common open space area.

D. At corners and other pedestrian street-crossing points, sidewalks shall be extended to the curblines with ramps for adequate and reasonable access of physically handicapped person, including those in wheelchairs, across curbs. Ramps shall be located to promote crosswalks located in accordance with Section 508.C.

- E. Sidewalks and pedestrian paths away from streets shall be adequately lighted during peak usage periods. However, lighting near residential properties shall be connected to a timer to dim the lighting during overnight hours.
- F. The grades and paving of sidewalks and pedestrian paths shall be continuous across driveways. Sidewalks at driveways shall be constructed in accordance with the Abbottstown Borough Construction and Materials Specifications Ordinance. Where heavy traffic volume is expected, or where special consideration for visually impaired pedestrians is warranted, a special paving treatment may be required by the Borough Council. Small jogs in the alignment shall be avoided.
- G. Sidewalks and pedestrian paths shall have a maximum cross slope of 2% and minimum cross slope of 0.5% to provide for adequate surface drainage. The concentration of surface waters shall be prevented from passing on or across sidewalks. The design of sidewalks shall not cause surface waters to puddle.
- H. Sidewalks and pedestrian paths shall not exceed the adjacent roadway grade.
- I. Sidewalks adjacent to angle parking areas shall be set back a minimum of five (5) feet to prevent car overhang from restricting pedestrian movement along the sidewalk.
- J. Sidewalk Construction: All sidewalks shall be constructed in accordance with applicable standards in the most recent version of the Abbottstown Borough Construction and Materials Specifications for Land Development.

#### **Section 507: Street Trees**

- A. Within any major land development or major subdivision, street trees shall be planted along all streets where suitable street trees do not exist.
- B. Large street trees shall be planted at intervals of not more than forty-five (45) feet, or small street trees at intervals of not more than thirty (30) feet, along both sides of all streets within a development and along the side of any existing street adjoining a development. An equivalent number of trees may be planted in a less formal arrangement, subject to the approval of the Borough Council.
- C. Street trees shall not be planted directly opposite a street from each other. Street trees shall be planted in a staggered arrangement to provide maximum tree canopy coverage over the street.
- D. At intersections, trees shall not be located within the clear sight triangle.
- E. Street trees shall be planted in one of the following locations:
1. Within a five (5) foot grass strip between the curb and sidewalk.
  2. On the outside edge of the street right-of-way line or five feet from the outside edge of the sidewalk, whichever is further from the edge of the cartway.

F. Street trees shall be of nursery stock. They shall be of symmetrical growth, free of insects, pests and disease, suitable for street use, and in conformity with the standards of the American Association of Nurserymen. Street trees shall also conform to the requirements of Section 511.

G. The minimum tree caliper for major and minor deciduous trees shall be two (2) inches, measured six inches (6") above the ground surface immediately upon planting.

H. The minimum tree height for evergreen trees shall be six (6) feet immediately upon planting.

#### **Section 508: Crosswalks**

A. Interior crosswalks may be required wherever necessary to facilitate pedestrian circulation and to give access to community facilities in blocks of over four hundred (400) feet in length. At a minimum, crosswalks shall be required at all street intersections.

B. Such crosswalks shall have an easement width of not less than twenty (20) feet and a paved walk of not less than four (4) feet. They shall be clearly marked by bollards, paving material, signing, lights or similar provisions to ensure their visibility to motorists.

C. Crosswalks at intersections shall be located to minimize the length of the crosswalk across streets, thus enhancing pedestrian safety. The use of bulb-outs or other traffic calming techniques to further enhance pedestrian safety by reducing crosswalk length are strongly encouraged.

#### **Section 509: Street Signs**

A. The developer shall erect, at the developer's expense, at every street intersection a street sign or signs meeting Borough Council approval, having thereon the names of the intersecting streets. At intersections where streets cross, there shall be a maximum of two (2) such street signs and at the intersections where one (1) street ends or joins with another street, there shall be at least one (1) such street sign. Street signs shall be placed at stops signs, and pairs of street signs shall be placed on diagonally opposite corners.

B. Street signs are to be erected when the first dwelling on the street is occupied. Temporary street signs may be erected on the approval of the Borough Council but shall be made permanent before final offer for the dedication of roads is made.

C. The developer shall provide regulatory signs and traffic signalization as may be recommended (1) in a traffic impact study or (2) by the Borough Engineer.

#### **Section 510: Street Lights**

A. The developer shall install or cause to be installed at the developer's expense metal or fiberglass pole street lights serviced by underground conduit in accordance with a plan to be prepared by the developer's engineer and approved by the Borough Council and by the local

electricity provider. Street lights shall be located, at a minimum, at all street intersection. The use of decorative street lights reflective of Borough character is strongly encouraged.

B. The requirement of metal or fiberglass poles may be waived in such instances as approved by the Borough Council due to the existence of poles already in place. Provision shall be made for energizing said lighting after fifty percent (50%) or more of the dwellings in a given subdivision or land development, or section of a subdivision or land development, have been occupied.

C. The developer shall be responsible for all costs involved in lighting the streets until such time that the streets are accepted or condemned as public streets by the Borough.

D. All street light fixtures, light reflection, and measurements from any street light must conform to the requirements of the Abbottstown Borough Zoning Ordinance.

### **Section 511: Landscaping Requirements**

A. Where specific landscape plans or treatments are required by the Abbottstown Borough Zoning Ordinance, the requirements established by said Zoning Ordinance shall apply.

B. Where the Abbottstown Borough Zoning Ordinance does not establish specific landscaping requirements, the following requirements shall apply:

1. All portions of a property not proposed for buildings, structures, driveways, parking lots, or other impervious surfaces shall be landscaped and planted with vegetative cover. In no event will a proposal involving the retention of bare, unvegetated ground be permitted.

2. Where development is proposed on a property that is dissimilar to established uses on surrounding properties, landscaping shall be planted which provides visual buffering between the uses. At a minimum, evergreen plantings placed at a minimum of twenty-five (25) foot intervals shall be required. Applicants are encouraged to offer more creatively designed landscaping alternatives to achieve the same level of required visual buffering.

C. All landscaping shall be maintained at all times by the developer. Should the required landscaping die, the developer shall replace such landscaping with the same or similar species, within one (1) month of the death of the original tree. The developer shall be responsible for performing this replacement, if applicable, for a period of eighteen (18) months from the date of zoning permit issuance for the improvements requiring a landscaped area.

### **Section 512: Stormwater Management and Surface Run-Off Control**

A. All subdivision and land developments shall comply with the Abbottstown Borough Storm water Management Ordinance, as enacted and amended.

B. Where the Abbottstown Borough Storm water Management Ordinance does not establish specific requirements, the following requirements shall apply:



1. Storm sewer pipes, culverts, manholes, inlets, endwalls, and end-sections proposed for dedication, or located along streets, shall conform to the Abbottstown Borough Construction and Materials Specifications.
2. Storm sewer management pipe collection and conveyance systems shall have a minimum diameter of fifteen (15") inches, and shall be installed on a minimum slope of 0.5%.
3. All storm sewer pipes and culverts shall be laid to a minimum depth of one (1') foot from the surface of streets, access drives, driveways, or parking areas to the crown of the pipe.
4. Storm sewer manholes shall not be spaced more than four hundred (400') feet apart for pipes that are less than thirty-six (36") inch diameter and six hundred (600') feet apart for all pipes of greater than thirty-six (36") inch diameter. Additionally, manholes shall be placed at points of abrupt changes in the horizontal or vertical direction of storm sewers and all convergence of two (2) or more storm sewer lines. Inlets may be substituted for manholes where they will serve a useful purpose.

### **Section 513: Erosion and Sediment Controls – Grading**

#### **A. General provisions and compliance.**

1. No changes shall be made in the contour of the land and no grading excavation, removal nor destruction of the topsoil, trees or other vegetative cover of the land shall be commenced, until such time that a plan for minimizing erosion and sedimentation has been:
  - a. Processed and reviewed by the Borough Engineer and the Adams County Soil Conservation District; and
  - b. Approved by the Borough Council.
2. The Borough Council, in its consideration of all preliminary subdivision and land development plans, shall condition its approval upon the execution of erosion and sediment control measures as contained in the standards and specifications of the Adams County Soil Conservation District and the Pennsylvania Department of Environmental Protection, Bureau of Soil and Water Conservation, as may be applicable.
3. Final approval of plans and specifications for the control of erosion and sedimentation shall be concurrent with the approval of the final subdivision or land development plans, and become a part thereof.
4. Final plans for minimizing erosion and sedimentation as approved will be incorporated into the agreement and bond requirements as required in accordance with Section 409 of this Ordinance.
5. No subdivision or land development plan shall be approved unless:

- a. There has been an erosion and sedimentation plan approved by the Adams County Conservation District that provides for minimizing erosion and sedimentation and an improvement bond or other acceptable security is deposited with the Borough in the form of an escrow guaranty which will ensure installation and completion of the required improvements; or
  - b. There has been a determination by the Borough Council that a plan for minimizing erosion and sedimentation is not necessary. The Borough Council may waive the above requirement for minor subdivisions.
6. The Borough Engineer shall inspect the development site during the construction of site improvements to insure compliance with the approved plan.
7. The Borough Engineer shall review stream channel construction on watersheds with a drainage area in excess of three hundred twenty (320) acres, or in those cases where downstream hazards exist, and shall submit a review of said construction to the Pennsylvania Department of Environmental Protection. Said construction shall be approved by the Department of Environmental Protection prior to final plan approval.
- B. General erosion control standards.
1. Measures used to control erosion and reduce sedimentation shall, as a minimum, meet the standards and specifications of the Adams County Soil Conservation District and the Pennsylvania Department of Environmental Protection, Bureau of Soil and Water Conservation, as may be applicable.
  2. In cases where the Adams County Soil Conservation District does not have standards and specifications for erosion and sedimentation control, other known and commonly accepted standards and specifications approved by the Borough Engineer may be used.
  3. The following standards to minimize erosion and sedimentation shall be followed:
    - a. Stripping vegetation, regrading, or other development shall be undertaken in a manner that will minimize erosion.
    - b. Development plans shall preserve salient natural features, keep fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water run-off.
    - c. Natural vegetation shall be retained, protected, and supplemented. Wooded areas specifically shall be retained. Clearing and grubbing of wooded areas in excess of one (1) acre shall be prohibited unless the applicant can demonstrate that no other alternative is available to facilitate the development.
    - d. The disturbed area and the duration of exposure shall be kept to a practical minimum. Disturbed soils shall be stabilized within twenty (20) days.

- e. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
  - f. The permanent (final) vegetation and mechanical erosion control and drainage facilities shall be installed as soon as practical.
  - g. Provisions shall be made to effectively accommodate the increased run-off caused by changed soil and surface conditions during and after development. where necessary, the rate of surface water run-off shall be mechanically retarded.
  - h. Sediment in the water run-off shall be trapped until the disturbed area is stabilized by the used of debris basins, sediment basins, silt traps, or similar measures.
  - i. Swales shall be sodded, or jute matting or other similar measures should be utilized to insure proper growth of ground cover.
  - j. Tire cleaning areas shall be provided and properly maintained at each point of egress from the development site.
- C. General grading standards.
- 1. All lots, tracts or parcels shall be graded to provide proper drainage away from buildings and dispose of it without ponding.
  - 2. All land within a development shall be graded to drain and dispose of surface water without ponding, except where ponding in detention basins is part of the storm water management plan for the site.
  - 3. Concentration of surface water run-off shall be permitted only in swales, watercourses, or detention basins, or other stormwater features that may be permitted in accordance with Section 512
  - 4. Edges of slopes shall be a minimum of five (5) feet from property lines or right-of-way lines in order to permit the normal rounding of edge without encroaching on the abutting property.
  - 5. During grading operations, necessary measures for dust control shall be exercised.
- D. Excavations and fills.
- 1. No excavation or fill shall be made with a face or surface slope steeper than two (2) horizontal to one (1) vertical for cut slopes and three (3) horizontal to one (1) vertical for fill slopes.
  - 2. Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations and the sloping surfaces of fills.
  - 3. Cut and fill shall not endanger adjoining property.

4. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
  5. Fills shall not encroach in floodplain areas or wetlands.
  6. Fills placed adjacent to floodways shall have suitable protection against erosion during flooding.
- E. Responsibility.
1. Each person which makes any surface changes shall be required to:
    - a. Collect on-site surface run-off and control it to a point of discharge into the natural watercourse of the drainage area.
    - b. Adequately handle existing off-site run-off through his development.
    - c. Provide and install all temporary and permanent drainage and erosion control improvements as required by the approved sedimentation and erosion control plan.
  2. Whenever sedimentation is caused by stripping of vegetation, regrading or other development, it shall be the responsibility of the person causing such sedimentation to remove it from all affected surfaces, drainage systems and watercourses on- and off-site, and to repair any damage at his expense as quickly as possible following a storm event.
  3. Persons doing any work on or across a watercourse, swale, floodplain or right-of-way shall return such areas to their original or equal condition after such activity is completed.
  4. No person shall block, impede the flow of, alter, construct any structure, deposit any material or thing, or perform any work which will affect normal or flood flow in any communal watercourse without having obtained prior approval from the Adams County Conservation District and/or Pennsylvania Department of Environmental Protection, whichever is applicable.
- F. Additional erosion and sedimentation control design standards and criteria that must be or are recommended to be applied where infiltration BMPs are proposed and include the following:
1. Areas proposed for infiltration BMPs shall be protected from sedimentation and compaction during the construction phase, so as to maintain their maximum infiltration capacity.
  2. Infiltration BMPs shall not be constructed nor receive runoff until the entire contributory drainage area to the infiltration BMP has received final stabilization.

#### **Section 514: Two-Family and Multi-Family Residential Development**

Unless otherwise required by this Ordinance or the Abbottstown Borough Zoning Ordinance, the following standards shall apply to two-family and multi-family development projects:

- A. Approval of the preliminary plan must be obtained for the entire proposed development. Final approval may be obtained section by section, but such sections shall be specified on the preliminary plan and must be numbered in the proposed order that they are to be developed. Such order of development must be adhered to, and if changes are required, plans must be resubmitted and processed pursuant to Section 403.
- B. Design standards.
  - 1. The land development shall be designed to be harmonious and efficient in relation to topography, the size and shape of the site, the character of adjoining properties and the type and size of proposed buildings.
  - 2. Buildings shall be well related to the natural topography, existing desirable vegetation, bodies of water, views within and beyond the site, and exposure to the sun and other existing and proposed buildings.
  - 3. Attached dwelling types should incorporate varied designs, architectural modes and setbacks.
- C. Access and circulation.
  - 1. Access to the dwellings and circulation between buildings and other important project facilities for vehicular and pedestrian traffic shall be comfortable and convenient for the occupants.
  - 2. Access and circulation for fire-fighting and other emergency equipment, moving vans, fuel trucks, garbage collection, deliveries and snow removal shall be planned for efficient operation and convenience.
  - 3. Walking distances from the main entrance of a building or a single-family dwelling unit to a parking area shall be less than one hundred (100) feet. Exceptions to this standard shall be reasonably justified by compensating advantages, such as desirable views and site preservation through adaptation to topography. In no case shall the distance exceed two hundred fifty (250) feet.
  - 4. Access easements having a minimum width of five (5) feet shall be provided on each attached dwelling lot along both sides of all rear lot lines. In instances where the side lot line does not pass through a common wall, an easement having a minimum width of five (5) feet shall also be provided on both sides of each side lot line. Said easements shall remain unobstructed for the use of residents and emergency personnel.
- D. Grading.

1. Grading shall be designed for buildings, lawns, paved areas and other facilities to assure adequate surface drainage, safe and convenient access to and around the buildings, screening of parking and other service areas and conservation of desirable existing vegetation and natural ground forms.
  2. Grading around buildings shall be designed to be in harmony with the natural topography.
- E. Streets and driveways.
1. Streets and/or driveways shall be provided on the site where necessary for convenient access to dwelling units, garage compounds, parking areas, service entrances of buildings, collection of refuse and all other necessary services. Internal streets and driveways shall enter public streets at safe locations.
  2. Streets and/or driveways shall be planned for convenient circulation suitable for traffic needs and safety.
  3. All streets and/or driveways shall be laid out to conform to the design, service, and access standards contained herein for public streets based upon projected average daily traffic.
  4. Streets and/or driveways shall be paved and constructed in accordance with Borough standards.
- F. Refuse collection stations.
1. Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided.
  2. Collection stations shall be located so as to be adequately separated from habitable buildings to avoid being offensive, but at the same time be convenient for both collectors and residents and shall be adequately screened and landscaped.
- G. Planting.
1. The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and desirable topographic features.
  2. Additional plant material shall be added for privacy, shade, beauty of buildings and grounds, and to screen out objectionable features.

### **Section 515: Nonresidential Development**

Unless otherwise required by this Ordinance or the Abbottstown Borough Zoning Ordinance, the following requirements shall apply to nonresidential development:

- A. The platting of individual lots for non-residential uses shall be avoided in favor of a comprehensive design of the land to be used for such purposes.
- B. Additional width of streets adjacent to areas proposed for non-residential use may be required as deemed necessary by the Borough Council to ensure the free flow of through traffic from vehicles entering or leaving parking loading areas.
- C. When two (2) adjacent lots proposed for non-residential uses front on an arterial or collector street, the applicant may be required, at the discretion of the Borough Council, to provide common ingress and egress as well as common parking facilities. Internal parking lot connections may also be required, at the discretion of the Borough Council, to help minimize the use of arterial or collector streets when moving from one non-residential use to another. When three (3) or more adjacent lots are proposed for non-residential uses, the Borough Council may require the applicant to provide a service road for common ingress and egress.
- D. Alleys or service streets shall be required in commercial and industrial land developments, except where adequate provisions are made for off-street loading.
- E. Dead-end alleys shall be avoided. Where compliance with this standard proves impossible, dead-end alleys shall be terminated with a paved turnaround of adequate dimensions as approved by the Borough Council.
- F. Parking areas shall be located and designed in such a manner that they are visibly secluded from eye level in the surrounding area. Grading to depress the parking area, raised berms, landscaping or fencing are satisfactory methods to create such seclusion.
- G. Outdoor collection stations shall be provided for garbage and trash removal when indoor collection is not provided. Collection stations shall be screened from view and landscaped.

#### **Section 516: Easements**

- A. Easements with a minimum width of twenty (20) feet shall be provided as necessary for utilities.
- B. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- C. No structure requiring a building permit or plantings, except for lawn, shall be set or put within the area of a utility easement.
- D. Where a subdivision or land development is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage but not less than fifty (50) feet in width, or as may be required or directed by the Borough Council and/or the Pennsylvania Department of Environmental Protection. The owner shall properly grade and seed slopes and fence any open ditches when it is deemed necessary by the Borough Council.

E. Where stormwater or surface water will be gathered within the subdivision or land development and discharged or drained in volume over lands within or beyond the boundaries of the subdivision or land development, the applicant or owner shall reserve or obtain easements over all lands affected thereby; which easements shall be adequate for discharge or drainage and for the carrying off of such water, and for the maintenance, repair and reconstruction of the same vehicles, machinery and other equipment for such purposes, and which shall be sufficient width for such passage and work. The owner shall convey, free of charge or cost, such easements to the Borough upon demand.

F. No right-of-way or easement for any purpose whatsoever shall be recited or described in any deed unless the same has been shown on the approved plan.

### **Section 517: Homeowners Associations (HOA's)**

Land and common facilities may be held in common ownership for the use of all residents of a subdivision or land development and shall thereby be controlled and maintained by a Homeowners Association (HOA). HOA documents shall be in compliance with the Pennsylvania Uniform Planned Community Act (as to a Homeowners' Association Document) or the Pennsylvania Uniform Condominium Act (as to a Condominium Association Document) as the case may be. The Homeowners Association Document shall include, but not be limited to, the following:

A. A description of the land to be owned by the HOA. This description shall include a plan of the proposal highlighting the precise location of all aspects of the common land.

B. Statements setting forth the powers, duties, and responsibilities of the HOA, including services to be provided.

C. A Declaration of Covenants, Conditions, Restrictions (Declaration) giving perpetual easement to the lands and facilities owned by the HOA. The Declaration shall be a legal document providing for automatic membership for all owners in the subdivision of land development and shall describe the mechanism by which owners participate in the HOA, including voting, elections, and meetings. The Declaration shall give power to the HOA to own and maintain the common land and to make and enforce rules.

D. Statements prescribing the process by which HOA decisions are reached and setting forth the authority to act.

E. Statements requiring each owner within the subdivision or land development to become a member of the HOA.

F. Statements setting cross covenants or contractual terms binding each owner to all other owners for mutual benefit and enforcement.

G. Requirements for all owners to provide a pro rate share of the cost of the operations of the HOA.



- H. Establish a process of collection and enforcement to obtain funds from owners who fail to comply.
- I. Establish a process for transition of control of the HOA from the developer to the unit owners.
- J. Statements describing how the common land of the HOA will be insured, including limit of liability.
- K. Provisions for the dissolution of the HOA.
- L. Provisions for the maintenance of stormwater management facilities.
- M. Provisions for the maintenance and operation of water supply and wastewater treatment facilities.
- N. Provisions for the maintenance of roads.

#### **Section 518: Traffic Impact Studies**

At the time of Preliminary Plan submittal, the applicant shall provide a traffic impact study in accordance with the following requirements.

- A. A traffic study shall be required in any instance where the estimated average daily trip generation resulting from the proposed subdivision or land development is five hundred (500) vehicles per day or more. The Borough Council may require, at its discretion, a traffic impact study in other instances where conflicts are anticipated involving significant truck traffic, pedestrian traffic, documented safety concerns, inadequate existing road systems, and planned Borough or State infrastructure improvements.
- B. The Traffic Impact Report shall be prepared in accordance with PennDOT Publications 201 and 282; Institute of Transportation Engineers (ITE) Recommended Practices "Traffic Access and Impact Studies for Site Development"; and shall conform to the following requirements in Sections C, D, E, and F.
- C. At the request of the applicant, the Borough may approve a waiver of the Traffic Impact Report and accept either a specific capacity improvement or contribution to the Borough of a fee-in-lieu of a capacity improvement to be made at a future date.
- D. The Traffic Impact Report area shall be based on the characteristics of the surrounding area. The intersections to be included in the Report shall be adjacent to the site or have direct impact upon the access to the site. The intersections shall be mutually agreed upon by the Borough Council, with the advice of the Borough Engineer, and the traffic engineer preparing the Report. The Borough Council shall resolve any disputes between the Borough Engineer and the traffic engineer.
- E. Traffic Impact Reports shall be prepared by a Professional Engineer registered in Pennsylvania with specific training in traffic and transportation engineering, with at least four

(4) years of experience related to preparing traffic reports for existing or proposed developments, and sufficient prior traffic study experience to qualify the engineer to render any opinions and recommendations in the study.

F. The scope of the study shall be coordinated by the applicant's consultant and the Borough Engineer and approved by Borough Council. Said scope shall include, at a minimum, existing and projected traffic conditions including volumes and service levels for a.m. and p.m. peak hours; accident history; trip generation estimates; warrants for signalization, signage and other methods of traffic control; speed analysis and recommended limitations; 24-hour traffic counts and a subsequent determination of actual peak hour usage; an analysis of structural road conditions; sight distance considerations; and trip distribution analysis.

G. The study shall conclude with an executive summary of findings and a list of recommended improvements. The applicant shall respond to these findings and recommendations in writing with a proposal on programs, improvements, rights-of-way, financing or other measures they are willing to participate in to resolve any negative impacts expected to result from the project.

**ARTICLE VI: Mobile Home Park Regulations****Section 600. Submission of Site Plan; Action by Council.**

Nothing contained in this Chapter shall relieve the owner or his agent or the developer of a proposed mobile home park from receiving subdivision or land development plan approval in accordance with applicable Borough regulations. The plan shall be prepared in accordance with the requirements of **Article IV: Plan Requirements and Procedures**. Further, additional information may be required as deemed necessary by the Borough Engineer to determine conformity with the requirements of this ordinance.

**Section 601. Objectives.**

In considering and acting upon site plans, the Borough shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents of the immediate neighborhood in particular, and may prescribe appropriate conditions and safeguards as may be required in order that the result of its action will further the expressed intent of this Chapter and the accomplishment of the following objectives in particular:

- A. *Traffic Access.* That all proposed traffic access and ways are adequate but not excessive in number; adequate in width, grade, alignment and visibility; not located too near street corners or other places of public assembly; and other similar safety considerations.
- B. *Circulation and Parking.* That adequate off-street parking and loading spaces are provided to prevent parking in public streets of vehicles of any persons connected with or visiting the mobile home park and that the interior circulation system is adequate to provide safe accessibility to all required off-street parking lots.
- C. *Landscaping and Screening.* That all playgrounds, parking and service areas are reasonably screened at all seasons of the year from the view of adjacent residential lots and streets and that the general landscaping of the site is in character with that prevailing in the neighborhood. Existing trees over 8 inches in diameter measured 4½ feet above the average ground level shall be retained.
- D. *Illumination.* That lighting from the installation of outdoor flood or spot lighting and illuminated signs will be properly shielded so that such lighting will not adversely affect any abutting property or public street.

**Section 602. Renewable Mobile Home Park Permit.**

The Borough Council may grant a mobile home park permit for a period not to exceed 6 months from the date of approval of such permit which shall be renewable every 6 months. The Borough Council may inspect each mobile home park prior to granting a semi-annual permit for conformance with the provisions of this Chapter and any other applicable regulations.

- A. It shall be incumbent upon the proprietor of a mobile home park to keep a register and to report therein the name of the person or head of family occupying each mobile home, showing date of entry on said land, license number of automobile, serial number, make, size and description of trailer, the last permanent address of the person using or living in said mobile home, and the names of all persons using or living in said mobile home.
- B. Said register and Mobile Home Park shall be subject to inspection periodically by the Borough Council.
- C. No person shall construct, maintain or operate a mobile home park within the Borough without obtaining a mobile home park permit.

**Section 603. Park Site.**

The park site shall be well drained and have such grades and soil as to make it suitable for the purpose intended. All such parks shall be planned as a unit and shall be located on a tract of land at least 1 acre in size. The area of said site shall be in single ownership or under unified control.

**Section 604. Lot Requirements.**

- A. All lots in any mobile home park shall be well drained and graded to a point where mobile homes may be parked so that the parking of the same shall result in safety to all concerned. In all instances as much natural vegetation as is reasonably possible shall be preserved by the mobile home park developer.
- B. Individual mobile home lots located in a mobile home park shall contain at least 5,000 square feet of lot area and shall not be less than 50 feet wide at the building setback line exclusive of easements.
- C. The minimum number of mobile home lots that may be approved in a mobile home park shall be computed by subtracting from the total gross area a fixed percentage of 10 percent of said area of usable open space and dividing the remaining 90 percent of the area by the minimum lot requirements set forth above.
- D. In computing the maximum number of mobile home lots that may be created, any land which are located within a floodplain area, which are subject to either periodic flooding or occasional chronic wetness, which are occupied by public utility easements or which have a slope in excess of 25 percent in such a manner as to limit their use or prevent their development shall not be considered part of the total gross area.
- E. All mobile home lots shall be given street number and all park streets shall be given names.

**Section 605. Yard and Setback Requirements.**

- A. All mobile homes shall be located at least 75 feet from any street right-of-way which abuts a mobile home park boundary and at least 50 feet from any other park boundary line.

- B. There shall be a minimum distance of 26 feet between an individual mobile home and adjoining pavement of a park street or common parking area or other common areas.
- C. All mobile homes shall be separated from each other and from other building by at least 20 feet.

**Section 606. Park Street System.**

- A. *Park Access.* Access to mobile home parks shall be designed to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on adjacent streets. Each mobile home park shall be provided with at least two points of ingress and/or egress and a distance of at least 150 feet shall be maintained between centerlines of access streets.
- B. *Lot Access.* All mobile home parks shall be provided with safe and convenient paved access streets to and from each and every mobile home lot. Alignment and gradient shall be properly adapted to topography.
- C. *Streets.* All streets within any mobile home park shall meet the requirements of Section 501. Additionally, all streets shall be paved in accordance with Borough specifications and shall be kept in good repair.
- D. *Intersections.* Not more than two streets shall intersect at any one point and a distance of at least 160 feet shall be maintained between centerlines of offset intersecting streets.

**Section 607. Required Off-Street Parking.**

- A. Off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests. Such areas shall be furnished at the rate of at least two vehicular parking spaces for each mobile home lot.
- B. Each off-street parking spaces shall conform to the requirements of Article 12 of the Abbottstown Borough Zoning Ordinance and shall not be located more than 300 feet from the mobile home lot that it is intended to serve.

**Section 608. Utility Improvements.**

- A. *Water Distribution.* All mobile home parks shall provide to each separate mobile home lot line a continuing supply of safe and potable water as approved by the State Department of Environmental Protection.
- B. *Sewage Disposal.* All mobile home parks shall provide to each separate mobile home lot a connection to a centralized sanitary sewage disposal system which shall be approved by the State Department of Environmental Protection.
- C. No mobile home park permit shall be issued until the sewage disposal and water distribution systems for the mobile home park have been approved by the State Department of Environmental Protection.

D. *Electrical Distribution.* All mobile home parks shall have an underground electrical distribution system which shall be installed and maintained in accordance with the local electric power company's specifications regulating such system.

E. *Natural Gas System.*

1. Natural gas piping system when installed in mobile home parks shall be maintained in conformity with accepted engineering practices.

2. Each mobile home lot provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharges of gas when the outlet is not in use.

F. *Liquefied Petroleum Gas System.*

1. Liquefied petroleum gas systems provided for mobile homes, service buildings or other structures shall include the following:

a. Systems shall be provided with safety devices to relieve excessive pressure and shall be arranged so that the discharge terminates at a safe location.

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

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

d. Vessels of more than 12 and less than 60 U.S. gallons gross capacity may be securely but not permanently fastened to prevent accidental overturning.

e. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure unless such installations are specially approved by the Commission.

G. *Fuel Oil Supply Systems.*

1. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with such rules and regulations as may be required by the Commission.

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

3. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shutoff valves located within 5 inches of storage tanks.
4. All fuel storage tanks or cylinders shall be securely placed and shall not be less than 5 feet from any mobile home exit.
5. Storage tanks located in areas subject to traffic shall be protected against physical damage.

**Section 609. Common Open Space.**

- A. All mobile home parks shall provide Community Greens in accordance with Section 906 of the Abbottstown Borough Zoning Ordinance.
- B. Exposed ground surfaces in all parts of every park shall be paved, or covered with stone screenings or other solid material, or protected with a vegetation growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
- C. Park grounds shall be maintained free of vegetation growth which is poisonous or which may harbor rodents, insects or other pests harmful to man.

**Section 610. Buffer Strips.**

- A. A suitably screened or landscaped buffer strip shall be provided in accordance with Section 903 of Abbottstown Borough Zoning Ordinance along all of the property and street boundary lines separating the park from adjacent uses.

**Section 611. Walkways.**

- A. *General Requirements.* All parks shall be provided with safe, convenient, all season pedestrian walks of adequate width for intended use, durable and convenient to maintain, between individual mobile home lots, the park streets and all community facilities provided for park residents. Sudden change in alignment and gradient shall be avoided.
- B. *Common Walk System.* The Commission may require that a common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks have a minimum width of four (4) feet except that passing spaces must be provided in accordance with ADA regulations.
- C. *Individual Walks.* All mobile home lots may be provided with individual walks connected to common walks, to paved streets, or to paved driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of three (3) feet.

**Section 612. Signs and Lighting.**

- A. Signs may be permitted subject to the approval of the Borough Planning Commission and the Borough Council.

B. All means of ingress and egress, walkways, streets and parking lots shall be adequately lighted in accordance with Section 904 of the Abbottstown Borough Zoning Ordinance.

**Section 613. Other Site Improvements.**

A. One fire alarm box or public telephone shall be provided. That park operator shall require that a fire extinguisher of a type approved by the Commission be maintained in each mobile home and in all public service buildings under park control.

B. Provisions may be made by the park operator to have garbage collected at least once every week. Any refuse disposal sites proposed within the mobile home park shall be subject to the approval of the State Department of Environmental Protection. No centralized waste collection station shall be located on the park site.

C. Each mobile home lot shall be provided with a 4 inch concrete slab on a stable surface at least 10 feet by 18 feet in size for use as a terrace and so located as to be adjoining and parallel to the mobile home.

D. There shall be provided in each mobile home park such other improvements as the commission may require. Such requirements shall at all times be in the best interests of the park residents.

E. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

6. Television reception service shall be provided from a centralized antenna service and subject to the approval of the Commission.

**Section 614. Park Areas for Nonresidential Use.**

A. No part of any mobile home park shall be used for any nonresidential purpose, except such uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the park.

B. Nothing contained in this Section shall be deemed as prohibiting the sale of a mobile home located on an individual lot and connected to the pertinent utilities.



**ARTICLE VII: ADMINISTRATION****Section 700: Enforcement Remedies:**

A. Any person, partnership or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation, until the fifth (5<sup>th</sup>) day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

B. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment

C. Nothing contained in this section shall be construed or interpreted to grant any person or entity other than the Borough the right to commence any action for enforcement pursuant to this section.

**Section 701: Preventive Remedies:**

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

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

1. The owner of record at the time of such violation.
2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

3. The current owner of record who acquired, the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

C. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Borough may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

### **Section 702: Fees**

The Borough Council shall establish a schedule of fees, charges, and expenses, as well as a collection procedure, for the review of subdivision and land development plans, and other matters pertaining to this Ordinance. The Borough Council shall adopt schedule of fees by Resolution, and shall post the schedule of fees, charges, and expenses in the Borough office, and may be amended only by the Borough Council. Such schedule of fees, charges, and expenses shall be incorporated into the overall fee schedule established by the Borough Council for this Ordinance.

**ARTICLE VIII: LEGAL PROVISIONS****Section 800: Severability**

If any article, section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase, or word in the Subdivision and Land Development Ordinance is declared for any reason to be illegal, unconstitutional, or invalid by any Court or competent jurisdiction, such decision shall not affect or impair the validity of the Subdivision and Land Development Ordinance as a whole, or any other article, section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the Subdivision and Land Development Ordinance. The Borough Council hereby declares that it would have adopted the Subdivision and Land Development Ordinance and each article, section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase and work thereof, irrespective of the fact that any one or more of the articles, sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases, or words may be declared illegal, unconstitutional, or invalid.

**Section 801: Repealer**

All Abbottstown Borough Ordinances or parts thereof in conflict with this Subdivision and Land Development Ordinance or inconsistent with the provision of this Ordinance are hereby repealed to the extent necessary give this Ordinance full force and effect.

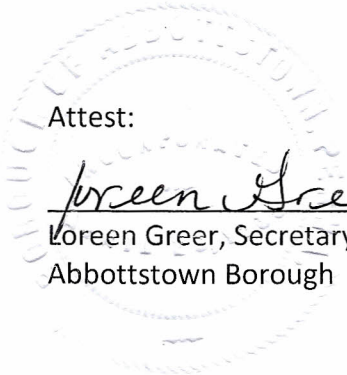
**Section 802: Effective Date**

This Subdivision and Land Development Ordinance shall take effect immediately upon adoption and publication, according to law, by the Borough Council of the Borough of Abbottstown, County of Adams, Commonwealth of Pennsylvania.

Enacted and Ordained this 20th day of February, 2014.

Borough Council  
Abbottstown Borough  
Adams County, Pennsylvania

Attest:

  
Loreen Greer  
Loreen Greer, Secretary  
Abbottstown Borough

By: April Trivitt  
April Trivitt, President

Mark Heisey  
Mark Heisey, Vice-President

Travus Brown  
Travus Brown, Member

Dale Reichert  
Dale Reichert, Member

Huge Wellen  
Huge Wellen, Member

Craig Peterson  
Craig Peterson, Mayor

**APPENDIX A: ABBOTTSTOWN BOROUGH STREET CLASSIFICATION INDEX****Arterial Streets**

1. King Street (Route 30)
2. Queen Street (Route 194)

**Collector Streets**

1. Brough Road
2. Kineman Road

**Residential Subcollector Streets**

1. County Club Road
2. Fleet Street
3. Sutton Road

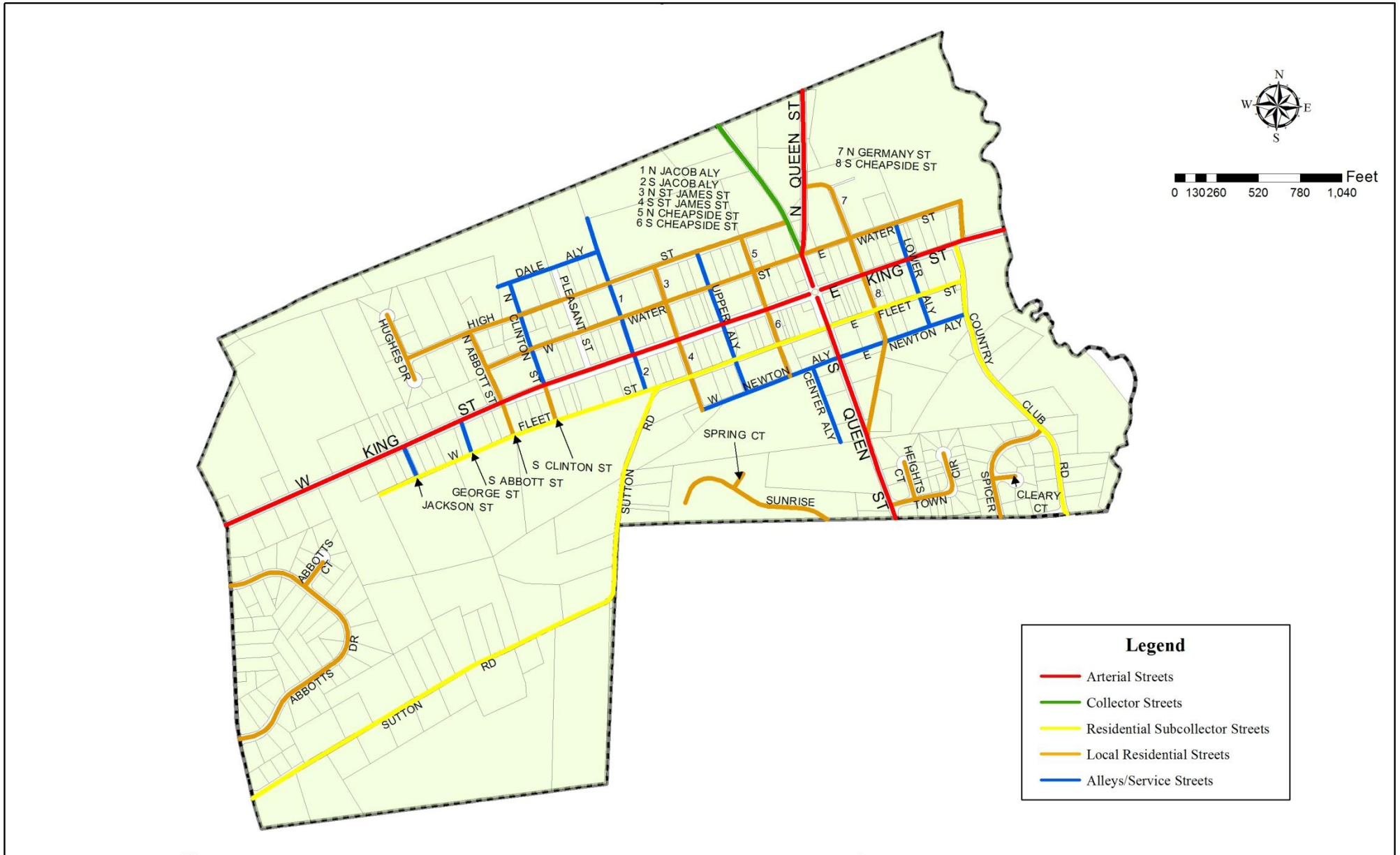
**Local Residential Streets**

- |                  |                      |
|------------------|----------------------|
| 1. Heights Court | 9. Abbott Street     |
| 2. Town Circle   | 10. High Street      |
| 3. Spicer Drive  | 11. Pleasant Street  |
| 4. Cleary Court  | 12. Water Street     |
| 5. Abbotts Drive | 13. St. James Street |
| 6. Hughes Drive  | 14. Cheapside Street |
| 7. Sunrise Drive | 15. German Street    |
| 8. Spring Court  | 16. Abbotts Court    |

**Alleys/Service Streets**

1. Center Alley
2. Jackson Street
3. George Street
4. Newton Alley
5. Dale Alley
6. Clinton Street
7. Jacob Alley
8. Upper Alley
9. Lower Alley





### ABBOTTSTOWN BOROUGH STREET CLASSIFICATION INDEX